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PRESIDING OFFICER: (SENATOR WELCH)

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 Rabbi Michael Datz of the Temple B'rith Sholom, in Springfield, Illinois.

RABBI MICHAEL DATZ:

(Prayer by Rabbi Michael Datz)

PRESIDING OFFICER: (SENATOR WELCH)

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

SENATOR VIVERITO:

(Pledge of Allegiance, led by Senator Viverito)

PRESIDING OFFICER: (SENATOR WELCH)

Today is Thursday, March 25th, 2004. Madam Secretary, Reading and Approval of the Journal.

SECRETARY HAWKER:

Senate Journal of Wednesday, March 24th, 2004.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Haine.

SENATOR HAINE:

Thank you, Mr. President. Mr. President, I move that the Journal just read by the Secretary be approved, unless a Member of the Senate has additions or corrections to offer.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Haine moves to approval the Journals just read by the Secretary. There being no objection, so ordered. Messages from the House.

SECRETARY HAWKER:

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

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

House Bills 393, 4005, 4109, 4288, 4453, 4478, 4489, 4493, 4495, 5050, 5562 and 7263.

All passed the House, March 24th, 2004.

PRESIDING OFFICER: (SENATOR WELCH)

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Would the Members please come to the Floor? We are going immediately to 3rd Readings. We're going to final passage, on page 7, Senate Bill 3rd Readings. Since there are three hundred and fifteen Senate bills on 3rd Reading, we're going to be using the timer today. The sponsors of the first bills on the Calendar: Senator Lightford, Senator Cullerton, Senator Ronen, Senator Meeks, Senator Walsh, Senator Martinez, Senator Link, Senator Jacobs, Senator Haine, Senator Watson. Please come to the Floor. Senator Dave Sullivan, for what purpose do you rise?

SENATOR D. SULLIVAN:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

State your point.

SENATOR D. SULLIVAN:

Thank you. If the Senate could please join me in welcoming my Pages for the -- for today, Maggie and Matt Black, who are actually from Senator Maloney's district in -- Oak Lawn.

PRESIDING OFFICER: (SENATOR WELCH)

Welcome to the Senate. Starting on page 7 at the bottom, Senate Bills 3rd Reading, the first bill is Senate Bill 948. Senator Lightford. Senator Lightford. With leave of the Body, we will return to Senate Bill 948. Senate Bill 950. Senator Cullerton. On the top of page 8, Senate Bill 965. Senator Cullerton. Senate Bill 983. Senator Ronen. Senate Bill 985. Senator Ronen. Senator Ronen seeks leave of -- Senator Ronen seeks leave of the Body to return Senate Bill 985 to the Order of 2nd Reading for purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 985. Madam Secretary, are there -- any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR WELCH)

Senator Ronen, to explain Floor Amendment No. 1.

SENATOR RONEN:

Thank you, Mr. President. This amendment actually becomes the bill and states that a public employer must continue to make payroll deductions for its employee's union dues for the duration of the contract with that employee and -- but that



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these deductions must continue regardless of who the collecting -- collective bargaining representative is. And all those payments will be made pursuant to the existing labor contract.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Ronen moves the adoption of Floor Amendment No. 1 to Senate Bill 985. All in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 985. Senator -- Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 985.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Ronen.

SENATOR RONEN:

Thank you, Mr. President. I think I explained the bill when I explained the amendment. There was some discussion. In committee, there was some level of concern. Those concerns have been addressed. There is no opposition to this bill, and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall Senate Bill 985 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Members voting Yes, no Members voted No, and none voted Present. Senate Bill 985, having received the required constitutional majority, is declared passed. Senate Bill 1006. Senator Meeks. Do you wish to return the bill to 2nd Reading for purposes for an amendment? Senator Meeks seeks leave of this Body to return Senate Bill 1006 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order

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of 2nd Reading is Senate Bill 1006. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR WELCH)

Senator Meeks, to explain your amendment.

SENATOR MEEKS:

Thank you. The amendment simply becomes the bill, and it's an area -- Ford Heights, in our area, to allow them to continue a program that they had going that was bringing five hundred thousand dollars to the area. It's the most depressed area in the Chicagoland area. And after which, they're going to make a recreational center out of the area. And that's the amendment.

PRESIDING OFFICER: (SENATOR WELCH)

Is there discussion? Seeing none -- excuse me. Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR WELCH)

He indicates he'll yield, Senator.

SENATOR ROSKAM:

Senator Meeks, our analysis says that -- well, I'm sorry. You just want to put the -- put the amendment on? I'm sorry.

PRESIDING OFFICER: (SENATOR WELCH)

Yes, we do, Senator. Thank you. Senator Meeks moves the adoption of Floor Amendment No. 1 to Senate Bill 1006. All those in favor will vote Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1006. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1006.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

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Senator Meeks.

SENATOR MEEKS:

Thank you so much, Mr. Chairman {sic}. Ford Heights is an area of Fifteenth Senatorial District that actually is the poorest community in the Chicagoland area. The Mayor of the City asked me to carry this particular bill to allow Ford Heights to continue a particular practice in which the income of the city will be seriously affected without it. This particular bill really only affects Ford Heights and the Ford Heights area, and this is a bill that, actually, if we don't get it passed, Ford Heights will be seriously devastated. And so I ask for the Body to consider that.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR WELCH)

Sponsor indicates he'll yield, Senator.

SENATOR ROSKAM:

Senator, just a couple questions on the underlying bill. You mentioned that it's important to -- to the city and so forth. Is this -- my analysis says that it has something to do with allowing -- clean construction debris to be used in construction projects. Is -- and then you said that the amendment becomes the bill. So, I guess two questions is, is there any change substantively, or did we just put on a technical amendment? That's question number one. And then question number two is, can you just tell us about -- about this practice and -- and how it's used and so forth? I think it's kind of a new subject area for many of us.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Meeks.

SENATOR MEEKS:

Yeah. The amendment is the substantive language. And this is a particular practice of dumping clean construction debris, and it is uncontaminated. And they're already actually doing it. It's -- I think the request now is that they're actually able to go higher than they were allotted at first. So, this is not

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anything new. They've already been doing it. Now they're just going to go a little higher.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Dave Sullivan.

SENATOR D. SULLIVAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I think there are some concerns about this legislation, but on this side of the aisle, we did support it in committee. Reverend Meeks, I think, is still having conversations with the EPA. It's -- it's very narrowly drawn for Ford Heights, and I think we're trying to help out a community that needs the help.

PRESIDING OFFICER: (SENATOR WELCH)

There any further discussion? If not, Senator Meeks, to close.

SENATOR MEEKS:

Thank you so much, Mr. Chairman {sic}, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall Senate Bill 1006 pass. All those in favor will vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 57 Members voted Yes, no Members voted No, and no Member voted Present. Senate Bill 1006, having received the required constitutional majority, is declared passed. Senator Larry Walsh, for what purpose do you rise?

SENATOR WALSH:

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

PRESIDING OFFICER: (SENATOR WELCH)

State your point.

SENATOR WALSH:

Ladies and Gentlemen of the Senate, it's my honor today. I have two Pages from my district: Nicholas Sayles and his brother, Michael. Nicholas is a fourth-grader at Eisenhower Academy and Michael is a second-grader. And their mother, Mandy, is with us, and they're down to be Pages for the Day here in the Illinois Senate.

PRESIDING OFFICER: (SENATOR WELCH)

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Nick and Mike, welcome to Springfield. Senator Wojcik, for what purpose do you seek recognition? Senator...

SENATOR WOJCIK:

Thank you, Mr. President. I rise for a point of personal privilege.

PRESIDING OFFICER: (SENATOR WELCH)

State -- state your point.

SENATOR WOJCIK:

I, too, have two young Pages for the day. They are attending Aldrin School, which is a school that my children attended. They're from Schaumburg, and their names are Alyssa and Christian, and their parents are up in the balcony - Gustafson, Mr. and Mrs. Gustafson. So, welcome to the Senate, and may you enjoy your day here. And thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Alyssa and Christian, welcome. Returning to page 8 of the Calendar, Senate Bill 1018. Senator Larry Walsh. Senate Bill 1550. Senator Martinez. Senator Martinez. Read -- Senator Martinez seeks leave of the Body to return Senate Bill 1550 to the Order of 2nd Reading for purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1550. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR WELCH)

Senator Martinez, to explain Floor Amendment No. 1.

SENATOR MARTINEZ:

Thank you, Mr. President. Amendment No. 1, it removes the requirement -- I mean, retains the underlying bill, as amended, with Floor Amendment No. 1. It removes the requirement that the State Board of Education allocate two hundred thousand of the amount appropriated each fiscal year to carryout independent program evaluation.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Martinez moves the adoption of Floor Amendment No. 1 to Senate Bill 1550. All those in favor, say Aye. Opposed, Nay. The Ayes have it. The

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

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR WELCH)

Senator Martinez, to explain Floor Amendment No. 2.

SENATOR MARTINEZ:

Floor -- Floor Amendment No. 2 retains the underlying bill, as amended, with Floor Amendment No. 1, and I can go into discussion...

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, Senator Martinez moves the adoption of Floor Amendment No. 2 to Senate Bill 1550. All those in favor, say Aye. Opposed, Nay. The Ayes have it. 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 WELCH)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1550. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1550.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President. The Grow Our Own Teacher preparation program established under the Act are to prepare highly skilled, committed teachers who will teach in hard-to-staff schools and hard-to-staff teaching positions and who will remain in these schools for substantial periods of time. Consortium established under this Act shall -- effectively recruit and prepare parents and community leaders and parent educators to become effective teachers and teacher leaders statewide in our hard-to-staff schools and hard-to-staff teaching position in schools serving a substantial percentage of low-income students. The goal of the Grown Our Own Initiative

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is to add one thousand teachers to low-income and other hard-to-staff Illinois schools by -- 2016 with an average retention period of seven years, as opposed to the current rate of 2.5 years for new teachers in such areas. I'll be glad to take any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. To the bill. I really don't have any questions. It's just a comment. You know, it seems to me that we need to be careful today and in the weeks and -- and next couple months when we're going to be together debating new programs. You know, many of us have gotten letters from students and folks that are involved in the Golden Apple program, and that's a program that is a teacher preparation program. And it's a program, actually, where we've made commitments, where we have kids that are -- that are in line and that -- that are counting on us, and yet, the Governor has chosen in his budget proposal really not to honor that commitment. It seems to me that this program that would be created in Senate Bill 1550 is a good program for another day, and I've told this to the sponsor. This is a good program for -- for a time when we're able to already meet the commitments and the obligations that we've made. So my No vote today is not -- is not really a reflection on the merits of this program, but it's just a reflection that we need to fulfill the obligations that we've made to students that are currently in our teacher preparations -- programs before we create an expectation that we're going to do -- do something else. Because if we don't fulfill the obligation of the Golden Apple program, then what integrity will there be with the program that's created out of Senate Bill 1550 when another program comes around that's called Senate Bill 2550 in five years? So, I would urge a No or Present vote as a signal to the Governor that we intend to fulfill our obligations to the students under the Golden Apple program. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Brady.

SENATOR BRADY:

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Rise on a point of personal privilege.

PRESIDING OFFICER: (SENATOR WELCH)

State the point.

SENATOR BRADY:

On behalf of Senator Watson and myself, I would like to welcome and recognize visitors from Richland Community College state and local government political science class, in the gallery behind me.

PRESIDING OFFICER: (SENATOR WELCH)

Would the political science class please stand, be welcomed to the Senate? Thanks for coming down here. Senator Winkel.

SENATOR WINKEL:

Thank you, Mr. President. Just a quick comment. Again, as I said in committee -- in the Education Committee, Senator, I really appreciate your efforts. I respect you and your efforts. I like the concept embodied in your bill, but until, as Senator Roskam says that -- said very well, that until we fulfill our obligations to current programs that involve teacher recruitment, we ought not be embarking on yet new programs that we're not going to be able to fund. So this -- I agree this is a good program, but this is a program we should probably take a look at later. And we've got to support our programs that we already have in existence and fund them, like the Golden Apple program. That's a program. I realize yours is distinct from that program and has a different object, a different mission and a mission that is a very worthy mission, but until we can fund existing programs, we should not embark on new programs like the one you're proposing today. And that's why I'm going to vote No. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cronin.

SENATOR CRONIN:

Thank you -- thank you, Mr. President. I don't necessarily disagree, of course, with the remarks of my two previous colleagues. I just feel compelled to stand up and say something when Golden Apple is mentioned. This program sponsored by Senator Martinez is a wonderful program. It is a different type of program than Golden Apple. In the ideal world -- and I think basically everyone understands and agrees that we need to fully



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fund both the Golden Apple and this. The point that we're not fully funding the existing meritorious programs and we're introducing a new program is a point that has merit, of course. However, because I believe in the Golden Apple and because I want to work with Senator Martinez and we need to promote both of these types of programs, I -- I -- I'm going to come down on the other side of this, if I may. But the points are well made. Please be advised, all Members, they're different programs. They're both good programs. And I hope - sincerely hope - that this Governor, this administration and both sides of the aisle can support fully funding of the Golden Apple, as well as funding for this.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President. Just some comments. Senator, I -- I really commend you for trying to fill a void that -- that I think we need. I have a problem with maybe the timing on this, and also, if you'll remember in committee, some of the questions that I had with regard to -- you know, these -- these people, once they get their degree, coming back into school system, I think there are a lot of questions that probably are not addressed in this bill as to, you know, what rights they will have, what kind of schools they can go to, you know. And they may, you know -- they may come back and not get hired, because maybe the superintendent doesn't, you know, really think that they would -- they would fit -- fit what they'd like to have. And I -- I really -- if I had my druthers on this, I'd like to see this bill come back maybe next year with some of those questions answered and -- and maybe get this thing through at that time, when maybe we can fund the Golden Apple and this. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. I -- I certainly appreciate all the comments that have been made here and the concerns that have been expressed, but let me remind you that last year -- this fiscal year, the current fiscal year, we were able to, through a

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supplemental appropriation, restore dollars for the Golden Apples program because we all believe, I think, that that program is an excellent program and one that we must continue to support, even though the Governor cut it last year and then he cut it again this year. And my understanding is that we are in the process of putting the Golden Apple dollars into the budget. And that's great. That's exactly what we should be doing, and we should also be supporting this program that targets schools that are hard to staff and positions that are hard to staff. It's -- it's a well thought out program that I think is unique in many -- in many respects, and it's the type of program that the General Assembly should use to -- to set policy when it comes to developing our teacher pool in the State of Illinois. It's also important for us to send a message to the Governor, with the passage of this bill and with our support for restoring the dollars for the Golden Apples program, and the message is that the General Assembly is going to play a significant role in determining education policy in the State of Illinois. We are not going to allow the Governor to set all the policy by himself, because sometimes the ideas coming out of the Governor's Office are not exactly great ideas. And so here, we have an opportunity to send a clear message - a clear message - that says that we will be supportive of programs that make sense. And cutting funding for Golden Apples made no sense whatsoever, and we're going to be able to send that message. And I hope that you'll join us in supporting Senator Martinez's bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator -- Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. I just rise in support of the sponsor's bill. This is a good bill, and I would hope that people would not hold her at fault for something that the Governor may or may not do with the Golden Apples program. Senator Martinez did not cut the Golden Apple program. She's trying to do something that's good and positive for the children, and let's vote Aye on this important legislation.

PRESIDING OFFICER: (SENATOR WELCH)

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Senator Schoenberg. No? Thank you. Senator Martinez, to close.

SENATOR MARTINEZ:

Thank you...

PRESIDING OFFICER: (SENATOR WELCH)

Senator...

SENATOR MARTINEZ:

Thank you, Senators. Senator Cronin, thank you for the comments. And just real quick closing, I just want to say that this is a program that I think is very important. Yes, we will continue to work in making sure that we can restore the Golden Apple dollars that were taken away, but I think that this concept is a -- is a great concept. I think when you talk about low-income schools in areas, when you talk about hard-to-staff schools, I think this is the right thing to do. This is the time for it, and I thank you and I ask for an affirmative roll call.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall Senate Bill 1550 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 39 Members voted Yes, 13 voted No, 6 Members voted Present. Senate Bill 1550, having received the required constitutional majority, is declared passed. Senate Bill 1576. Senator Terry Link. Senator Link moves... Do you wish this bill returned to 2nd Reading for an amendment, Senator Link? Senator Link seeks leave of the Body to return Senate Bill 1576 to the Order of 2nd Reading for purpose of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 1576. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR WELCH)

Senator Link, to explain Floor Amendment No. 1.

SENATOR LINK:

Thank you, Mr. President. The amendment becomes the bill. Basically what it does is require telecommunication carriers that are planning to build a new facility/cell towers within 1.5

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miles of a municipality to provide written notice to municipalities and to the owners of property within two hundred and fifty feet of the parcel of land in which a facility will be constructed. The notice must be given at least thirty days before the constructions start.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. Now on the Order of 3rd Reading is House Bill -- is Senate Bill 1576. Senator Link -- Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1576.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. Basically, as stated, same, as the amendment is the bill and it's -- same as I just stated.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I wonder if the sponsor would be willing to answer a question or two?

PRESIDING OFFICER: (SENATOR WELCH)

He indicates he'll yield, Senator.

SENATOR RAUSCHENBERGER:

Senator, did you say two hundred and fifty feet? Was that property owners within two hundred and fifty feet of the parcel would be notified?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Link.

SENATOR LINK:

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Correct.

SENATOR RAUSCHENBERGER:

So, roughly, the -- the -- the distance -- eighty yards, the distance of this Chamber, that's the -- the -- the notice?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Link.

SENATOR LINK:

Correct. They will be -- they will be given notice that a -- a tower will be constructed. They will be given proper notice that this tower will be constructed.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Just, why -- why was two hundred and fifty feet chosen? It just seems like a -- I mean, these are relatively tall. I mean, where did two hundred and fifty come from? I'm just curious.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Link.

SENATOR LINK:

Basically, we sat down with telecommunication carriers and what we did is so that -- where this all started out from is, you know, when you got a -- a -- a county and a -- a municipality that adjoin and, basically, you might have a wooden fence dividing the two. And you might go to bed one night and the next morning, you wake up, and there's a cell tower in your backyard and you had no notification that it was going to happen. This is basically what we did and that's why we -- we picked the two hundred and fifty feet. And it's a mile and a half in a radius of that period. So, a lot of that -- you know, area is open space. So it's any -- any area in two hundred and fifty feet, that they publicly be notified that this -- it was an arbitrary figure that came out of it.

PRESIDING OFFICER: (SENATOR WELCH)

Push your button. Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I appreciate the sponsor answering the questions.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Dave Sullivan.

SENATOR D. SULLIVAN:

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

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield.

SENATOR D. SULLIVAN:

Senator, how are the cell phone companies position on this bill?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Link.

SENATOR LINK:

They are unanimously behind it. It was a worked-upon agreement with them.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Link, to close.

SENATOR LINK:

I just would ask for a unanimous vote.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall Senate Bill 1576 pass. All those in favor vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 58 Members voted Yes, no Member voted No, and no Member voted Present. Senate Bill 1576, having received the required constitutional majority, is declared passed. Senate Bill 1636. Senator Jacobs. Senate Bill 1637. Senator Jacobs. Senate Bill 1731. Senator Haine. Senate Bill 2090. Senator Watson. Senate Bill 2091. With leave of the Body, we'll come back to that. Senate Bill 2103. Senator Radogno. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2103.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill simply requires the Governor's Office to prepare and publish quarterly financial reports to update both us and the general public as to what is going on with the State finances. It's just an additional tool to help us manage better.

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There was no opposition to the bill, and I would be -- ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2103 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 58 Members voted Yes, no Member voted No, and none voted Present. Senate Bill 2103, having received the required constitutional majority, is declared passed. Senate Bill 2108. DeLeo. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2108.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator DeLeo.

SENATOR DeLEO:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 2108 is -- amends the Illinois Public Accounting Act. What this is -- it's to -- make a change in the Board report, disciplinary action, the renewal of certificates. Currently, the -- what this bill will do, it requires holders of CPA certificates to register and re-register with the Board, as required by Board rule. Allows the Board...

PRESIDING OFFICER: (SENATOR WELCH)

Senator, excuse me. It's impossible to hear, folks. Please tone it down. Senator DeLeo, please proceed.

SENATOR DeLEO:

Beginning on July 1st, 2004, it will require applicants for licensure to pass an exam on the rules of professional conduct to receive a CPA certificate. There's a lot of changes in this, and I guarantee we'll see this bill back. There's some minor opposition. It changes the way -- currently, the Department of - - Professional Regulations is the regulatory body. This changed it -- changes it to a Board of Examiners. There's some really dramatic changes. There's work going on with the Governor's

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Office, with the industry. They've asked to pass this over to the House, and I'm sure we'll see this bill again.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. I -- I would just like to express appreciation on behalf of the little guys in the accounting field for your work on further amending this, because the problem that we have in the accounting profession is with the larger auditors who take care of clients like Enron, Global Crossing, Tyco, and those are the licensed CPAs. What this bill does is it expands very severe regulatory sanctions on the little guy who prepares tax returns, financial planning, all those kinds of things. It literally takes the CPA certificate away from them. It's like taking a college graduate degree away from the person. But with the sponsor working on bringing compromise together through the other house, thank you so much.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Dave Sullivan.

SENATOR D. SULLIVAN:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, just for Members on this side of the aisle, this bill passed out of committee unanimously, and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

Senator DeLeo, to close.

SENATOR DeLEO:

Thank you very much, Mr. President. I ask for an affirmative roll call.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall Senate Bill 2108 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 52 Members voted Yes, 3 Members voted No, no Member voted Present. Senate Bill 2108, having received the required constitutional majority, is declared passed. Senate Bill 2109. Senator DeLeo. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2109.



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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator DeLeo.

SENATOR DeLEO:

Thank you very much, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 2109 is the companion bill to the last bill, but there's a little difference in this. There is no opposition, I believe, on this bill. It changes the name of the Board of the overseeing -- Licensure Act. It requires the Board to have an audit of its books, and -- and it would be conducted by the Auditor General on an annual basis. There's no new funds and no money goes to GRF, so I don't think there's any opposition to this. I ask for an affirmative roll call on Senate Bill 2109.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall Senate Bill 2109 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 58 Members voted Yes, no Member voted No, and none voted Present. Senate Bill 2109, having received the required constitutional majority, is declared passed. Senate Bill 2112. Senator DeLeo. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2112...

PRESIDING OFFICER: (SENATOR WELCH)

Oh! Take it out of the record, Madam Secretary. Senate Bill 2115. Senator del Valle. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2115.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. This bill establishes conditions for denying enrollment for one semester to students sixteen years of age or older because of academic problems or failure to

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meet minimum attendance standards. A school district may deny enrollment to a student who is at least sixteen years of age but not more than nineteen years for more -- may not deny enrollment for more than one consecutive semester for failure to meet academic or attendance standards. It provides an opportunity for kids to complete their high school education. The idea here is to stop the practice of putting sixteen-year-olds on the street because of the compulsory attendance age law, and I do have another bill that addresses the compulsory attendance age law. But what this bill does is that it establishes procedures for providing opportunities for youngsters to after they have been put out for one semester because of academic and attendance problems, to be able to reenroll and receive services and have their progress monitored and, in effect, give them a second or even a third chance to complete their high school education. I'll be glad to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall Senate Bill 2115 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 58 Members voted Yes, no Member voted No, and none voted Present. Senate Bill 2115, having received the required constitutional majority, is declared passed. Senate Bill 2123. Senator Watson. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2123.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Watson.

SENATOR WATSON:

Thank you very much, Mr. President. This is the legislation that deals with allowing the President of the United States, George W. Bush, to be on the ballot in November of this year. As you recall, the State Board of Elections has to certify candidates both at the State and national level, and that date of certification is August 27th. Well, the National Convention of -- the Republican National Convention this year is after that

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date, and therefore the State Board of Elections is telling us that we need to change the statute. That would only impact this election in 2004 and would allow, obviously, for George W. Bush, the President of the United States, to be on the ballot. As you can see, those of you who are looking at you analysis, no one opposed this legislation, and I would appreciate your support.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. This certainly shows that President Emil Jones is -- has bipartisan cooperation in his heart to allow President Bush to be on the ballot in Illinois. And I think that we hope that that same bipartisan cooperation is passed back over to this side of the aisle, and it certainly shows that our President is not a petty political person when it comes to matters such as this.

PRESIDING OFFICER: (SENATOR WELCH)

I thought Senator Roskam might start singing "Kum-ba-yah" about now. Senator Watson, to close.

SENATOR WATSON:

Well, I do appreciate the President's bipartisanship and outreach here, and I just hope the Speaker of the House has the same -- same feeling. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall Senate Bill 2123 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Members voting Yes, no Member voted No, and no Member voted Present. Senate Bill 2123, having received the required constitutional majority, is declared passed. Senate Bill 2124. Senator Cullerton. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2124.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator John Cullerton.

SENATOR CULLERTON:

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Thank you, Mr. President, Members of the Senate. Under current law, the driving under the influence penalty provisions are very fragmented. This is a recodification that will place all of the penalties in the same location, will be -- and will reduce the likelihood of error in charging and in sentencing of the DUI-based offenses. There's no substantive changes. It's just a recodification so it's easier to read and -- and follow for the judges and the prosecutors. Be happy to answer any questions, and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Garrett. The question is, shall Senate Bill 2124 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 58 Members voted Yes, no Member voted No, none voted Present. Senate Bill 2124, having received the required constitutional majority, is declared passed. Senator Garrett, for what purpose do you rise?

SENATOR GARRETT:

Yes, Mr. President, on a point of personal privilege. I made a mistake and did not vote for Senate Bill 2123. I apologize. I did intend to vote Yes. So if the record could reflect that, I would appreciate it very much.

PRESIDING OFFICER: (SENATOR WELCH)

The record will reflect your intention, Senator. Senate Bill 2133. Senator Meeks. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2133.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Meeks.

SENATOR MEEKS:

Thank you so much, Mr. Chairman {sic}. This bill extends the grace period for registration. In other words, now that George Bush is on the ballot, in case an individual wanted to vote for Mr. Bush, under the old law, after the thirty -- twenty-eight-day period, they wouldn't have been able to go in and register. But now fourteen days out, now that they know Mr.

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Bush is on the ballot, they'll be able to register under this bill.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield, Senator.

SENATOR RIGHTER:

Senator Meeks, first I want to thank you, on behalf of the Members on our side of the aisle, for your concern over those who will choose to vote for the President this November. We are allowing a fourteen-day grace period for those who fail to register within the thirty-day deadline. Is there any requirement that the person who failed to do so show -- demonstrate why -- any good cause why they failed to register within the thirty-day, that maybe they were out of town or maybe they were sick or visiting a relative or something like that?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Meeks.

SENATOR MEEKS:

There's no requirement, Senator, but what they must do, is that they must register in person, and then once they register in person, then they must vote absentee either at that time or by mail.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

I'm -- I don't think I understood, Senator Meeks. If they choose to register within the grace period, is there -- are their registration requirements different than if -- they would be if they registered outside of the thirty days?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Meeks.

SENATOR MEEKS:

Yes, there are different requirements. This will -- actually, you won't be able to register motor voter -- you won't be able to register motor voter or anything like during the

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grace period. You only can register in person and then by absentee ballot.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

Senator, what's brought this to your attention? What problem are we trying to remedy here that needs to be remedied? I mean -- and in particular, I would assume there's a reason you've picked fourteen days as opposed to ten or twenty or -- or same-day registration or something like that.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Meeks.

SENATOR MEEKS:

Actually, Senator, there are 1.8 million people in the State of Illinois that's unregistered. The problem that we're really trying to address is that there are many people who actually don't get excited about an election until the end. For whatever it reason it may be, once the commercials start, the excitement start, then there are many people who now they want to vote but they had not registered. So what we're really trying to do is give every individual an opportunity to vote when the election day comes along.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

Senator Meeks, is -- is it fair to say then, from that, that you think there's a significant number of unregistered voters out there who once they become interested in the election in -- within the last week or ten days -- or, I guess it's -- it's outside of two weeks, will then become so intrigued by it or so motivated by it that they wish they would have registered to vote in the first place?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Meeks.

SENATOR MEEKS:

Well, Senator, we want to make sure that everybody who really wants to vote within that fourteen-day period, that they'll be able to vote. Yes.

PRESIDING OFFICER: (SENATOR WELCH)

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Senator Righter, twenty seconds left.

SENATOR RIGHTER:

Thank you, Mr. President. Last question. Senator, if we're going to do this, why don't we just cut the registration period? I mean, rather than saying it's thirty days but, oh, by the way, you get two weeks in case you forgot, why not just cut it to fourteen days or fifteen days or whatever you want to go to. I mean, is there -- does this seem more -- you think this is more palatable to try to sell to the General Assembly or is there some other reason why we're doing it this way?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Meeks.

SENATOR MEEKS:

I -- I think that fourteen days might be a bit easier on the clerks.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield.

SENATOR ROSKAM:

Senator Meeks, what happens if -- if -- let's say in a primary, and there's a few busloads of people that are gathered and they're excited and they want to participate and so forth. And the organizers of a political campaign say, "Hey, come on and -- and -- and vote for this candidate. We're going to get on a bus -- we're going to get on two or three or four buses." And you can imagine this. And -- and they come in and they come to the county clerk's office, and there's a handful, or maybe even several people, that decide when they're signing in, when they're registering, they write down their address as 1060 West Addison. Now, as you know, 1060 West Addison is Wrigley Field. Under normal circumstances, the clerk is able to go through -- you know what I mean? They've got that twenty-eight days to verify addresses and to clean that process up. I'm told that -- that one of the problems in the bill is that there's nothing -- if a -- if a ballot is cast, there's nothing that can be done with that ballot. In other words, the Election Code doesn't

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speak to that problem. Has the individual that recommended this bill to you, has he contemplated that, do you know?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Meeks.

SENATOR MEEKS:

Senator, I think the fourteen days will still give the clerk an opportunity to clean that up.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

Well, no, though -- my point is that if they come in and they register, they're registered. They -- they come in, they say, "Hey, here's -- I'm 1060 West Addison," and they -- you know, there's a lot of people. It's a big crowd. It's a crowded room. It's a crowded lobby. People want their doughnuts. They want to get moving. So, they're all up there, and somebody puts down a fraudulent address. And then you told us earlier that they have to -- they vote right then. They get their ballot. They cast the ballot. What happens then if subsequently it's determined that the address was -- not legitimate? Under current law, the clerk has that time period to clean that up, to ensure the integrity of that person that they're actually at that address, but under the scenario that I played out, you could have a lot of spoiled ballots. And what does the clerk -- or, what does the election authority do with those spoiled ballots? I -- I think there's a problem here. I'm not just sort of having fun with you. I think that there's a problem here that -- that either needs to be addressed in a trailer bill or -- or -- or somewhere else. But I'm told that the Election Code doesn't contemplate this type of situation.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Meeks.

SENATOR MEEKS:

Senator, I think they clean that up the same way they clean up any other absentee ballot. I mean, what if another individual gave an absentee ballot twenty-eight days out and gave the wrong address? They still have the same process. They'll clean it up the same way they clean up any other absentee ballot.



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PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

Just briefly to the bill. You know, I would really urge caution on this. And I know the Senator is well-intentioned, but my analysis shows that this is not something that came as the result of a lot of statewide discussion or that it was necessarily the result of our election authorities coming forward and saying that this is something that we need to be doing. I think that we're maybe addressing a problem that doesn't exist really, with due respect to the Senator, and the question that I've raised I think is one that, at the very least, needs to be studied by staff and very possibly we should be looking at a trailer bill. So, I would urge a No or Present vote. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Wendell Jones.

SENATOR W. JONES:

Yes. Thank you, Mr. President. We discussed this at length in committee, and the Republicans voted against it mainly because the twenty-eight-day period is established in law for a good reason. It's established in law so the -- the election officials can verify the registrations and get ready for the election. We could make it twenty-eight days or twenty-one days or fourteen days. You know, what you -- but you -- the closer you -- the closer you cut this to the election, the more likely there is to be errors and the more likely there is to be confusion and to cause additional pressure on the election officials. My guess is if you polled the election officials in the State of Illinois, they've been living with this twenty-eight-day cutoff for years and years and years and years, and it's a good cutoff date. We cut it off so we can prepare for the election. If we don't have time to prepare for the election, it just causes chaos. I would recommend a No vote.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. You know, I just rose a minute ago and -- on the President Bush bill. I -- I was hopeful that

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bipartisan cooperation was the rule of the day. And clearly it isn't. With turnouts in these elections being at thirty-five, thirty-three percent, seems like a responsible legislator would want to do everything possible to allow everyone who wants to participate in an election the opportunity to do so. What are you afraid of? This is bipartisan. They could be last-minute Republicans who want to vote, last-minute Democrats who want to register, last-minute LaRouche Party people who want to register. This is bipartisan. Where is the cooperation we asked for earlier when we unanimously voted to put President Bush on the ballot? Now you're saying you don't want last-minute registrations. Why? I -- I simply don't understand it. I urge an Aye vote, and I hope the reasonable Republicans on that side of the aisle will also vote for this reasonable legislation.

PRESIDING OFFICER: (SENATOR WELCH)

Senator -- Senator, that picked us up two more speakers. Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Yeah. A question of the sponsor, if he'll take a question or two.

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield.

SENATOR RAUSCHENBERGER:

Senator, as I understand it, and I'm no expert on election law, there's also a provision in the election law for what they call "provisional voting." If you arrive at a -- at a polling place and you're not on the rolls, but -- and you don't have your voter registration card, they'll allow you to provisionally vote. Okay? And then the -- the ballot is set aside, and I think the clerk's office has a -- a couple of weeks or some period of time to -- to verify that you are actually registered. Is it possible, we got -- we have tomorrow and you guys have a great Rules Committee and -- and a lot of great staff. What -- what if you considered modifying the bill to allow for provisional voting for these fourteen days to make sure there was -- 'cause that separates the ballot where the ballot's clearly identifiable and not put into the count until there's a verification. I mean, it's a question came up based on the

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debate. I -- I have not researched it, but I wonder if -- if that's a possibility that your staff would consider.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Meeks.

SENATOR MEEKS:

I think the provisional voter is an individual that's already registered. In this case, we're trying to give an individual who's not registered an opportunity to register.

PRESIDING OFFICER: (SENATOR WELCH)

Senator -- Rauschenberger.

SENATOR RAUSCHENBERGER:

I think the more appropriate way to put it is the -- a provisional voter is someone whose -- whose registration is in question but who asserts that they're registered. They're allowed to cast their ballot. The ballot is segregated until they're verified. I'm just saying, if you -- if you maybe modified this bill to allow late registrants to vote provisionally instead of to vote absentee, then the -- the ballot is segregated and there's time to -- to verify that it's a valid voter and that they didn't give Wrigley Field as their address or -- or some other thing. Just -- you know, I understand your -- your effort to make sure that if -- when people get excited, they have right to vote. But, you know, ballot integrity is also something that I just think we need to be cautious about. I appreciate you considering that idea.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. Just to the bill very, quickly. One of the previous speakers indicated that this was a bill that would give people the opportunity to -- to express their responsibility, their willingness to vote. And this is a bipartisan bill. We -- we already have a bipartisan answer to this in the electoral process. But also, what we have is, as a -- as a group of legislators, we have a responsibility to the citizens of -- of the State of Illinois to make sure that the elections are conducted in a fair and balanced manner. We also have a responsibility to teach our citizens civic duty, civic responsibility, and personal responsibility. And personal

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responsibility can start with thirty days as easily as fourteen.  
Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Meeks, to close.

SENATOR MEEKS:

Thank you so much, Mr. Chairman. I simply will add, since many of the individuals have said that we've had this law for years and years and years, twenty-eight days has been standard, technology has changed over the years, and technology affords us this opportunity. And I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall Senate Bill 2133 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 32 Members voted Yes, 25 Members voted No, no Member voted Present. Senate Bill 2133, having received the required constitutional majority, is declared passed. Senate Bill 2134. Senator Cullerton. Senator -- Senator Haine, for what purpose do you seek recognition?

SENATOR HAINE:

Thank you, Mr. President. For -- for a note of personal privilege. For purpose -- point...

PRESIDING OFFICER: (SENATOR WELCH)

State your point.

SENATOR HAINE:

Thank you, Mr. President. We have, Ladies and Gentlemen of the Senate, on the Floor today, former Senator, a distinguished Senator, my predecessor, the Honorable Evelyn Bowles.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Bowles. Where is she? Senator Bowles. Welcome back. Senator Cullerton, on Senate Bill 2134. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2134.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cullerton.

SENATOR CULLERTON:

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Thank you, Mr. President, Members of the Senate. This is an initiative of the Motion Picture Association of America, with the support of the Illinois Retail Merchants, and it's designed to address a -- a particular problem of people going into movie theaters, concealing camcorders that are capable of recording and stealing the films, and then stealing these -- these films and getting them into DVDs and -- and over the Internet. This is a significant problem throughout America. It's estimated there's three and a half billion dollars that the industry loses. So this bill addresses that by making it against the law to go in and operate a recording device at a motion picture exhibition facility without permission from the owner or the licensee of the movie. I know of no opposition. Be happy to answer any questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall Senate Bill 3135 pass -- excuse me, shall Senate Bill 3134 pass. Let me try it a third time. Shall Senate Bill 2134 pass? All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 57 Members voted Yes, no Members voted No, no Members voted Present. Senate Bill 2134, having received the required constitutional majority, is declared passed. Senate Bill 2135. Senator Garrett. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2135.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

Yes. Thank you very much, Mr. President. We actually passed this bill last year, and the Governor did an amendatory veto. We made changes in the legislation to support his -- his request, and so I'm bringing it back again. I will just read you the summary. This legislation amends the School Code creating K-3 class size reduction grant program to be implemented and administered by the State Board of Education. It

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limits eligibility to schools that are on the Early Academic Warning and Academic Watch List that maintain grades K-3 and limits the use of grant funds to operating and maintaining class -- classes in grades K-3 with an average class size within a specific grade of no more than twenty students. Furthermore, it allows grant funds to be used to hire teacher aides if the school's facilities are not adequate enough to allow for smaller class size. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR WELCH)

She indicates she'll yield, Senator.

SENATOR ROSKAM:

Senator Garrett, who -- as you've done some projections, I'm sure you've had conversations, and as you've moved the bill through the process, who do you think is going to get the money? Where is it going to go? I mean, can I expect Wheaton and Naperville to benefit under this?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

You know, I would hope that we're not looking at this so much from a partisan angle, but, in fact, the schools that are on the Academic Warning List who are in the dire need for these kinds of projects and these kinds of funds would be certainly considered.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

Who would they be? In the conversations, Senator, when you've talked to people and you've had meetings and you've had discussions and you've talked to other Senators about the bill in general, which communities have come to mind in those conversations that you've heard and you've spoken about?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

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Yeah. It's not any specific community. Again, there are many communities that have small classrooms, too many children who are on the Academic Warning List. So that is the formula, and that's the formula that we will abide by.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

Really? I mean, that's an unusual speech pattern, isn't it? I mean, when you're talking about a bill, there's -- and you're -- you're talking about a hundred-million-dollar program, that in the course of that, no specific schools have come up in the course of conversations or meetings that you recall?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

Again, this is going to be administered by the State Board of Education. And I'm a legislator. I'm not somebody that is going to make -- going to be making those kinds of decisions.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

Well, Senator, our staff has looked at this and -- and they've done some projections. And they've based on the 2002 Watch and Warning List, and they've come to the conclusion that in the entire program, the entire hundred-million-dollar program - and let me say they don't have the 2003 numbers 'cause of the confusion with the numbers - but based on this entire program, there's only one Senator on this side of the -- the aisle that's going to get a dime out of this program. Were you aware of that?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

Okay. I was just given a list of the Senators who have schools that would be eligible for this program. Should I list them, for your -- and I'm not sure the difference between the 2000 and the 2003, but apparently those Academic Warnings are continuing to increase. We've got Syverson, Crotty, Lightford, Halvorson, Clayborne, Sandoval, Meeks, Rauschenberger, Walsh,

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Bomke, Link, Petka, Shadid, Jacobs, Watson, Trotter, Geo-Karis, Risinger, Welch, Winkel, and Forby.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

Well, so, Senator, in my earlier questions when I asked you about school districts and so forth, and you said, "Well, we haven't discussed that," "We've not contemplated that," "This is a hundred-million-dollar program," you weren't -- you weren't misrepresenting your -- your worldview to me, were you? Did you misunderstand my question, seriously?

PRESIDING OFFICER: (SENATOR WELCH)

Your time is up, Senator Roskam. Senator Garrett.

SENATOR GARRETT:

No, I'm not -- if these are trick questions, I'm here really -- I'm here really to make sure that we have the funds that go to the neediest schools, the neediest classrooms. As I read that list, you didn't see my district represented. So, as a legislator, it's my job to make sure that those dollars go to the schools and the classrooms that need it the most.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Mr. President. Senator Garrett, isn't it true that the way this bill is written, that all of the money could go to the City of Chicago?

PRESIDING OFFICER: (SENATOR WELCH)

Indicates she'll yield, Senator. Senator Garrett.

SENATOR GARRETT:

I am not aware of that, Senator Jones.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Wendell Jones.

SENATOR W. JONES:

Okay. This is a really a hundred-million-dollar shift from some sources to other sources. We're taking a hundred million out of our existing funding for education, however we do that, which of -- we all know is not very well done, and we're -- we're really robbing Peter to pay Paul. And I think we should



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understand that when you rob Peter to pay Paul, you always have Paul's support. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President. To the bill. I rise in support of this legislation. It's something that is definitely needed. I don't feel that it's robbing Peter to pay Paul. We currently have seven hundred and seventy-five million dollars from No Child Left Behind. We will experience a twenty-five-million-dollar increase in the next fiscal year. Some of that funding could be used to address this specific problem. Senator Syverson would be the legislator that has seventeen schools eligible - the most of any legislator here. And as Senator Garrett has already acknowledged, there are several schools, several Republican legislators, who could benefit from programs such as this, and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Question -- question of the sponsor, please.

PRESIDING OFFICER: (SENATOR WELCH)

Indicates she'll yield, Senator.

SENATOR RAUSCHENBERGER:

Is there a -- I mean, I'm sorry. I'm not on the Education Committee, so I haven't seen this bill before. Is there a source of funds for the -- the scope of the program?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

No, Senator. I'm glad you brought that up. There is -- this is totally subject to appropriation, so I'm not sure where the hundred million dollars that the previous Senator referred to is coming from or if it's been allocated, but it's a hundred percent subject to appropriation.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

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Is it fair to say, then, we're beginning General Assembly legislative intent for the -- the generous four hundred million dollars that the Governor has asked us to allocate?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

Senator Rauschenberger, you know, this shouldn't -- this is actually something that we should be looking at as a -- a public policy initiative. If, in fact, this General Assembly decides that X number of dollars should be appropriated for this particular measure and there's consensus on that, that will happen. If this General Assembly disagrees and says no dollars should be appropriated, it won't happen. This is really good public policy, but it's going to require agreement on the appropriations from each and every Member.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Just -- just a last comment. Are -- are you offering to assure the Republican side of the aisle that we will be allowed to participate in the allocation of the appropriations this year, unlike last year?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

It's -- it's my opinion that the four hundred million dollars will be jointly decided upon by both sides of the aisle.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR WELCH)

Indicates she'll yield.

SENATOR RIGHTER:

Senator Garrett, I, truly, was not planning on speaking on this bill until I listened to the exchange between you and Senator Roskam, and Senator Roskam asked some pretty straightforward questions, which were where are the dollars going. And you told him two or three times that you didn't

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know, and then all of a sudden you had a list in your hand and you said, "Okay, these are the Senate districts to which this money's going to be going." Now, we have a list too, and our list doesn't match with yours and ours is based on the 2002 numbers. Can you tell me now, on the record, where you're getting your information from so maybe we could have that, too?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

Yes. Our list is from the State Board's Academic Early Warning List.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

From what year?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

The most current one.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

Is that broken down by school, individuals schools, because I think that's what your -- your bills says, that the schools are going to get the money, not the school districts? And -- is that -- I mean, is that the way that your information is broken down?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

These are districts, Senator, that have eligible schools within the districts. So, while they are -- for instance, Senator Syverson. He most likely has schools that would be eligible if, in fact, the General Assembly decided to allocate funds for this particular measure.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

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Thank you, Mr. President. To the bill. Senator Garrett, I -- I appreciate -- I mean, you're answering some difficult questions here, and I appreciate your comments that, you know, this is a public policy initiative and that's what we need to focus on. But what we also need to focus on is that it's going to cost a hundred million dollars, and the Governor said there's four hundred million out there. And I think, while perhaps not -- despite what I -- I hope is your true belief and the optimism that all of us will get to participate in the appropriations process and make the decisions about where these dollars go, I don't know whether that will be the case or not. But we do have some measure of responsibility to set before the Executive Branch, "Okay, this is where the General Assembly's spending priorities should be," and not just put new program after new program and new grant opportunity after new grant opportunity out there and just let them pick from 'em. And so, I -- I hope that's where you're going with this, but I don't think that the questions with regards to where the dollars are going, to what schools, is necessarily a partisan thing or anything like that. I think it's a fair question about where these dollars -- the State taxpayer dollars are going to be directed. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett, to close.

SENATOR GARRETT:

There's been a lot of good questions, a lot of discussion, and this is, again - I would like to reiterate - a public policy measure that we should all be looking at, taking into consideration, whether it helps schools in Chicago or downstate or the collar counties. It's up to us to make the decisions, ultimately, on those schools and the dollars associated with them, and so what this is, is just a mechanism to allow that to happen. I ask for a favorable vote. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall Senate Bill 2135 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 31 Members voted Yes, 24 Members voted No, no Members voted Present. Senate Bill

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2135, having received the required constitutional majority, is declared passed. Senator Garrett, do you seek leave of the Body to return Senate Bill 2140 to the Order of 2nd Reading for an amendment? Leave is granted. Senator Garrett seeks leave of the Body to return Senate Bill 2161 -- 2140 to the Order of 2nd Reading. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 2140. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY HARRY:

Amendment No. 2, offered by Senator Garrett.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett, to explain Floor Amendment No. 2.

SENATOR GARRETT:

Yes. Thank you, Mr. President. This is just a technical amendment having to do with assessments, having books turned in at a certain point in time, adding the federal census would be used for communities of a population between six hundred and seven hundred thousand.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, all those in favor of the amendment, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. On the Order of 3rd Reading is Senate Bill 2140. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2140.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

Yes. Thank you once again. This bill actually passed the Senate last year unanimously and got waylaid in the House for technical reasons. We've cleaned up the bill, and basically what we're saying, that in counties with populations of six hundred

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to seven hundred thousand, that they will, in fact, have to turn in their -- their assessment books by October 15th.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Just for this side of the aisle, of those people who might be interested, I'd like to express appreciation to the sponsor for narrowing the scope of this bill to affect her own county. And it passed out of the Senate Revenue Committee, I believe, unanimously.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall Senate Bill 2140 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 58 Members voted Yes, no Member voted No, and none voting Present. Senate Bill 2140, having received the required constitutional majority, is declared passed. Senate Bill 2141. Senator DeLeo. Do you wish to proceed? Could we have leave to come back to that? We haven't decided that's one Senator Demuzio wants to move or not. Proceeding. Senate Bill 2142. Senator Garrett. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

Senate Bill 2142.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett. Mr. Secretary, take the bill out of the record. Senate Bill 2145. Senator Jacobs. Senator Jacobs seeks leave of the Body to return Senate Bill 2145 to the Order of 2nd Reading for purposes of an amendment. Is there leave? Leave is granted. On the Order of 2nd Reading is Senate Bill 2145. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY HARRY:

Amendment No. 1, offered by Senator Jacobs.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jacobs, to explain Amendment No. 1.

SENATOR JACOBS:

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Thank you, Mr. President. Floor Amendment 1 to Senate Bill 2145, it's an agreed amendment between the Illinois Environmental Protection Agency, Solid Waste Agency of Cook County and the Illinois Association of Agri-Producers -- Aggregate Producers. It adds a new exemption to the list of sites that are not regulated by the EPA as pollution control facilities in order to encourage the recycling of clean construction debris. I know of no known opposition and ask for your support.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, Senator Jacobs moves the adoption of Floor Amendment No. 1 to Senate Bill 2145. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. On the Order of 3rd Reading is Senate Bill 2145. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2145.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. Just having explained the amendment, the only thing I would like to add is that this legislation would help to create a market for recyclable debris and serve the public interest by diverting this clean debris from our solid waste landfills. Ask for your support.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator David Sullivan.

SENATOR D. SULLIVAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. For Members on this side of the aisle, just want to let you know this did pass out of committee unanimously. There's no known opposition.

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PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall Senate Bill 2145 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 57 Members voted Yes, no Member voted No, and no Member voted Present. Senate Bill 2145, having received the required constitutional majority, is declared passed. Senate Bill 2147. Senator Silverstein. Senate Bill 2148. Senator Silverstein. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

Senate Bill 2148.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. What this bill states is it is illegal to ship cigarettes to anyone who is not a licensed distributor or export warehouse proprietor. It does provide an exception for home deliveries, and upon delivery of the cigarettes, the purchaser must give proper identification that he or she is at least eighteen years of age. If any questions, I'll take 'em.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator Silverstein, could you expand a little on the exception for home delivery?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Silverstein.

SENATOR SILVERSTEIN:

Good question. It -- it does allow for home delivery but you have to show proof that the individual is at least eighteen years of age. The intent is to prohibit the sale of cigarettes to people -- adults or minors under the age of eighteen through the Internet.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Rauschenberger.



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SENATOR RAUSCHENBERGER:

So I'm fair in assuming that it's similar to the Wine Act we have that -- that is -- the delivery company can only leave the goods if it's signed for by someone over the age of eighteen. Is that the way it works?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Silverstein.

SENATOR SILVERSTEIN:

Yes. And this makes it a little stronger because they have to give proper identification, either some type of written documentation or something. So it's a little -- very similar.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield, Senator.

SENATOR ROSKAM:

Actually, I think he's indicating he won't. Senator, do you have the bill in front of you, the actual language? Our staff just brought a -- a point to my attention that we didn't consider in committee, and I just want to bring it to your attention to maybe think about. On page 2, paragraph (b), subparagraph (a)(i) basically says that -- the way I... You're not tracking me? This is on the amendment.

PRESIDING OFFICER: (SENATOR WELCH)

Please repeat your -- your page.

SENATOR ROSKAM:

I'm on the amendment, Senator. Page -- page 2, paragraph (b). See where it talks about that "more than 200 cigarettes?" Are you with me? Okay. That seems to suggest that if somebody were having -- were -- were getting two hundred and one cigarettes for a friend, that they would actually be in criminal violation of this Act. Am I interpreting that correctly? So, in other words, if somebody says, "Hey, pal, pick up a couple of cartons for me," - I don't even know how many cigarettes is in a carton of cigarettes, but -- how many are in, Senator? A hundred? Two hundred is in one carton? So, if you're -- you know what I'm saying? If you're getting a couple cartons of

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cigarettes, I don't think that's what you're trying to do. I just raise that to your attention today. It might be worth considering. I think overall it's a very good bill that we should advance but that maybe is a subject that you would wish to bring up to your House sponsor. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Rauschenberger, you have something further?

SENATOR RAUSCHENBERGER:

Yeah. I apologize for rising a second time. Is there a home delivery limitation to two hundred cigarettes? Then -- then -- then the Members need to then understand that people are going to see this as a tax on Internet cigarette sales. Two -- one carton of cigarettes is not the quantity that people normally -- I mean, this -- this sounds like a "Let's protect John Stroger's new cigarette tax" bill. If you're limiting people to a single carton of cigarettes on an Internet or on a mail order, that is a restriction on their -- I mean, so home delivery is a single carton of cigarettes?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Silverstein.

SENATOR SILVERSTEIN:

It's two hundred. I don't know. I don't smoke, so...

PRESIDING OFFICER: (SENATOR WELCH)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Well, that's a -- that's a single carton of cigarettes. That's ten packs of cigarettes.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Silverstein, I think that's a question.

SENATOR SILVERSTEIN:

That's one carton. That's correct.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Well, then I -- I just would make sure the Members are aware. A lot of your constituents are frustrated by very high cigarette taxes, especially levied by jurisdictions. This bill, in my opinion, if it's limited to a single carton of cigarettes, is a -- is a wolf in sheep's clothing. I mean, this is a

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restriction on people's rights to avoid jurisdictional taxes through the Internet. You know, I've been a person working on Internet sales tax for a long time, taken a lot of heat from a lot of conservative Republican Members and some conservative Democrats that we're talking about taxing Internet sales. By restricting this to a single carton of cigarettes - you know, two hundred cigarettes is -- is not the quantity your constituent's ordering - be prepared, if you vote for this bill, for those people in your jurisdictions to be pretty upset and annoyed that they have to pay shipping charges one carton at a time, which is not a -- a reasonable quantity to order in. I -- I think this -- you got time, I think you ought to amend this bill. I -- I -- I don't know who brought it to you, but this -- you know, watch this bill, guys.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Silverstein, to close.

SENATOR SILVERSTEIN:

Let me respond to Senator... That was not my intention. In fact, the Department of Revenue wrote that restriction in that. So, that was not my intention, and I'll talk with the House sponsor 'cause you bring up a good point. But thank you very much.

PRESIDING OFFICER: (SENATOR WELCH)

Is that your closing statement? The question is, shall Senate Bill 2148 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 33 Members voted Yes, 17 Members voted No, 7 Members voted Present. Senate Bill 2148, having received the required constitutional majority, is declared passed. Senate Bill 2158. Senator Garrett. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

Senate Bill 2158.

(Secretary reads title of bill)

3rd Reading of the bill

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

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Thank you very much, Mr. President. This is an agreed-upon bill by the Illinois Library Association and the TIF District Association. Senate Bill 2158 says that if a municipality has assisted housing in a TIF district and the assisted housing brings more patrons to a library district, that library district can ask for a limited amount of reimbursement from the TIF funds to pay for the added costs. This only applies to library districts including more than one municipality, not to municipal, county or township libraries, and it only applies if the library district can't increase its tax levy without a referendum or is in a county under tax caps. That's it. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Cronin.

SENATOR CRONIN:

Yes. Thank you. If the sponsor would yield for a question.

PRESIDING OFFICER: (SENATOR WELCH)

Indicates she'll yield, Senator.

SENATOR CRONIN:

Does this apply only to assisted housing? I mean, what about cases where cities, you know, bring in the large-scale developments where libraries are inundated with hundreds of new residents?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

Thank you, Senator Cronin. You're absolutely correct. It's not only assisted housing. It's condominium complexes, et cetera, et cetera. So, I apologize for that mistake.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cronin. Senator Garrett, to close.

SENATOR GARRETT:

Again, this has taken about a year of negotiations. It's an agreed-upon bill, and I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall Senate Bill 2158 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted

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who wish? Take the record. On that question, 57 Members voted Yes, no Members voted No, and no Members voted Present. Senate Bill 2158, having received the required constitutional majority, is declared passed. At the top of page 10, Senate Bill 2163. Senator Forby.

SENATOR FORBY:

Yes. Thank you, Mr. President. What this bill does is...

PRESIDING OFFICER: (SENATOR WELCH)

Senator Forby. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

Senate Bill 2163.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Forby.

SENATOR FORBY:

Thank you, Mr. President. What this bill does, it reduces the age for a Firearm -- Identification Card from twenty-one to eighteen. States that citizens who are eighteen age may issue a Firearm -- Identification Cards. And right now, you got have to have a -- legal parents or a legal guardians to get a Firearm -- Identification Cards. And what this bill does is now the -- that men and women who are eighteen to twenty-one is buying guns that are not on the books, and this here will close a loophole that if someone purchase a gun under eighteen years old, it will show that we do have it on record. And this will close a lot of loopholes we have. And, you know, if you're old enough to go to the service, you're old enough to vote, I think you're old enough to own a firearm.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR WELCH)

Sponsor indicates she'll yield -- he'll yield.

SENATOR BURZYNSKI:

Whoa! Thank you. Conceptually, I agree with -- with the bill relative to the eighteen-year-old FOID Card. When I had a

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representative of the NRA in my office, I asked him, though, I said one concern that -- that this does raise for me is if you've got an eighteen or nineteen-year-old that is still living at home, they have a younger brother or sister, the parents don't want a firearm in the house, I can see that creating a problem. What we'd talked about and what I believe he had mentioned to me is the possibility of an amendment, perhaps, that would restrict it -- the ability to get the FOID Card only to those people who had served in the military. Have you had any conversations relative to that?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Forby.

SENATOR FORBY:

No, I haven't.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Burzynski.

SENATOR BURZYNSKI:

Well, again, while -- while I support, conceptually, lowering the age from twenty-one to eighteen, I think that this could create a potential problem in those households where you have an individual who is still living at home with smaller siblings. So, I would just encourage my colleagues to tread softly, and perhaps, Senator, when this bill goes to the House, you might want to address that with some sort of an amendment.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Meeks.

SENATOR MEEKS:

Thank you so much. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR WELCH)

Sponsor indicates he'll yield, Senator.

SENATOR MEEKS:

Senator, does this bill give individuals an opportunity who are eighteen years old to get a FOID Card and purchase a gun without their parents' permission?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Forby.

SENATOR FORBY:

Would you repeat that? I didn't hear that.

PRESIDING OFFICER: (SENATOR WELCH)

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Senator Meeks.

SENATOR MEEKS:

Would your bill give individuals who are now eighteen the opportunity to get a FOID Card and buy a firearm without their parents' permission?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Forby.

SENATOR FORBY:

Yes.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Meeks.

SENATOR MEEKS:

Let me say to the Members on our side of the aisle, I think that we might need to consider or talk about this bill. It's bad enough for us to control eighteen-year-olds and we're having enough problems out of them now. I'm not a hundred percent sure that it's a good idea to give an eighteen-year-old an opportunity to buy a handgun and their parents have absolutely no knowledge that this kid has a handgun. I'm not for it. I'm not excited about it, and I don't think it's a good bill.

PRESIDING OFFICER: (SENATOR WELCH)

Further discussion? Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. I have a question.

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he will yield, Senator.

SENATOR RADOGNO:

Under current law, if you're nineteen or twenty, your parent has to sign in order for you to get a FOID Card?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Forby.

SENATOR FORBY:

That is correct.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Radogno.

SENATOR RADOGNO:

I -- I guess my question is, how does that work? Because I thought once you're eighteen, I mean, you're out from under your parents' control. So, is this the only area where you're --

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where you still would require a parent to give you permission?  
I mean, you could get married or...

PRESIDING OFFICER: (SENATOR WELCH)

Senator Forby.

SENATOR FORBY:

That is correct.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Radogno.

SENATOR RADOGNO:

No, I don't have any...

PRESIDING OFFICER: (SENATOR WELCH)

Any further discussion? If not, Senator Forby, to close.

SENATOR FORBY:

I just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall Senate Bill 2163 pass. All those in favor, vote Aye. Opposed, vote Nay. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 30 Members voting Yes, 26 Members voting No, no Member voted Present. Senate Bill 2163, having received the required constitutional majority, is declared passed. Senate Bill -- Senator Meeks, for what purpose do you rise?

SENATOR MEEKS:

I'd like a verification.

PRESIDING OFFICER: (SENATOR WELCH)

A -- a verification of the affirmative votes has been requested. Will the Secretary -- all Members please be in their seats. Mr. Secretary, please read the affirmative votes.

ACTING SECRETARY HARRY:

The following voted in the affirmative: Bomke, Brady, Burzynski, Cronin, Cullerton, DeLeo, Dillard, Forby, Geo-Karis, Haine, Halvorson, Jacobs, John Jones, Luechtefeld, Petka, Rauschenberger, Righter, Risinger, Roskam, Rutherford, Shadid, Sieben, Soden, John Sullivan, Syverson, Viverito, Walsh, Watson, Welch, and Winkel.

PRESIDING OFFICER: (SENATOR WELCH)

Does Senator Meeks question the presence of any Member voting in the affirmative?



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SENATOR MEEKS:

I don't see Senator Petka.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Petka is sitting in his Chair.

SENATOR MEEKS:

Senator Sieben.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Sieben is in the middle of the aisle.

SENATOR MEEKS:

Senator Frank Watson.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Frank Watson.

SENATOR MEEKS:

Oh, okay.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Watson's in Leadership. I assume he's meeting on official business. Do you question the presence of any other Members?

SENATOR MEEKS:

But now let me ask a question, a freshman verification question. I still don't see him.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Watson?

SENATOR MEEKS:

Yes.

PRESIDING OFFICER: (SENATOR WELCH)

Senator, the -- the tradition in the Senate is usually that when one of the Leaders, either Senator Jones or Senator Watson, is -- is away from his desk, they are either negotiating on the budget or negotiating on some matter and they are called away for other duties, as -- as being in Leadership. So...

SENATOR MEEKS:

Thank you. Thank you, Mr. Chairman. I just asked, for verification. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

The -- the courtesy is reciprocal from one side to the other.

SENATOR MEEKS:

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Right. I understand. I just asked so that I could understand it. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

I just wanted to clarify it for everybody, and myself. Thank you. On a verified roll call, there are 30 Ayes, 26 Nays, and no Members voting Present. Senate Bill 2163, having required -- the constitutional majority, is declared passed. Senate Bill 2164. Senator Althoff. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

Senate Bill 2164.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Althoff.

SENATOR ALTHOFF:

Thank you, Mr. President, Members of the Senate. This bill actually arises out of a situation which occurred on the Fox River where a boater was rear-ended by a second boat and lost his leg and the offender fled the scene of the accident. The bill amends the Illinois Vehicle Code and the Code of Corrections, adding language which creates penalties for the reckless operation of a watercraft if the offense results in bodily harm, permanent disability or disfigurement. The bill also provides that any -- or, excuse me. The bill also creates the offense of leaving the scene of a boating accident which results in death or personal injury. The language mirrors, in most cases, the language for same-type vehicle violations. I know of no opponents, and I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Senator, there may be no opponents, but there are seven lights lit on this bill. Senator Dave Sullivan.

SENATOR D. SULLIVAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Question of the sponsor.

PRESIDING OFFICER: (SENATOR WELCH)

Indicates she'll yield.

SENATOR D. SULLIVAN:

Senator Althoff, is this your first bill in the Senate?

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PRESIDING OFFICER: (SENATOR WELCH)

Senator Althoff.

SENATOR ALTHOFF:

Yes, sir, it is.

PRESIDING OFFICER: (SENATOR WELCH)

Now I understand. Senator Sullivan.

SENATOR D. SULLIVAN:

Thank you. Senator, now, you were explaining this bill. Does it only apply to the Fox River or does it apply to all waterways in Illinois?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Althoff.

SENATOR ALTHOFF:

All waterways in Illinois.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Dave Sullivan.

SENATOR D. SULLIVAN:

Does it apply to any kind of watercraft? Does it have to be motorized? Could it be a canoe or a kayak?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Althoff.

SENATOR ALTHOFF:

Thank you. It is all watercraft.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Sullivan.

SENATOR D. SULLIVAN:

And there's a definition of -- it changes the definition of "personal injury" in here. Is this something for the Trial Lawyers' Association?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Althoff.

SENATOR ALTHOFF:

No -- no, sir. I believe originally it was if the individual had to be transported. We've changed that so that you can have something that occurs with paramedics there on the scene.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Dave Sullivan.

SENATOR D. SULLIVAN:

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It's talking about first aid on -- on the scene. Are we talking about just a -- a Band-Aid or maybe using some bactine or what? How serious does this personal injury have to be? I think the trial lawyers would probably like to know that definition.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Althoff.

SENATOR ALTHOFF:

It basically has to be beyond first aid.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Wendell Jones.

SENATOR W. JONES:

Yes. Senator Althoff, would you yield for a few questions for the next fifteen, twenty minutes?

PRESIDING OFFICER: (SENATOR WELCH)

She has not -- she says no, Senator Jones. She'll give you four minutes.

SENATOR W. JONES:

Well, that -- that's nice of the -- the Senator and former mayor, to give me a little time, because we have a tradition in the Senate when you have your first bill, that you have to ask some -- you have to answer some difficult questions. So, let's -- let's get down to serious questioning on this bill. Let's get down to really what this bill is all about. It's about rear-ending a boat in the river?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Althoff.

SENATOR ALTHOFF:

It -- it's about hitting a -- a boat, creating personal harm and injury, and reckless driving of a watercraft vehicle.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Wendell Jones.

SENATOR W. JONES:

Don't we have enough laws on that already?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Althoff.

SENATOR ALTHOFF:

No, sir, we do not, which is why we are actually creating this language in this bill.

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PRESIDING OFFICER: (SENATOR WELCH)

Senator Wendell Jones.

SENATOR W. JONES:

Senator, you mean to tell me it's legal to rear-end another boat on a river in McHenry County in this State? That's legal in this State? I'm appalled that we wouldn't have addressed this issue prior to your arrival in Springfield.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Althoff.

SENATOR ALTHOFF:

Let -- let me clarify. The penalties for creating that accident are not significantly high enough, but there is no language that makes it a crime to leave the scene of an accident when you have created bodily harm and personal injury. In fact, as it stands now, it's easier to leave the scene of an accident than to stay and offer assistance.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jones.

SENATOR W. JONES:

Thank you, Mr. President. Maybe we've discovered a Senator who found a bill that maybe makes sense. You think not? You mean, you can just -- you can just sail away after you hit somebody and you don't even have to be responsible?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Althoff.

SENATOR ALTHOFF:

Yes, sir.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jones.

SENATOR W. JONES:

...you. Thank you, Mr. President. There seems to be a move in this Body to allow rookies or new people that come here to get off easy, and I'm not in that category. So I would like to continue my questioning, if I could, Mr. President. Could I ask for another five minutes? That be possible?

PRESIDING OFFICER: (SENATOR WELCH)

By a voice vote, the answer is no.

SENATOR W. JONES:

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Okay. Well, anyway, welcome to the Senate and good luck with your first bill. I plan to vote No.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. Would the Senator yield for a question?

PRESIDING OFFICER: (SENATOR WELCH)

Yes, she will.

SENATOR DILLARD:

Senator Welch and Senator Althoff, Senator Jones just pointed out we like to ask a lot of tough questions here, so I'm going to ask you two of 'em. The fine grand dame of the State Senate once told me a long time ago, "Hey, honey, I'm the only one that sponsors bills dealing with the Fox River Valley or Fox Lake area." Have you checked with Senator Adeline Geo-Karis, who passes all boat safety measures for the Chain O'Lakes in this Chamber before you did this?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Althoff.

SENATOR ALTHOFF:

I was certainly taught all of the rules of the Senate, and, yes, of course I checked with Senator Adeline Geo-Karis.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Dillard.

SENATOR DILLARD:

One more question, Mr. President, and a ninety-nine-thousand-dollar question. Do you have experience operating motor craft while under the influence of something?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Althoff, if you care to answer.

SENATOR ALTHOFF:

Yes, I do have experience operating a watercraft, but certainly never under the influence of anything.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, will the Senator yield for a question?

PRESIDING OFFICER: (SENATOR WELCH)

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Indicates she will.

SENATOR GEO-KARIS:

Tell me, Senator, I know that you know how to operate a boat. I know that you've had one. Now, you know, I sponsored all this legislation before, and does your bill call for reckless homicide for boaters who cause personal injury -- I mean, cause death in the operation of their -- of their boat?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Althoff.

SENATOR ALTHOFF:

Actually what it does, it puts leaving the scene of an accident on par with that particular statute that's already on the books.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, I don't own a boat, but I came over on one many years ago, and I -- I wondered -- when you sponsored this bill, I didn't say anything to you too much about it because I didn't want to discourage you. But boating is my business first, before you came here; however -- excuse me, I'll welcome the help. And furthermore, I want to commend you, Pam, for taking all this abuse from some of these characters here, but you know we love you and we thank you for joining us. And good luck to you.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cullerton.

SENATOR CULLERTON:

Would the sponsor yield? Would the sponsor yield?

PRESIDING OFFICER: (SENATOR WELCH)

Indicates she'll yield, Senator.

SENATOR CULLERTON:

Senator, did you say that you got this idea from an incident that occurred in the Fox River? Is that correct?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Althoff.

SENATOR ALTHOFF:

...sir.

PRESIDING OFFICER: (SENATOR WELCH)

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Senator Cullerton.

SENATOR CULLERTON:

Is the Fox River in your district?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Althoff.

SENATOR ALTHOFF:

Portions of the Fox River are in my district, yes, sir.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cullerton.

SENATOR CULLERTON:

I always thought that you lived in downtown Chicago.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Althoff.

SENATOR ALTHOFF:

No, sir. My proper residence is in McHenry, the city thereof. Although I do love visiting the City of Chicago.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cullerton.

SENATOR CULLERTON:

The -- this bill deal with the issue of when there's a -- an accident in a watercraft, and it basically says that you're supposed to not flee, and stick around and report the accident - is that correct? - and try to provide assistance to the person that might have -- you may have run into. Is that the -- the goal of the bill?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Althoff.

SENATOR ALTHOFF:

The goal of the bill is to stay at the scene of the accident. I -- I can't say whether offering assistance is necessarily part of that. You would hope.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cullerton.

SENATOR CULLERTON:

What if as a result of the accident, your own boat develops a leak and it's filling up with water? Do you have to still stick around or do you -- do you sink or swim or -- how does that work in your bill?

PRESIDING OFFICER: (SENATOR WELCH)



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Senator Althoff.

SENATOR ALTHOFF:

There -- there are provisions in the bill that there are a time period to report that accident.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cullerton.

SENATOR CULLERTON:

There's a time period to report the accident while your boat's sinking?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Althoff.

SENATOR ALTHOFF:

Thank you. No, you may take care of your boat and leave the scene and then you need -- there's a specific time period that you must report that accident. And you would certainly hope that someone also made that attempt.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Sandoval. Senator Jacobs.

SENATOR JACOBS:

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

PRESIDING OFFICER: (SENATOR WELCH)

Indicates she'll yield, Senator.

SENATOR JACOBS:

Senator, could you give me a definition of -- of what a watercraft is? The reason I ask this is because I know being on the Rock and the Mississippi, we have a lot of people that tube down the Rock River. And they have a inner tube with their beer there and they drink their beer, and they float down the river in the inner tube. If they run into a boat, what happens to them? Are they included in this?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Althoff.

SENATOR ALTHOFF:

No. No one on an inner tube would be. We believe it's motorized; however, it's the definition as was provided to us by the U.S. Coast Guard.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jacobs.

SENATOR JACOBS:

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That's fine, but what would happen then if -- if you're propelling it with -- by kicking your feet? Now all of a sudden, that -- that's a propelled motorboat, if you will. Or if one the grandkid goes out in their little rubber ducky, are they -- are they involved in this, too?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Althoff.

SENATOR ALTHOFF:

The last time I looked, kicking your feet was not considered motorized.

PRESIDING OFFICER: (SENATOR WELCH)

All right. Senator Hendon.

SENATOR HENDON:

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

PRESIDING OFFICER: (SENATOR WELCH)

Indicates she will.

SENATOR HENDON:

Senator, you know, I don't have any rivers on the west side of the City of Chicago, but we've got this little rubber pool in the backyard and sometimes the neighbors' kids come from next door and they bump into it, with my little eight-year-old. And -- would Skye have to run in the House and report that to -- if she run in the house and report it to her mom and dad, would she be in violation of your bill here?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Althoff.

SENATOR ALTHOFF:

No, I believe she'd be in compliance with my bill here.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Hendon.

SENATOR HENDON:

How did you get the name Pam? You know, that's normally a black name, you know. Did your mother name you Pam or your daddy name you Pam? Is it Pam or Spam? I...

PRESIDING OFFICER: (SENATOR WELCH)

Senator Althoff.

SENATOR ALTHOFF:

May I remind the great Senator that I was born and raised on the south side of Chicago in Cook County.

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PRESIDING OFFICER: (SENATOR WELCH)

Senator Hendon.

SENATOR HENDON:

The -- the red hair. I'm -- I'm -- I'm trying to envision you like on the boat, sailing in the -- you know, with the red hair floating and everything...

PRESIDING OFFICER: (SENATOR WELCH)

Senator, you're -- you're getting out of order here.

SENATOR HENDON:

In the 8th Ward. I just -- well -- but on a serious note. I see in the analysis that your bill limits -- or, creates the offense of DUI in a watercraft, and it limits the DUIs on a boat to only one under supervision. So, the second time you DUI with a boat, you just don't get supervision; you just get to drive under the influence on your boat? I -- I'm trying to understand that. So, it's first time you get supervision; second time you just sail on away. Is that the way it's written?

PRESIDING OFFICER: (SENATOR WELCH)

Senator -- Senator Althoff.

SENATOR ALTHOFF:

No, sir. That's the time you get a conviction. It's very similar to what occurs if you operate a car and you are driving under the influence.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Hendon.

SENATOR HENDON:

Well, in the spirit of bipartisan heckling, I -- I just don't understand how we could vote for this bill for a redhead from the south side with a first name -- a black lady's first name. She's -- she's bill-jacked somebody's first name from the south, and I just can't... Oh, Maggie's got -- is -- I -- so did you -- I'll leave it at that.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Crotty.

SENATOR CROTTY:

Thank you, Mr. President. My name was used in debate, so I'd like to make a comment.

PRESIDING OFFICER: (SENATOR WELCH)

Please.

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SENATOR CROTTY:

I think you've done a wonderful job on your first piece of legislation, from one red head to another.

PRESIDING OFFICER: (SENATOR WELCH)

I think that's out of order, Senator.

SENATOR CROTTY:

I think -- I think some Senators are out of order. So I want to congratulate you and hope that you're successful, but sometimes things don't happen the way we want 'em. Thanks.

PRESIDING OFFICER: (SENATOR WELCH)

The freshmen are sticking together. Senator Risinger.

SENATOR RISINGER:

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

PRESIDING OFFICER: (SENATOR WELCH)

Indicates she'll yield, Senator.

SENATOR RISINGER:

Yeah. I've -- I've watched the Senator work very hard here next to me, and -- and so I want to be very supportive of this bill. But I do have a couple questions. Does this -- does this bill pertain to all the rivers in Illinois?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Althoff.

SENATOR ALTHOFF:

Yes.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Risinger.

SENATOR RISINGER:

How many rivers are there in Illinois?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Althoff.

SENATOR ALTHOFF:

I -- I will defer to you, Senator Risinger, from IDOT. I would assume you have that answer. How many rivers are there?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Risinger.

SENATOR RISINGER:

Well, I was trying to get out the question, is -- does it -  
- does it matter if you're on a creek?

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PRESIDING OFFICER: (SENATOR WELCH)

Senator...

SENATOR RISINGER:

Or is this only rivers?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Althoff.

SENATOR ALTHOFF:

It's -- it's waterways. It's defined as waterways.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Risinger.

SENATOR RISINGER:

Well, Senator, you know, I really want to support this bill. And I think it looks like a pretty good piece of legislation, but I notice that there's no cosponsors on this bill. Is that because, you know, you didn't ask anybody or other Senators don't think this is a good bill or -- or, you know, is there something in this bill that we don't know that's -- you know, that -- that causes no other Senator to support this bill?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Althoff.

SENATOR ALTHOFF:

This bill is so good, it doesn't need any other cosponsor.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Risinger.

SENATOR RISINGER:

Well, Senator, I have some real questions about this bill, but having watched you work very hard on this bill, I want to show my support, so I will vote for the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. Before I ask a couple of questions, if the sponsor will yield, I'd just like to say, if the bill's so good, it probably doesn't need a sponsor at all. So -- but will -- will the sponsor yield for a couple of questions?

PRESIDING OFFICER: (SENATOR WELCH)

Indicates she'll yield, Senator.

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SENATOR BURZYNSKI:

I -- I think you've indicated already, though, that this is a waterway; it's not a pond. It can be a creek. Is it a crick, if it's navigable? Is that a waterway, if it's a crick?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Althoff.

SENATOR ALTHOFF:

Only if it's navigable.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Only if its navigable. Now, that -- that begs the question, we have a little navigable creek that runs through some property, and if -- if you're on that and you've got two people in paddleboats -- you know, this goes back to what Senator Jacobs was talking about, you know, using your feet as propellers. But if they're paddleboats, are those watercraft?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Althoff.

SENATOR ALTHOFF:

Motorized watercraft.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Burzynski.

SENATOR BURZYNSKI:

It is motorized? Not -- not paddleboats? It's strictly motorized?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Althoff.

SENATOR ALTHOFF:

Yes, it's motorized.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Burzynski.

SENATOR BURZYNSKI:

That makes me feel a little better. I'd hate to think that if I hit somebody in the paddleboat and paddled and paddled and paddled to leave the scene, that I could be in trouble with this. So, I just wanted to ask that. Another -- another question that I've got to ask: What about riverboats? How does this affect our casinos and our riverboats?

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PRESIDING OFFICER: (SENATOR WELCH)

Senator Althoff.

SENATOR ALTHOFF:

The last time I looked, many of our riverboats never leave dock.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Burzynski.

SENATOR BURZYNSKI:

So -- so, they wouldn't have any other liability under this Act, as far as you're concerned.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Althoff.

SENATOR ALTHOFF:

Not to my knowledge.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Burzynski.

SENATOR BURZYNSKI:

Very good. Just one last question. What if, you know, you go to docks and you unload your boats and everything else - and this talks about running into another boat - well, what if I'm backing down the slip to unload my boat and the boat slips off of the trailer and it hits the boat behind me, and rather than facing the music, so to speak, I crank the boat back up -- you know, winch it back up on the trailer and I take off? Is this going to be a penalty under your bill or under the Motor Vehicle Act?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Althoff.

SENATOR ALTHOFF:

Motor Vehicle Code.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Burzynski.

SENATOR BURZYNSKI:

Are you positive?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Althoff.

SENATOR ALTHOFF:

Not until the trial attorneys tell me I'm positive.

PRESIDING OFFICER: (SENATOR WELCH)

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Senator Burzynski.

SENATOR BURZYNSKI:

Well, you know, with an answer like that, I don't know that in clear conscience, we can support this bill. But thank you very much.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Althoff. Senator Cronin.

SENATOR CRONIN:

I just wanted to -- on a point of procedure here, we may -- the Chair may want to consider a new rule to govern this sort of process. Two parts: Number one, you got to be funny, and number two, limit it to like one minute or something.

PRESIDING OFFICER: (SENATOR WELCH)

Point well taken, Senator Cronin. Senator Althoff, to close.

SENATOR ALTHOFF:

I would just ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall Senate Bill 2164 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 58 Members voted Yes, no Members voted No, no Member voted Present. Senate Bill 2164, having received the required constitutional majority, is declared passed. Senator Bomke, for what purpose do you rise?

SENATOR BOMKE:

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

PRESIDING OFFICER: (SENATOR WELCH)

State your point.

SENATOR BOMKE:

For those of you that don't know, this is Youth -- Art Month, and I have a couple of young students whose portrait was selected for the Youth Art Poster. They're with us today, right up here in the gallery.

PRESIDING OFFICER: (SENATOR WELCH)

Will our guests in the gallery please rise?

SENATOR BOMKE:

John Nicholson, Carol Chow, and their principal, Mrs. Seppi. Would you please rise?



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PRESIDING OFFICER: (SENATOR WELCH)

Welcome to the Senate. Senator Sandoval, for what purpose do you rise?

SENATOR SANDOVAL:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

State your point.

SENATOR SANDOVAL:

I'm also -- like to introduce and acknowledge another recipient of the Youth Art Month Contest here in the State of Illinois. I am -- in the gallery, I am proud to introduce a talented young man from my district who's a winner of that contest, Joshua Perry, a student of Peoria Metro High School. This year, the self-portrait of Josh was chosen to be -- to be reproduced on a Youth Art Month Flag that will be flown in Washington, D.C., in March. Joshua received a certificate this morning in a ceremony held in the Howlett Building. He's also accompanied by his mother, Ms. Vanessa Perry. I'd like to welcome the Perrys.

PRESIDING OFFICER: (SENATOR WELCH)

Will our guests please rise? Welcome to Springfield. On page 10 of the -- Senator Brady, for what purpose do you rise?

SENATOR BRADY:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR WELCH)

State your point.

SENATOR BRADY:

In the gallery behind me, I have guests of Lincoln Christian College, accompanied by Sally Litterly. Please welcome them as they rise.

PRESIDING OFFICER: (SENATOR WELCH)

Please rise. Welcome to Springfield. Returning to the Calendar, page 10, Senate Bill 2165. Senator Petka. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

Senate Bill 2165.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

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Senator Petka.

SENATOR PETKA:

Thank you, Mr. President and Members of the Senate. Senate Bill 2165 is legislation that would provide an affirmative defense to a violation of a municipal ordinance that prohibits, regulates or restricts the private ownership of a firearm if the individual who is charged under that ordinance had used his -- the firearm in the act of self-defense of himself or another. What this legislation does is to transfer over a concept that is known under and currently used in the Criminal Code of an affirmative defense. And without filling this Chamber with a lot of legalisms, an affirmative defense permits the -- an individual who is charged with a -- with a -- an offense to plead and prove and assert that their action was done for the purpose of defending themselves or defending another or defending their dwelling. We have had a long caseload body -- a caseload body going back to statehood dealing with this -- the right of self-defense. It is, in my opinion, one of the first laws of nature - that is, the right of self-preservation, which is part and parcel of what self-defense is about. The -- a couple things need to be emphasized. First of all, this does not - underscore "does not" - obviate an ordinance because it is still possible for an individual to be prosecuted under this ordinance, for example, in situations where a search warrant was properly executed or perhaps where there were exigent circumstances and person was found in possession of a firearm that was not used in an act of self-defense. Person can still be charged with the ordinance violation, however will be given an opportunity to demonstrate to the court or the jury that their -- the possession of the firearm was used in an act of self-defense, and possibly to avoid conviction. With that, Mr. President and Members of the Senate, I'd -- I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Jacobs.

SENATOR JACOBS:

...question.

PRESIDING OFFICER: (SENATOR WELCH)

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Senator Jacobs moves the previous question. There are four speakers seeking recognition. Senator Harmon. Senator Haine, discussion on the bill. Your light is lit.

SENATOR HAINE:

Mr. President and Ladies and Gentlemen of the Senate, to the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Yes.

SENATOR HAINE:

I rise in support of the bill. The history -- the history of this republic began with a Declaration of Independence, and in that Declaration of Independence, there were several grievances against the King of England involving the violation of one's home. The common law tradition is that the defense of one's home is a sacred duty. It was said even, at common law, that no -- no matter if -- how humble a person's abode, the King of England may not enter it without the permission of that homeowner. The idea of defense of one's home and family is basic to our constitutional order. Whatever laudable goals are there in these ordinances, it cannot trump the defense of one's home. I rise in support of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Could we have order in the Chamber? It's getting a little loud in here. Senator Sandoval. Senator Martinez.

SENATOR MARTINEZ:

I have a question for the sponsor.

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield, Senator.

SENATOR MARTINEZ:

Senator, is this restricted only to the people's homes, one's home?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Petka.

SENATOR PETKA:

It is -- it is not restricted to a person's home; however, that is also the case under criminal law, and an individual who is carrying a firearm outside of one's home can be charged criminally under -- under our criminal statutes in those circumstances. We do have a -- an exemption under the unlawful

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use of weapons statute, which is currently on the books, which permits an individual to have a firearm in their home -- or their place of business. So, if you're saying carrying outside the home, the answer is that individual would probably in violation of a State law.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Martinez.

SENATOR MARTINEZ:

Does it preempt home rule?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Petka.

SENATOR PETKA:

I had indicated in committee that I thought it did. On further reflection, it does not, because what we are doing, in this instance, is during the trial phase of -- of this proceeding on an ordinance violation, the individual would be asserting the opportunity to have the court or a jury consider a possible defense to the charge.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Martinez.

SENATOR MARTINEZ:

So, do we need thirty-six votes on this or thirty? That's a question to you.

PRESIDING OFFICER: (SENATOR WELCH)

We are going to take that under advisement, and we'll issue an opinion prior to the vote. Senator Meeks.

SENATOR MEEKS:

Thank you so much. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield, Senator.

SENATOR MEEKS:

Senator Petka, I'm trying to figure out if it's not limited to the home and an individual actually, under some circumstance, has a right to carry a gun, then does that mean if they feel threatened, that under this bill, they could defend themselves?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Petka.

SENATOR PETKA:

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Senator, believe it or not, that is the law today under the Criminal Code; however, the stakes are higher, because if an individual is carrying a firearm right now on the -- let's say in the streets in your district, that person could be charged with unlawful use of a weapon - a felony. When we're dealing with municipal ordinance violations, we are dealing with -- with fine-only situations, and in -- and in rare instances, there -- there may be other penalties attached. But please make the separation in your mind: We are dealing with a municipal ordinance; we are not changing, in anyway, shape or form, State law.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. To the bill. I rise in opposition to this bill. I believe it is unnecessary and we are creating an affirmative defense to a municipal violation that whether or not it constitutionally preempts home rule, it certainly has the effect of preempting home rule decisions about the possession of -- of weapons. As an example, if -- at least as I understand it, if a felon were carrying a gun and used it in self-defense, there would be no ability to prosecute that felon for the unlawful possession of a handgun simply because, in that particular instance, he or she used it in self-defense. I urge my colleagues to vote No.

PRESIDING OFFICER: (SENATOR WELCH)

The question has been called, Senators. There's no further debate. We are waiting to rule on the number of votes necessary. The Chair is prepared to rule that the bill takes thirty votes to pass. The bill calls for the exercise of power exercised by the State of Illinois. There is no preemption of home rule. Therefore, only thirty votes are necessary to pass the bill. Senator Petka, to close.

SENATOR PETKA:

Thank you again, Mr. President, and thank you to the Members of the -- the Senate who've asked questions and perhaps to bring some light to the subject. To the previous speaker, the example that was given of an individual who would be a convicted felon carrying a firearm, that individual would be

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charged under a criminal -- under our criminal statutes with multiple violations, the least of which is the -- probably having a firearm in violation of -- of -- of a FOID card restrictions. Also, a convicted felon carrying a firearm is -- is barred under State law. Senator Haine put it beautifully. We are dealing with a basic, instinctive right that individuals have. Some refer to this as the law of the heart, the law -- a law of nature, an imprint on the heart that deals with a very basic instinct and that is the -- the right to self-preserve, to -- the right to self-protect. Our founding fathers included this in the penumbra of rights that were not enumerated in the Declaration of Independence but were certainly well understood - that the right of self-preservation, the right to self-protect is an inalienable right. That being the case, it is sheer folly, it is sheer folly for governments to intervene and to attempt to strip away the right of self-protection or the right of self-defense. We would probably make as much sense trying to repeal the law of gravity. The fact of the matter is that individuals will instinctively - instinctively - seek to protect themselves and protect their families and protect themselves within a dwelling, and for that reason, I believe that this is simply an extension of what should -- what was commonly understood, something that makes all the sense in the world and certainly should have near unanimous support. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall Senate Bill 2165 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 38 Members voted Yes, 20 Members voted No, no Member voted Present. Senate Bill 2165, having received the required constitutional majority, is declared passed. Senate Bill 2166. Senator Viverito. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

Senate Bill 2166.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

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Senator Viverito.

SENATOR VIVERITO:

Thank you, Mr. President and Members of the Senate. This amends the District's Act to remove special provisions for the sale of property along the North Branch of the Chicago River between Belmont and Lawrence Avenue. This -- the District requests a special provision to be removed from the statute where they'd be able to permit the property rather than sell it. I would hope that you would be able to vote for it.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. I just rise in support of this measure. It's well thought out and well crafted, and I urge its passage.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall Senate Bill 2166 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 57 Members voted Yes, no Members voted No, and no Member voted Present. Senate Bill 2166, having received the required constitutional majority, is declared passed. Senate Bill 2173. Senator Jacobs. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

Senate Bill 2173.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Take it out of the record, Mr. Secretary. Senate Bill 2174. Senator Jacobs. Read the bill, Mr. Secretary.

SECRETARY HAWKER:

Senate Bill 2174.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jacobs.

SENATOR JACOBS:

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Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 2174 is an administrative clean-up measure recommended by the construction industry. Among the technical changes it does, it clarifies the administrative structure of the Commission to include a legislative Member from each caucus to be appointed by Leadership in both the Senate and the House to serve as voting members of the Commission. And in response to a request from the Governor's Office, the boards and commission language is being added to clarify the appointment of the executive director, and additionally, the meeting per diem has been removed. I know of no opposition and ask for your support.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Risinger.

SENATOR RISINGER:

Thank you, Mr. President. Question to the sponsor

PRESIDING OFFICER: (SENATOR WELCH)

Sponsor indicates he'll yield, Senator.

SENATOR RISINGER:

Yeah. This bill passed unanimously out of our committee. We think it's a good bill. There was some questions of whether this -- the intention that this bill might change, and I guess that's the question to the sponsor. Do you have intentions of changing this bill?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jacobs.

SENATOR JACOBS:

I don't, but somebody else may because it -- it is -- it could be used as a vehicle to -- to discuss the merger of the boards and commissions. That's not my intent and I would hope that is not the case.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jacobs, to close.

SENATOR JACOBS:

Just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall Senate Bill 2174 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted



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who wish? Take the record. On that question, 57 Members voted Yes, no Member voted No, and no Member voted Present. Senate Bill 2174, having received the required constitutional majority, is declared passed. Senate Bill 2176. Senator Link. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

Senate Bill 2176.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. This is basically still a work in progress. This is a follow-up of the predatory lending bill. We're working with the House. It's still a work in progress, and be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall Senate Bill 2176 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 51 Members voted Yes, 6 Members voted No, no Member voted Present. Senate Bill 2176, having received the required constitutional majority, is declared passed. Senate Bill 2177. Senator Link. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

Senate Bill 2177.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. This legislation expands the items covered under the machinery and equipment sales use tax exemption items that were covered under manufacturers purchase credit revealed last spring -- repealed last spring. This includes production-related tangibles personal property used in manufacturing, which means all tangible personal property used and -- consumed in production-related process by manufacturing

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facilities in which manufacturing products take place. This exemption is -- from the sales tax of manufacturing will contribute to the recruitment and retention of manufacturing in Illinois and jobs that they provide. I'll be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you. Thank you, Mr. President. Just to the bill. I would like to compliment the sponsor on rolling back some of the damage that was done last spring. As you may recall, last year the Majority Party here in the Senate passed billions of fee and tax increases, including hundreds of millions of dollars of effective tax increases on everything from repealing job training and research and development credits to double taxing manufacturing investment to rolling stock exemption repeal. This bill does reverse at least a portion of that hostile trend toward employers and job creation. I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Link, to close.

SENATOR LINK:

I -- I couldn't have said it better myself. I would just urge an Aye vote on this. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall Senate Bill 2177 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 57 Members voted Yes, no Members voted No, and no Member voted Present. Senate Bill 2177, having received the required constitutional majority, is declared passed. Senate Bill 2180. Senator Halvorson. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

Senate Bill 2180.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Halvorson.

SENATOR HALVORSON:

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Thank you, Mr. President, Members of the Senate. Currently, Senate Bill 2180 is a vehicle bill. There's nothing in it. There may never be anything in it, but we want to pass it over to the House in case we need it with regards to language for the third airport.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Peterson.

SENATOR PETERSON:

Would the Senator yield?

PRESIDING OFFICER: (SENATOR WELCH)

Indicates she'll yield, Senator.

SENATOR PETERSON:

Senator, this is for Peotone Airport?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Halvorson.

SENATOR HALVORSON:

Correct.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Peterson.

SENATOR PETERSON:

Is this pro or con for Peotone Airport?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Halvorson.

SENATOR HALVORSON:

I would imagine it would be pro.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Peterson.

SENATOR PETERSON:

Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Any further discussion? If not, Senator Halvorson, to close. The question is, shall Senate Bill 2180 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 41 Members voted Yes, 14 Members voted No, 1 Member voted Present. Senate Bill 2180, having received the required constitutional majority, is declared passed. Senate Bill 2181. Senator Halvorson. Read the bill, Mr. Secretary.

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ACTING SECRETARY HARRY:

Senate Bill 2181.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Halvorson.

SENATOR HALVORSON:

This bill, Senate Bill 2181, we have run out of time to discuss what we need to put in it. So, since we need a vehicle bill on this order in the House, we have agreed that we're going to send it over there and shell it so there'll be nothing in it until it comes back here with information that maybe we can agree on. But right now, we can't agree. We want to just send it over there, shell it and have something put on there.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR WELCH)

Indicates she'll yield, Senator.

SENATOR RIGHTER:

Senator, I'm not clear. Is it a shell now or does it have substance now?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Halvorson.

SENATOR HALVORSON:

It has substance.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

Then can -- can you clarify again what your expectation is, as far as procedure?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Halvorson.

SENATOR HALVORSON:

Yes. Currently, this amends the Humane Care for Animals Act. It's more or less a cross reporting with regards to abuse on animals and abuse on family members. There's a lot of discussion we need to do on this. So, in other words, instead of

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just letting this die, we're just going to send it to the House for a completely different purpose. It's most likely -- I'm not real sure, but they need it over there for something else. It will be shelled over there instead of taking the time -- we don't have time to shell it here.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Senator Halvorson, there is the possibility, is there not, that it could pass over there and the House sponsor could grab it and say, "I like it the way it is," and they could pass it in the House and this bill could become law, if the Governor signed it. I mean, I know -- I know that that's not what you expect, but since you're passing something over there that has substance in it, is that not something that could happen?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Halvorson.

SENATOR HALVORSON:

I will guarantee you that is not the case. In fact, the sponsor in the House is Representative Sara Feigenholtz who needs a piece of -- a bill for her adoption legislation. She doesn't have anything right now to amend the Criminal Code. So I'm allowing it to go over there, and if anybody other than Sara Feigenholtz picks it up to put adoption legislation in it, that's been the agreement.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

Mr. -- thank you, Mr. President. Senator Halvorson, you said we ran out of time to shell it. I mean, when was the agreement made that -- that Representative Feigenholtz would be using this bill for adoption legislation?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Halvorson.

SENATOR HALVORSON:

Late last night.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter. Senator Roskam.

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SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR WELCH)

Indicates she'll yield, Senator.

SENATOR ROSKAM:

Senator, I think you misspoke earlier, and I just want to make sure that I'm understanding. When you shell this bill in the House, it's going to still be this subject matter, this animal cross abuse reporting subject. Is that right?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Halvorson.

SENATOR HALVORSON:

I wasn't under that impression.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

Okay. Then it is as bad as I thought. What in the world are you asking us to vote Yes on that you're not able to describe in any detail what it's going to be on the other side? And by our own admission, this is sort of a bad bill. Why does anybody want to vote Yes on this?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Halvorson.

SENATOR HALVORSON:

Thank you for bringing that up, Senator Roskam, because I think the person that approached me on this was under the misconception that this amended the Criminal Code without us all looking -- taking a look at it. If you'd like, I will just pull it out of the record. If we can't shell it here, well, they'll have to find a different vehicle. If that'd make you feel better.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

You know, there's a lot of procedural things, I think, that would make me feel better, but it -- it just seems -- I guess I would recommend that you take it out of the record. It seems ambiguous. There's not a plan, and I would suggest taking it out of the record.

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PRESIDING OFFICER: (SENATOR WELCH)

Senator Halvorson.

SENATOR HALVORSON:

And -- and I agree. Senator Roskam, if I can give you one thing, I'd be happy to do it this once. So, that's exactly what we'll do. We'll just take it out of the record, because this does not amend the Criminal Code to begin with and adoption legislation would need that.

PRESIDING OFFICER: (SENATOR WELCH)

Take it out of the record. Senate Bill 2193. Senator Meeks. Senate Bill 2196. Senator Garrett. Senator Garrett seeks leave of the Body to return Senate Bill 2196 to the Order of 2nd Reading for purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 2196. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett, to explain Floor Amendment No. 2.

SENATOR GARRETT:

Yes. Thank you, Mr. President. Senate -- Amendment No. 2 simply requires the Metropolitan Water Reclamation District to conduct cost benefit analyses when prioritizing planned stormwater management projects.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Wendell Jones. This is just the amendment, Senator. Is there any discussion? Senator Garrett moves the adoption of Floor Amendment No. 2 to Senate Bill 2196. All in favor, say Aye. Opposed, Nay. The Ayes have it. Are there any -- the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. Senate Bill 2196 now sits on 3rd Reading. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 2196.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

Thank you, Mr. President. Senate Bill 2196 amends the Illinois statute for stormwater management, assigning responsibility for regional stormwater management in Cook County to the Metropolitan Water Reclamation District of Chicago. Flooding causes an estimated two hundred and eleven million dollars in damages annually in the Cook County area, and no one particular agency currently has responsibility to address this problem. The Metropolitan Water Reclamation District, with its regional responsibilities for pollution control and its history as a local sponsor for flood control projects, is an ideal resource for taking responsibility for Cook County's stormwater management. New -- no new taxing authority is requested by the MWRD. The legislation carves a nickel levy out of the existing forty-six-cent corporate levying authority of the MWRD to be dedicated to stormwater management. The -- the bill does, however, require a tax cap exemption for this dedicated five-cent levy. Year and year out we see the devastating impacts of flooding on our citizens, as well as its limitations on economic development. This legislation will provide the leadership and resources necessary to address this problem in Cook County. We have support from the City -- the Mayor of the City of Chicago, the Northwest Municipal Conference, Southwest Municipal Conference {sic}, West Central Municipal Conference and many of the mayors that they represent. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Jacobs.

SENATOR JACOBS:

Previous question.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jacobs moves the previous question. There are four speakers. Senator Wendell Jones.

SENATOR W. JONES:



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Yes. Thank you, Mr. President. We discussed this bill ad nauseum in committee. The Republicans voted against it because it totally breaks and violates the tax cap. This is a bill that totally violates the tax cap of Illinois. It -- if we pass this bill, it will break the tax cap and will allow the Metropolitan Water Reclamation District to levy five percent on every taxpayer in Cook County, in the City of Chicago, in all of the suburbs, to pay for stormwater management in Des Plaines, basically. In my -- in my district, we have already taken action and dealt with much of the stormwater management concerns in our area, and we've paid for this through our own taxpayers, in Palatine and Hoffman Estates, Arlington Heights and so on. Now, Senator Garrett has said that the Northwest Municipal Conference has signed on to this legislation. I -- I guess that's true. I haven't seen anything from them, but I did get a call from the largest municipality in the northwest suburbs and the past president of the Northwest Municipal Conference yesterday, Mayor Arlene Mulder of Arlington Heights, urging me to vote No on this bill. We talked about 1 o'clock and I had already voted against it at 11. So, her call was not as timely as it could have been, but I had voted for it - or, voted against it anyway. We need to really take a look at this because we're going to generate million and millions and millions of dollars. Now, Senator Garrett is probably correct. She's talking about the damage that -- that can occur, and -- and we all are concerned about the flooding. It's -- it's not the concern for flooding but how are we going to pay for it and be equitable to the other taxpayers of Cook County. In -- as I said, in my communities, we've already paid for this. In Arlington Heights, they've already paid for this. But this will put a five-percent tax on every taxpayer in Cook County, and the stormwater problems are area wide. And in this bill - and correct me if I'm wrong, Senator Garrett - in this bill, Chicago is not part of the stormwater management part of this bill. So, Chicago's opted out, yet the Chicago taxpayers are going to -- pay five percent of the equalized assessed evaluation of every property in the City of Chicago. Now, how many times have you every heard me stand up and try to save the taxpayers of the City of Chicago any money? Well, talk about bipartisanship,

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Senator Hendon. Here's your chance to save your taxpayers some money in a bipartisan fashion and vote this bill down. Let's get some bond money from the Governor, since he seems to have so much, and solve the stormwater problems with bond money from the State and not tax every taxpayer in Cook County. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. To the bill. You know, the -- the -- the attack on the tax caps over the past eighteen months or so have really been interesting and they've been aggressive, but I think that this is the most aggressive. This Chamber pierced -- chose to -- to pierce the tax cap, which had been in place for ten years and had a restraining influence on -- on spending and the tax burden on families and so forth. But -- but last year, this -- this Chamber decided that they needed to have -- to pierce the tax cap for special recreation districts. And, you know, you got to hand it, actually, to the special recreation districts. They had an argument that said, "We got -- we got stuck and we were treated unfairly," and they came in and they made their argument. I voted against it, but they -- they -- they -- they -- they had an argument. Then the folks came in and said, "Well, we need an exception," and the Majority here agreed and said the exception needs to be for pensions, because we can't control pensions. It was a bad idea, but it was -- there was a rationale around it. Then there was another one that had to do with public building commissions. And the -- that was the first one that really didn't have any rationale at all. And now what do we see? We have one that doesn't even -- I mean, there is no pretense here. There's no excuse. There's no fluffy language that we can hang our hats on. This says any property taxes levied by the MWRD for stormwater management purposes are exempt from tax caps. Now, the sponsor tell us that the Mayor of the City of Chicago is in favor of this bill. Is this the same Mayor that all of a sudden is saying, "Wow! The property tax burden in the City of Chicago is unprecedented," and now that it's a property tax burden on the City of Chicago, the entire State is supposed to get all animated with -- with Assessor Houlihan and his seven-percent

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solution? This is the same Mayor that now wants to put this type of tax burden on everybody all across this property tax district? You know, I've been a fairly vocal critic of the Governor over the past -- past eighteen months. But you know what? One area that I think the Governor has it dead right, is he has had the integrity to say no to the piercing of the tax cap, because he's understood that it is a nickel-and-dime process. And what's going to happen is, this is -- we're just -- we're just going to continue to see it again and again and again. The Majority in this Chamber has decided the tax cap doesn't apply in special rec districts, it doesn't apply in pensions, it doesn't apply to public building commissions, and now, without even the pretense of an excuse, it just says, "And it's not going to apply there either." Well, I think we've got to be honest today and say, "Look, if you're voting green on this, then you are not in favor of the tax cap." So, don't go back to districts, don't go to the moms and pops, don't go to the Rotary Clubs, the Kiwanis groups and the train stations and have literature that says you are a supporter of the tax cap if you're a green light up there, because if you put a green light up there, you're ripping the tax cap open and you're saying the freight train should come right through and nothing matters. If you are in favor of the tax cap, vote No.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Gosh, after what Senator Roskam said, I feel really bad about -- you know, for anybody who's going to vote Yes on this. You know, Senator, I can't imagine that you would be in favor of any kind of runaway spending on this, but could you describe for the Body here what checks and balances have been built into this so that there's any sense of fiscal responsibility for -- anyone who would consider voting Yes?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

Thank you, Senator Lauzen. I would just like to begin by saying we can always talk about the tax cap - and I agree with

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you, Senator Roskam, how important that is - but there comes a time when you also have to look at what you're leaving behind or what you're losing because you aren't voting for progress because the tax cap continues to bind us. We have an economic development issue in the collar counties in -- in Cook County -- the collar communities in Cook County. Let me just say that DuPage County - that's where you're from - you do have a this, and it has been very successful. It is the model for what they're trying to do in Cook County. The fact of the matter is, what's good for the goose is good for the gander. The water's got to go somewhere. When you're spending two hundred and eleven million dollars a year on damages due to flooding, you got to do something. You've got to say, "Is seventeen dollars a year worth it to the homeowners?" And I would believe from the homeowners that we've spoken to and the fact that the Northwest Municipal Conference has signed on to it and is lending their support that there is a very good reason to put this forward. We can't stand back and use the tax cap as a veil for us not going forward and making progress. And it really comes down to economic development. If we have areas where we can't build homes, if we have areas where we can't build communities and make them strong and viable, then what good are we? This is something that we should be voting Yes on because it really does make the State more -- there more vitality for economic development. As far as checks and balances, we have set up -- there are six to seven water -- commissions, and these commissions will be in charge of overseeing the different projects. The amendment that I added, Senator Lauzen, does talk about cost benefit analysis. So, before a project can be put forward, there has to be a cost benefit analysis.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Lauzen.

SENATOR LAUZEN:

Hi. I'm sorry, but my -- the time in that answer used up most of what I had here. It's almost like a filibuster on the answer. If this is such a good idea for all these people who you're representing, why not just have the referendum, what -- what is provided in the tax cap law, which is you take it to the people who you say are for it so passionately? Why not take it

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to referendum and have actual permission from the voters? For those who really understand how bad the property taxes are and don't want to nickel and dime the folks - and actually this is a much bigger piece than nickel and dime - I would just urge a No vote.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Viverito.

SENATOR VIVERITO:

Thank you, Mr. President. I, for one, would like to commend the Senator Garrett for bringing this very, very important issue forward. Obviously, many of you who live in Cook County realize when we get these heavy, heavy floods, it does affect the City of Chicago. On many, many occasions when that water couldn't be handled, they have to let raw sewage go into Lake Michigan, our beautiful Lake Michigan. People in -- in -- in -- wanting to swim are unable to even swim because of the sanitary conditions of Lake Michigan at many, many times. Many of the suburban areas along the Des Plaines, the north shore and the south, have suffered in over-flooding conditions on many occasions - their basements backing up, sanitary conditions that are not healthy for anybody, whether you live in Cook County, Lake County or anywhere else. This issue is not just the Water Reclamation District, but all the municipalities are asking the Water Reclamation District to solve the problem of flooding. And obviously, there is no entity within the State of Illinois that has more professional expertise than the Water Reclamation District. I spent six years at the Water Reclamation District, and I'm telling you, they have engineers and scientists and biologists and people that are imminently qualified. We cannot -- or, we should not -- we should be able to fund this, because, frankly, we need it. It needs to be funded. And I hope that you will give some consideration and vote Yes.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett, to close.

SENATOR GARRETT:

I would just like to say that Cook County does not have a stormwater management plan. DuPage County has a stormwater management plan. Lake County has a stormwater management plan. This is where all the development is. This is where the economic

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opportunity is in our State, and we owe it to ourselves to make sure that we provide the opportunities and the options for that to continue to happen, to make sure that Illinois' economic vitality stays in place and does not go backwards. I know that this is a cost to taxpayers, but by and large, we're doing the best thing for the State and for the people that live here and for new businesses that are hoping to come in. I hope that you will consider this and give us a Yes vote on it. Thank you very much.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall Senate Bill 2196 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 30 Members voting Yes, 26 Members voting No, no Member voted Present. Senate Bill 2196, having received the required constitutional majority, is declared passed. Senate Bill 2197. Senator DeLeo. Senate Bill 2201. Senator Cullerton. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2201.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. This bill is an outgrowth of the Governor's task force on the death penalty. One of the recommendations that was made we did not follow when we passed our death penalty reform - that was to have an independent lab separate from the State Police Lab. But there still are some concerns about the accuracy and the standards by which these labs operate. So, we reached an agreement with the State Police and the State Appellate Defender's Office to create a Illinois Laboratory Advisory Committee to basically be consisting of a number of scientists that can provide some oversight and some advice for the labs and the issues that deal with the labs. Be happy to answer any questions and ask for an Aye vote.

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PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall Senate Bill 2201 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 58 Members voted Yes, no Member voted No, and no Member voted Present. Senate Bill 2201, having received the required constitutional majority, is declared passed. In two hours and forty-five minutes, we've gone through three pages. We're now on page 11. Senate Bill 2203. Senator Jacobs. Senate Bill 2205. Senator Emil Jones. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2205.

(Secretary reads title of bill)

3rd Reading of the bill.

SECRETARY HAWKER:

Senator Emil Jones.

SENATOR E. JONES:

Thank you, Mr. President. This is merely a vehicle bill to deal with the end of Session. There's nothing in it right now, but it may come back later with something and so we want to pass it over to the House so we can be prepared to deal with the issues later on this Session.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. As President Jones indicated, these are vehicle bills to begin to implement the budget, which is something clearly we need to do every year. It's a new year, it's a new budget year, so we want to participate in this process. The only thing we would ask, hopefully our Members will be voting for this, that we would be able to see the budget implementation before we actually have a final vote on it, and we would ask for any assistance you could give us in that regard this year.

PRESIDING OFFICER: (SENATOR WELCH)

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The question is, shall Senate Bill 2205 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 50 Members voted Yes, 3 Members voted No, no Member voted Present. Senate Bill 2205, having received the required constitutional majority, is declared passed. Senate Bill 2206. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2206.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Emil Jones.

SENATOR E. JONES:

Thank you, Mr. President. This bill is the same as the previous bill, as are the bills to follow, and as we relate to the single subject rule, you must have many vehicle bills in order to implement the budget. So I ask for a Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall Senate Bill 2206 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 52 Members voted Yes, 2 Members voted No, no Member voted Present. Senate Bill 2206, having received the required constitutional majority, is declared passed. Senate Bill 2207. Senator Emil Jones. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2207.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jones has explained the bill. Is there any discussion? If not, the question is, shall Senate Bill 2207 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 53 Members voted Yes, 3 Members voted No, no Member



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voted Present. Senate Bill 2207, having received the required constitutional majority, is declared passed. Senate Bill 2208. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2208.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall Senate Bill 2208 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Members voting Yes, 3 Members voting No, no Member voted Present. Senate Bill 2208, having received the required constitutional majority, is declared passed. Senate Bill 2209. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2209.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall Senate Bill 2209 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 Members voting Aye, 7 Members voted No, no Member voted Present. Senate Bill 2209, having received the required constitutional majority, is declared passed. Senate Bill 2210. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2210.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall Senate Bill 2210 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 Members voting Yes, 7 Members

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voted No, no Member voted Present. Senate Bill 2210, having received the required constitutional majority, is declared passed. Senate Bill 2211. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2211.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall Senate Bill 2211 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 48 Members voting Yes, 7 Members voted No, 1 Member voting Present. Senate Bill 2211, having received the required constitutional majority, is declared passed. Senate Bill 2212. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2212.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall Senate Bill 2212 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 Members voting Yes, 7 voting No, no Member voting Present. Senate Bill 2212, having received the required constitutional majority, is declared passed. Senate Bill 2213. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2213.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall Senate Bill 2213 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 Members voting Yes, 6 Members

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voting No, no Member voted Present. Senate Bill 2213, having received the required constitutional majority, is declared passed. Senate Bill 2214. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2214.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall Senate Bill 2214 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Members voting Yes, 5 Members voting No, no Member voted Present. Senate Bill 2214, having received the required constitutional majority, is declared passed. Senate Bill 2215. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2215.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall Senate Bill 2215 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 48 Members voting Yes, 8 Members voted No, no Member voted Present. Senate Bill 2215, having received the required constitutional majority, is declared passed. Senate Bill 2216. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2216.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall Senate Bill 2216 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 48 Members voting Yes, 9 Members

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voting No, no Member voting Present. Senate Bill 2216, having received the required constitutional majority, is declared passed. Senate Bill 2217. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2217.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall Senate Bill 2217 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 46 Members voting Yes, 11 Members voting No, no Member voting Present. Senate Bill 2217, having received the required constitutional majority, is declared passed. Senate Bill 2218. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2218.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall Senate Bill 2218 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 47 Members voting Yes, 10 Members voting No, no Member voting Present. Senate Bill 2218, having received the required constitutional majority, is declared passed. Senate Bill 2219. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2219.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall Senate Bill 2219 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 43 Members voting Yes, 13 Members

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voting No, 1 Member voting Present. Senate Bill 2219, having received the required constitutional majority, is declared passed. Senate Bill 2220. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2220.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall Senate Bill 2220 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 46 Members voting Yes, 10 Members voting No, no Member voting Present. Senate Bill 2220, having received the required constitutional majority, is declared passed. Senate Bill 2221. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2221.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall Senate Bill 2221 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 47 Members voting Yes, 10 Members voting No, no Member voted Present. Senate Bill 2221, having received the required constitutional majority, is declared passed. Senate Bill 2222. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2222.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall Senate Bill 2222 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 Members voting Yes, 7 Members

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voting No, no -- 1 Member voting Present. Senate Bill 2222, having received the required constitutional majority, is declared passed. Senate Bill 2223. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2223.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall Senate Bill 2223 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 46 Members voted Yes, 11 Members voted No, no Member voted Present. Senate Bill 2223, having received the required constitutional majority, is declared passed. On the top of page 12. Senate Bill 2224. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2224.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall Senate Bill 2224 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 45 Members voted Yes, 12 Members voted No, no Member voted Present. Senate Bill 2224, having received the required constitutional majority, is declared passed. Senate Bill 2225. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2225.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall Senate Bill 2225 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have

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all voted who wish? Have all voted who wish? Take the record. On that question, there are 43 Members voting Yes, 10 Members voted No, no Member voted Present. Senate Bill 2225, having received the required constitutional majority, is declared passed. Senate Bill 2226. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2226.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall Senate Bill 2226 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 43 Members voting Yes, 12 Members voting No, no Member voting Present. Senate Bill 2226, having received the required constitutional majority, is declared passed. Senate Bill 2227. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2227.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

Well, Mr. President, you know, I thought that Senator Dudycz may have reappeared and -- in another form. I had my legislative seat belt on, and it seemed like we were cruising along on budget bills. And have we taken a corner? Did we turn a corner a couple minutes ago and we're actually doing shell bills now that are substantive shell bills?

PRESIDING OFFICER: (SENATOR WELCH)

Senator, I was going along and not paying attention, except to the numbers. So, what you see on the Calendar is -- is what we were voting on. I asked if there was discussion on each bill. Yes, Senator Roskam.

SENATOR ROSKAM:

Mr. President, not accusing you of anything. Just good leadership and moving the train. So, your question to me was,

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why do I rise? The reason that I rise is I wanted to ask if the sponsor would yield.

PRESIDING OFFICER: (SENATOR WELCH)

Sponsor indicates he'll yield, Senator.

SENATOR ROSKAM:

President Jones, those earlier bills that we were voting on, those were all budget -- budget bills, and now it seems like these are substantive shell bills. Could you just tell us what your -- what you intend to do with this bill, if there's a -- if there's a purpose that you've identified?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jones, Emil Jones.

SENATOR E. JONES:

As a past practice in this Chamber, there will always be issues that we want to deal with. It may come late in Session. All we intend to do is have a vehicle bill available for something that you may want -- of that nature. So, it's just a vehicle bill. There's no substance in the bill at this moment. If there is substantive language put in the bill, we will have an opportunity to -- to sit down and discuss it in committee and everything.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

So, just so I'm clear, Mr. -- Mr. President -- Presiding President, we're on 2227 now, then it looks as if those bills that -- that are like what President Jones described go through 2235 on the Calendar, and then we're back into substantive -- substantive bills with real language. I just want to make sure ...

PRESIDING OFFICER: (SENATOR WELCH)

Yes.

SENATOR ROSKAM:

...that everybody knows what we're doing. Is that your understanding, presiding?

PRESIDING OFFICER: (SENATOR WELCH)

Yes. But there are more vehicles after 2236, Senator.

SENATOR ROSKAM:



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I mean -- yeah -- no. We would absolutely need roll calls on them all.

PRESIDING OFFICER: (SENATOR WELCH)

Yeah.

SENATOR ROSKAM:

But I just want to make sure everybody understands what we're doing. I think it's clear now and I thank you for taking the time.

PRESIDING OFFICER: (SENATOR WELCH)

We will -- okay, Senator. Thank you. Any further discussion? If not, the question is, shall Senate Bill 2227 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 32 Members voting Aye, 23 Members voting No, 1 Member voting Present. Senate Bill 2227, having received the required constitutional majority, is declared passed. Senate Bill 2228. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2228.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall Senate Bill 2228 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 29 Aye votes, 27 No votes, no Members voting Present. Senate Bill 2228, having received -- having not -- having failed to receive the required constitutional majority, is declared failed. Senator Meeks, for what purpose do you rise?

SENATOR MEEKS:

Yeah. I failed to vote on that last -- on the shell bill.

PRESIDING OFFICER: (SENATOR WELCH)

Thank you for standing up and taking the blame. It's too late now. Senate Bill -- Senator Hendon.

SENATOR HENDON:

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Well, Mr. President, Pastor Meeks was in meditation with the Lord. I'm sure that should get him some -- some play here.

PRESIDING OFFICER: (SENATOR WELCH)

It does with the Lord, but not with the -- the Body here, unfortunately. Senate Bill 2229. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2229.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall Senate Bill 2229 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 31 Members voting Yes, 27 Members voting No, and no Member voting Present. Senate Bill 2229, having received the required constitutional majority, is declared passed. Senate Bill 2230. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2230.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall Senate Bill 2230 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. Will the Members please be in their seats? On that question, there are 29 Members voting Yes, 26 Members voting No, 1 Member voting Present. Senate Bill 2230, having failed to receive the required majority, is declared failed. Senate Bill 2231. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2231.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

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Is there any discussion? If not, the question is, shall Senate Bill 2231 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 31 Members voting Yes, 26 Members voting No, 1 Member voting Present. Senate Bill 2231, having received the required constitutional majority, is declared passed. Senate Bill 2232. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2232.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall Senate Bill 2232 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 30 Members voting Yes, 26 Members voting No, no Member voted Present. Senate Bill 2232, having received the required constitutional majority, is declared passed. Senate Bill 2233. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2233.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall Senate Bill 2233 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 30 Members voting Yes, 27 Members voting No, no Member voted Present. Senate Bill 2233, having received the required constitutional majority, is declared passed. Senate Bill 2234. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2234.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

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Is there any discussion? If not, the question is, shall Senate Bill 2234 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 32 Members voting Yes, 25 Members voting No, no Member voted Present. Senate Bill 2234, having received the required constitutional majority, is declared passed. Senate Bill 2235. Read the bill, Madam Secretary.

PRESIDING OFFICER: (SENATOR WELCH)

Senate Bill 2235.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall Senate Bill 2235 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 30 Members voting Yes, 24 Members voting No, 3 Members voting Present. Senate -- Senate Bill 2235, having received the required constitutional majority, is declared passed. Senate Bill 2236. Senator Emil Jones. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2236.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jones.

SENATOR E. JONES:

Yeah. Thank you, Mr. President. On -- on this bill I will not ask for the previous roll call. This...

PRESIDING OFFICER: (SENATOR WELCH)

The Calendar shows there's an amendment on this bill.

SENATOR E. JONES:

Okay. Senate Bill 2236 reconstitute the Gaming Board. It -- it gives the Governor the privilege to -- he can either keep the -- current Gaming Board members or he can reappoint new members to -- appoint new members to the Board with staggered terms that -- that will end in 2005 and 2007. The -- the Gaming

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Board always -- always -- over the past several years, has not followed the spirit of the law. It -- it hasn't been just one time, but it's been two times that I can recall. Originally, when we passed that law, we passed it with language in -- in the statute, the preamble of the Gaming Act, that the -- that the Gaming Board may take into consideration those communities that are economically depressed throughout the State of Illinois. We did that when we did it for -- East St. Louis, Alton, Illinois; Peoria, as well as Moline and Rock Island. We did that. We did it in Joliet. Now in Joliet, it's booming. But the past two major decisions that they have made, they have completely overlooked this -- this provision within the Gaming Act. And they have not even looked at it, as though it didn't even exist. So, I think we need some fresh members on that board who will follow the spirit of the law and the intent of the Act and give due considerations to the economically depressed communities in the State of Illinois. And I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any -- is there any discussion? Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. I'd move the previous question.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Harmon moves the previous question. There are four individuals seeking recognition. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I rise in support of this bill because I can tell you right now, Waukegan is the county seat of Lake County. I represent half of Waukegan and they were in consideration for it. And when I voted for the original bill to set up these -- these bills, we did it for the same reasons that President Jones enunciated earlier, to help distressed areas. And I think it was unfair the way this past Board acted, because certainly they have plenty of jobs up in -- in Rosemont and all that -- all those areas, but we need the jobs in Lake County, too. So, I rise in favor of this bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cronin.

SENATOR CRONIN:

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Thank you -- thank you, Mr. President. I, too, rise in support of this bill, but I do have a couple of questions I'd like to ask the sponsor, if I may.

PRESIDING OFFICER: (SENATOR WELCH)

Sponsor indicates he'll yield, Senator.

SENATOR CRONIN:

There's been some confusion among observers, people that I've talked to on the street, people who have a strong opinion about gaming issues in the State of Illinois, and that is, the composition of this Board is -- is five -- five members, as I understand it. And of the five members, how many were appointed by this sitting Governor?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jones.

SENATOR E. JONES:

To my knowledge, I believe only one, but that person has not been confirmed by the Senate.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cronin.

SENATOR CRONIN:

Okay. With respect to that individual appointee, that wasn't -- was that person -- did they vote Yes or No on the current debacle?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jones.

SENATOR E. JONES:

I believe that person voted Yes, and perhaps that may have been an ill-advised appointment.

PRESIDING OFFICER: (SENATOR WELCH)

Senator -- Senator Cronin.

SENATOR CRONIN:

Well, I -- I -- I rise in support of Senator Jones' efforts here. It's obvious -- I just got done reading the Tribune editorial today. There doesn't appear to be -- doesn't appear to be a good, rational basis, process, thought to the conclusion that they've come to. So I support Senator Jones.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

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Thank you, Mr. President. To the bill: I just want to just urge caution. You know, the -- the Senate President, in his opening remarks said that the -- I think his word was the -- the Gaming Board is going to be reconstituted. Well, it's going to be remade, really, in the image of the Legislature. Now, that's not all bad, but what I -- what I suggest today is, since we all are going to decide - that's really the purpose of the bill - let's not have a Gaming Board. Let's, as a Legislature, decide where the -- where the boats are going to go. That's really what this is about. I mean, let's sort of get right down to it. And there's no -- that's not an insidious thing. That's not unreasonable, for the Legislature to decide. But what's troubling, I think, is -- is to create the fiction that a Gaming Board is going to make the decision - and regardless of where it goes - and then when the Gaming Board says that it's going to go in this point and not this point, then we basically say, "Well, we want a legislative do-over." We want to come back and -- and "No, try that again. You gave us the wrong answer. Give us the right answer next time." Well, what is the right answer? So, rather than messing around with this, why don't we -- why don't we actually make a decision as a Legislature? Seems like a -- a far healthier way -- excuse me, a far healthier way to make decisions about this, and it -- and it -- and it moves away from the fiction that we're really doing today. Just one other point and that is that in terms of the integrity of the decision that was made by the Board, there's several entities that are currently investigating the integrity of that decision. The Governor has appointed an investigator. The Attorney General has apparently taken this up, and her office is investigating. And apparently the Gaming Board has actually made contact with the United States Attorney saying, "Come in and investigate." So it just seems to me -- I understand the frustration and the disappointment. Rosemont is clearly not a depressed community. And I'm not defending the Board, but what I'm suggesting is that -- that this move at this time, I think, is -- is ill-advised for the reasons that I articulated. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Halvorson.

SENATOR HALVORSON:

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Thank you, Mr. President. You know, there's been a lot of discussion on sour grapes, or we didn't get the answer we wanted, but that's not the case. The Gaming Board was not given a bushel basket of information and said, "You do what you think." They were given a law. The intent of the law was not followed. And I think it's important that if we have a group of people that do not see fit to follow the intent of our law, this is our only way to share our message, to tell them that they're not doing what they're supposed to do. And it's not getting the answer we want to get. It's giving them a law that they are supposed to do what's right. And the other thing about the investigation, if you read between the lines, I think if we're going to do an investigation, we need to do the investigation before Rosemont is given that award, not after. And I think if we look at it, it says if Rosemont is given the -- the -- the license, that we should investigate. I think we should do that before they're given it so that we don't spend a lot of time in the courts.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jones, to close.

SENATOR E. JONES:

Yeah. Thank you, Mr. President. I appreciate all the remarks individuals have, either pro or con, as it relate to our reasoning, but -- but let me say this. I believe it was about four years ago, five years ago this issue was before us. At that time, I urged the Gaming Board to follow the intent and spirit of the law, at that time when Cook County was opened up. And there was all talk about -- it's -- "It's a deal already. It's going to Rosemont," even though debate on this Senate Floor said a decision has not been made. But once we passed the law, the Gaming Board did what the rumor had already been circulating around this Chamber and amongst Members. That's where it went. So, what I'm saying to you, they not only made one bad decision; this Board has made two bad decisions. And for that reason, we don't want, as a legislative Body, to be sitting there making that decision. That's why we passed the law. That's why we included that provision in that economically-depressed communities may be -- be give consideration. If the Board had came out with a statement as such why we chose not to deal with



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those communities, then maybe things would be a little different. They have -- they have no rationale or reason why they excluded those various communities, be it up in Lake County, be it the southern suburbs or the City of Chicago. So I think we need some new minds on that Board, and I ask for a Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall Senate Bill 2236 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 32 Members voted Yes, 24 Members voted No, 2 Members voted Present. Senate Bill 2236, having received the required constitutional majority, is declared passed. Back to vehicle bills on page 12. Senate Bill 2237. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2237.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall Senate Bill 2237 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 27 Members voting Yes, 27 Members voting No, 4 Members voting Present. Senate Bill 2231, having -- having failed to receive the required constitutional majority, is declared lost. Senate Bill 2238. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2238.

(Secretary reads title of bill in error)

3rd Reading of the bill -- pardon me.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall Senate Bill 2238 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have

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all voted who wish? Have all voted who wish? Take the record. On that question, there are 32 Members voting Yes, 23 Members voting No, no Members voting Present. Senate Bill 2238, having received the required constitutional majority, is declared passed. Senate Bill 2239. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2239.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall Senate Bill 2239 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 32 Members voting Yes, 23 Members voting No, no Members voting Present. Senate Bill 2239, having received the required constitutional majority, is declared passed. Senate Bill 2240. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2240.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall Senate Bill 2240 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 34 Members voting Yes, 23 Members voting No, no Member voting Present. Senate Bill 2240, having received the required constitutional majority, is declared passed. Senate Bill 2241. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2241.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall Senate Bill 2241 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have

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all voted who wish? Have all voted who wish? Take the record. On that question, there are 33 Members voting Yes, 24 Members voting No, no Member voting Present. Senate Bill 2241, having received the required constitutional majority, is declared passed. Senate Bill 2242. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2242.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall Senate Bill 2242 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 32 Members voting Yes, 25 Members voting No, 1 Member voted Present. Senate Bill 2242, having received the required constitutional majority, is declared passed. Senate Bill 2243. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2243.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall Senate Bill 2243 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 32 Members voting Yes, 26 Members voting No, no Member voting Present. Senate Bill 2243, having received the required constitutional majority, is declared passed. Senate Bill 2242. Read the bill, Madam Secretary. 2244. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2244.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall Senate Bill 2244 pass. All those in favor, vote Aye. Opposed,

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vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 32 Members voted Yes, 25 Members voted No, 1 Member voted Present. Senate Bill 2244, having received the required constitutional majority, is declared passed. Senate Bill 2245. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2245.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall Senate Bill 2245 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 32 Members voting Yes, 25 Members voting No, no Member voted Present. Senate Bill 2245, having received the required constitutional majority, is declared passed. Senate Bill 2246. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2246.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall Senate Bill 2246 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 33 Members voting Yes, 25 Members voting No, no Member voted Present. Senate Bill 2246, having received the required constitutional majority, is declared passed. Senate Bill 2247. Senator DeLeo. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2247.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator DeLeo.

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SENATOR DeLEO:

Thank you very much, Mr. President and Ladies and Gentlemen of the Senate. Senate Amendment No. 2 becomes the bill. This was a vehicle bill. This was brought to us by the Department of Transportation. What it does is extending a lease that the State can enter into an agreement on a lease agreement. What's happening here, it's giving IDOT the authority to lease property up to thirty-five years. Illinois Department of Transportation, if you're familiar with the City of Chicago where the Dan Ryan and the Kennedy and the Eisenhower meet, they want to lease some property that's underneath the expressway to the City of Chicago. City of Chicago asked for an -- a longer lease. We had some concerns in committee. Senator Risinger brought up about the fair market value. IDOT officials testified at the committee yesterday that that's the practice they continue to keep. I ask for its favorable roll call.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Cronin.

SENATOR CRONIN:

Yes. Thank you, Mr. President. Senator Risinger's off the Floor right now. I -- on his behalf and as a member of the committee, I rise in support of the bill based on the discussion in committee, based on the testimony from IDOT, based on Senator Risinger's expertise and opinion about it, and just a swell sponsor. And, Senator DeLeo, we rise in support.

PRESIDING OFFICER: (SENATOR WELCH)

Any further discussion? If not, the question is, shall Senate Bill 2247 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 54 Members voted Yes, 4 Members voted No, no Member voted Present. Senate Bill 2247, having received the required constitutional majority, is declared passed. Senator Halvorson is now in the Chair.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Emil Jones, on the Order of 3rd Reading, Senate Bill 2248. Read the bill, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 2248.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 2248 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are -- 31 -- on the Order of Senate Bill 2248, there are 31 Yeas, 26 Nays, none voting Present. Senate Bill 2248, having received the constitutional majority, is declared passed. Senate Bill 2249. Senator Jones. Senator Jones. On the Order of 3rd Reading, Senate Bill 2249. Is there any discussion -- or, Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2249.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2249 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have -- have all voted who wish? Take the record. On that Bill 2249, there are 38 Yeas, 28 Nays, none voting Present. On that question, there are 30 Ayes, 28 Nays, none voting Present. Senate Bill 2249, having received constitutional majority, is declared passed. Senator Sullivan.

SENATOR D. SULLIVAN:

Verification, please.

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SECRETARY HAWKER:

The following Members voted in the affirmative: Clayborne, Collins, Crotty, Cullerton, DeLeo, del Valle, Garrett, Haine, Halvorson, Harmon, Hendon, Hunter, Jacobs, Lightford, Link, Maloney, Martinez, Meeks, Munoz, Obama, Ronen, Sandoval,

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Schoenberg, Shadid, Silverstein, Trotter, Viverito, Walsh, Welch and Mr. President.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sullivan, do you question the presence of any Member voting in the affirmative?

SENATOR D. SULLIVAN:

Senator Ronen.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Ronen. Is Senator Ronen on the Floor? Senator Ronen. If not, Madam Secretary, strike the name from the roll. Is there anybody else you'd care... On a verified roll call, there are 29 Yeas, 28 Nays, none voting Present. And Senate Bill 2249, not having received the required constitutional majority, is declared failed. Senator Emil Jones. On the Order of 3rd Reading, Senate Bill 2250. Madam Secretary read the bill.

SECRETARY HAWKER:

Senate Bill 2250.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2250 pass. Those in favor will vote Aye. Those opposed, say Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 32 Ayes, 24 voting Nay, none voting Present. Senate Bill 2250, having received the required constitutional majority, is declared passed. Senator Jones. On the Order of 3rd Reading, Senate Bill 2251. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2251.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2251 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take

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the record. On that question, there are 33 Yeas, 24 Nays, none voting Present. Senate Bill 2251, having received the constitutional majority, is declared passed. Senator Emil Jones. On the Order of 3rd Reading, Senate Bill 2252. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2252.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2252 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 32 Yeas, 26 Nays, none voting Present. Senate Bill 2252, having received the constitutional majority, is declared passed. Senator Emil Jones. On the Order of 3rd Reading, Senate Bill 2253. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2253.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2253 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 33 Yeas, 25 voting Nay, none voting Present. Senate Bill 2253, having received the constitutional majority, is declared passed. Senator Emil Jones. On the Order of 3rd Reading, Senate Bill 2254. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2254.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)



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Is there any discussion? Seeing none, the question is, shall Senate Bill 2254 pass. Those in favor will vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 31 Yeas, 26 voting Nay, none voting Present. And Senate Bill 2254, having received the constitutional majority, is declared passed. Senator Emil Jones. On the Order of 3rd Reading, Senate Bill 2255. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2255.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2255 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 30 Yeas, 27 voting Nay, none voting Present. And Senate Bill 2255, having received the constitutional majority, is declared passed. Senator Emil Jones. On the Order of 3rd Reading, Senate Bill 2256. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2256.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2256 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 32 Yeas, 24 voting Nay, none voting Present. Senate Bill 2256, having received the constitutional majority, is declared passed. Senator Emil Jones. On the Order of 3rd Reading, Senate Bill 2257. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2257.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2257 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 32 Yeas, 26 Nays, none voting Present. And Senate Bill 2257, having received the constitutional majority, is declared passed. Senator Emil Jones. On the Order of 3rd Reading, Senate Bill 2258. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2258.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2258 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 33 Yeas, 25 Nays, none voting Present. And Senate Bill 2258, having received the constitutional majority, is declared passed. Senator Emil Jones. Oop! Senator Geo-Karis, for what purpose do you rise?

SENATOR GEO-KARIS:

Personal privilege.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR GEO-KARIS:

We'd like everyone to join us in having cake on our colleague. Ray Soden is eighty years old. He's younger than I am. And we want to wish him a happy birthday, and we have plenty of cake here available for everyone. And happy birthday.

PRESIDING OFFICER: (SENATOR HALVORSON)

Happy birthday, Senator Soden. Senator Sieben, for what purpose you rise?

SENATOR SIEBEN:

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Same point of personal privilege. I just want to add my compliments to Commander Soden, who -- former past National Commander of the VFW in the State of Illinois, who's distinguished himself both in the military service and as a Member of our Assembly here, for a short time. He's only going to be with us a short time, but he's certainly, I think, done an outstanding job here as a Member, certainly adequately and -- and admirably represented the veterans of the State of Illinois and I just want to add my salute. I want to salute the Commander today on an outstanding job in the General Assembly.

PRESIDING OFFICER: (SENATOR HALVORSON)

Back to page 13. Senator Emil Jones. On the Order of 3rd Reading. Senate Bill 2259. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2259.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2259 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take -- take the record. On that question, there are 31 Yeas, 25 Nays, none voting Present. Senate Bill 2259, having received the constitutional majority, is declared passed. Senate Bill 2260. Senator Jones. On the Order of 3rd Reading, Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2260.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2260 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 30 Yeas, 28 Nays, none voting Present. Senate Bill 2260, having received the required constitutional majority, is declared passed. Senator Emil

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Jones. On the Order of 3rd Reading -- oop! Senator Rauschenberger, for what purpose do you rise?

SENATOR RAUSCHENBERGER:

Question of the -- parliamentary inquiry of the Chair. On the last bill just addressed, it was a GO bond vehicle, general obligation bond vehicle. Does that bill require thirty-six votes for passage to the other Chamber?

PRESIDING OFFICER: (SENATOR HALVORSON)

Thank you, Senator. We'll take that under advisement.

SENATOR RAUSCHENBERGER:

Can I renew that question for this bill, as well? While you're doing it, you can maybe check on both of 'em.

PRESIDING OFFICER: (SENATOR HALVORSON)

Absolutely.

SENATOR RAUSCHENBERGER:

And can I request verification on the previous bill?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sure. How about we'll start with the verification and then go to -- Senator Rauschenberger has requested a verification. Will all Members be in their seats? The Secretary will read the affirmative votes.

SECRETARY HAWKER:

The following Members voted in the affirmative: Clayborne, Collins, Crotty, Cullerton, DeLeo, del Valle, Garrett, Haine, Halvorson, Harmon, Hendon, Hunter, Jacobs, Lightford, Link, Maloney, Martinez, Meeks, Munoz, Obama, Ronen, Sandoval, Schoenberg, Shadid, Silverstein, Trotter, Viverito, Walsh, Welch and Mr. President.

PRESIDING OFFICER: (SENATOR HALVORSON)

Does Senator Rauschenberger question the presence of any Member voting in the affirmative?

SENATOR RAUSCHENBERGER:

I didn't get a chance to see the pleasant, smiling face of Senator Trotter. Is he here? Oh! No. That's Senator Hendon.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is Senator Trotter in the Chamber?

SENATOR RAUSCHENBERGER:

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Senator Trotter just arrived. I'm... Senator -- the smiling face of Senator DeLeo present with us today? I haven't had a chance to say hi to him.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator DeLeo is right there.

SENATOR RAUSCHENBERGER:

Oh, come on! Is Senator Martinez here? I'd like to see her wave to me.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Martinez.

SENATOR RAUSCHENBERGER:

Oh. There -- hi, Senator. Good. Good. I just wanted to make sure you were feeling good.

PRESIDING OFFICER: (SENATOR HALVORSON)

Anybody else, Senator Rauschenberger?

SENATOR RAUSCHENBERGER:

Is -- is Senator Meeks here? I was... Reverend Meeks. Reverend Senator Meeks.

PRESIDING OFFICER: (SENATOR HALVORSON)

Reverend, wave your arm there.

SENATOR RAUSCHENBERGER:

Do you guys know of anybody else that's not over there? Is -- no. Thank you very much. Appreciate the courtesy of the Chair. And very interested in the ruling on thirty-six.

PRESIDING OFFICER: (SENATOR HALVORSON)

On a verified roll call, there are -- on a verified roll call, there's 30 Yeas, none -- 28 Nays, none voting Present. And Senate Bill 2260, having received the required constitutional majority, is declared passed. Now, in answer to Senator Rauschenberger's question about 2260, Senate Bill 2260 makes only a technical change to the General Obligation Bond Act. Thirty votes are sufficient for passage. Senator Rauschenberger, you have to turn on your light.

SENATOR RAUSCHENBERGER:

So, for the record, there's no increase in this bill, and - there's not a -- this is a decrease general obligation rather than an increase one?

PRESIDING OFFICER: (SENATOR HALVORSON)

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Senate Bill 2260 makes only a technical change to the General Obligation Bond Act. Thirty votes are sufficient for passage. So then, Senator Rauschenberger, 2261 will be the same. Senator Emil Jones. On the Order of 3rd Reading, Senate Bill 2261. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2261.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2261 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 30 Yeas, 28 Nays, none voting Present. Senate Bill 2261, having received the required constitutional majority, is declared passed. Okay. If you turn the page. Top of 14. Senator Emil Jones. On the Order of 3rd Reading, Senate Bill 2262. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2262.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2262 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 30 Yeas, 28 Nays, none voting Present. And Senate Bill 2262, having received the required constitutional majority, is declared passed. Senator Emil Jones. On the Order of 3rd Reading, Senate Bill 2263. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2263.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

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Is there any discussion? Seeing none, the question is, shall Senate Bill 2263 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 30 Yeas, 28 Nays, none voting Present. And Senate Bill 2263, having received the required constitutional majority, is declared passed. Senator Emil Jones. On the Order of 3rd Reading, Senate Bill 2264. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2264.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2264 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 30 Yeas, 27 Nays, none voting Present. Senate Bill 2264, having received the required constitutional majority, is declared passed. Senator John Sullivan. On the Order of 3rd Reading, Senate Bill 2270. Do you wish to proceed? Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2270.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sullivan.

SENATOR J. SULLIVAN:

Thank you, Madam Chairman {sic}. Senate Bill 2270 addresses a nursing shortage in Illinois. It requires the Department of Public Health to develop and administer a -- a nursing workforce database. Purpose of the database is to collect data pertaining to the nursing workforce, analyze that information to see where the shortages are in the State. No later than January of '06, a report will be given to the Governor, to the Members of the General Assembly, concerning the

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development of the database and the -- effectiveness of its use.  
Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President. Very briefly, this bill passed unanimously out of committee and I would urge our Members to support it. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sullivan, to close. The question is, shall Senate Bill 2270 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Yeas, 2 voting Nay, none voting Present. And Senate Bill 2270, having received the constitutional majority, is declared passed. Senate Bill 2272. Senator Jacobs. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2272.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jacobs.

SENATOR JACOBS:

Thank you. I think there is a amendment, is there not? I'm sorry. It was a committee amendment. I'm sorry. Okay. Senate Bill 2272 adds a prohibition of construction of motorized recreational trails on Department owned or managed land designated as a nature preserve as defined in Section 3.11 of the Illinois Natural Areas Preservation Act, or contained in the report as submitted pursuant to Section 6-06 {sic} (6.06) of the Illinois Natural Areas Preservation Act. For those of you who that makes gibberish to, what -- what it does, it prohibits construction of these sites on two hundred and ninety-six sites within the State of Illinois. And they're all contained in this book. The DNR still will have the ability to decide where these can go if -- if they're to be constructed. The -- as it is, the -- the Sierra Club and DNR, as far as this went, are in favor of the bill. But they feel that it still needs some work and



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that's something that we ran out of time, and if they can get something on in the House, that's their prerogative. Just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Bomke.

SENATOR BOMKE:

Thank you, Madam President. It had Republican unanimous support in committee, and I would urge an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Haine.

SENATOR HAINE:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR HAINE:

And I -- I understand the -- the impetus behind the bill and -- and am sympathetic to it, but I'm -- this goes back to the question I asked last spring. I want to make quite sure that specifically in the bill, that the venerable old State parks are not going to be sites for ATV trails because of the birdwatchers. The Audubon Society, other people have been calling me. Pere Marquette. That's in Senator Demuzio's district, but a lot of my people use it, obviously. The Mounds State Park and a few others. If -- if we could get that on the record, I'd appreciate that, Senator Jacobs.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jacobs.

SENATOR JACOBS:

Thank you. And, in fact, in the booklet, Senator, Pere Marquette is number seventy-four. And, also, at the same time, the intent of this bill is not to go into any pristine land. The intent of this bill is to have the DNR look for sites such as old gravel pits and -- and borrow pits to where they're not pristine. There's no intent to go into pristine land with this legislation.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Welch.

SENATOR WELCH:

I had a question of the sponsor.

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PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR WELCH:

Senator Jacobs, is the purpose of this bill to make it more likely that our State parks or other natural areas won't be used as a trail by these all-terrain vehicles?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jacobs.

SENATOR JACOBS:

That's the intent of the amendment. The intent of the bill is the same. What we're looking to do is -- is to get these vehicles off the roads and off the back roads, off -- off the trespass and -- and allow them on State-owned land that is not pristine, not useable for parks, et cetera. And that's the intent, yes.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Welch.

SENATOR WELCH:

So the discussion is over which lands are going to be restricted. That's what you're going to do in the House, is continue discussing that? All right. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR ROSKAM:

Senator Jacobs, a couple -- or, a little bit before coming in this morning I was handed some information from the Sierra Club, from some constituents in my district, who indicated that they were opposed. Is -- is this old news in terms of the negotiations with the Sierra Club? Or -- just to follow up on Senator Welch's comment, is there language that you're going to be driving towards that will be very specific on where they can drive and where they can't, and so forth?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jacobs.

SENATOR JACOBS:

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They -- what I stated, Senator, is they were in favor of this amendment. Then they -- they looked at it and they thought perhaps it didn't go far enough and they have some other ideas, which at this point, the people that have brought us the bill feel -- feels it's unnecessary. And my -- my conversation with them is we'll try to get it out of here, continue your conversations over in the House, and if you can come up with something, I'm more than willing to accept it.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Senator Jacobs, do you wish to close?

SENATOR JACOBS:

Just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 2272 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 43 Yeas, 13 Nays, 1 voting Present. And Senate Bill 2272, having received the required constitutional majority, is declared passed. Senator Forby, on Senate Bill 2273. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2273.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Forby.

SENATOR FORBY:

Thank you, Mr. {sic} President. The off -- off-highway vehicle grant program provides financial aid to the government agencies, nonprofit organizations and other eligible groups, individuals to develop, operate and maintain land for off-highway vehicle parks and trails. This faculty {sic} must be open and accessible to the public. This bill will require that ninety-two percent of the money from the off-highway vehicle trail be funded to the motor vehicles reception {sic}. The program can also restore area damaged and -- unauthorized

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grounds that the off-trail vehicles use. If there's any questions, I'll answer 'em.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Bomke.

SENATOR BOMKE:

Thank you, Madam President. I just rise in support. It came out of committee with unanimous support and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Welch.

SENATOR WELCH:

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR WELCH:

This bill raises the percentage going to these -- these funds from sixty percent to ninety-two percent. Where was the thirty-two percent going? Where's it going now?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Forby.

SENATOR FORBY:

Well, it was going to the DNR. And what was the issue on -- for the off-trail track, this money was not being used. It was just laying there and all -- DNR was using was between eight -- two and eight percent. So the off-road people said. "If that this money is ours, we need to be using it."

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Welch.

SENATOR WELCH:

Well, this is money that's collected from what, from gasoline sales to -- to owners of all-terrain vehicles, or from some fee at the time of purchase, the vehicle? Or where's the money come from?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Forby.

SENATOR FORBY:

This is from titles and sales and DNR fines and -- such as that.

PRESIDING OFFICER: (SENATOR HALVORSON)

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Senator Welch.

SENATOR WELCH:

...tell me why the Sierra Club and the Environmental Council are opposed to it?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Forby.

SENATOR FORBY:

Well, I think they're opposed to it. They think that these off-road trails is going to be used to -- to tear up the property, but what Denny Jacobs said while ago was these are trails where there are old coal mines and old properties and stuff where they can use this money so we can get the four-wheelers off the highways. And where I live at down there, they run up and down the highways all the time, and we've done that down there and it's made a big -- big impress on everybody down there. So these -- these four-wheelers cost a lot of money, so we need some place for 'em to get off and ride. And it's their money, so they're -- they're using their money to find a place so they can ride their four-wheelers.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Senator Forby, to close.

SENATOR FORBY:

Just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 2273 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 41 Yeas, 16 voting Nay, none voting Present. Senate Bill 2273, having received the required constitutional majority, is declared passed. Senator Shadid, on 2275. Senator Link, on 2278. Senator Link. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2278.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link.

SENATOR LINK:

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Thank you, Madam President. This amends the Illinois Municipal Code. It provides that if a suit is filed for violation of certain municipal ordinances, that the court can -- finds that a defendant has engaged in a certain -- prohibitive activities, that the court shall allow the plaintiff to recover a reasonable sum of money for cost of litigations, including services of a plaintiff's attorney. This is basically for communities that can get back their attorney fees for building violations. I'll be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

Thank you, Madam President. To the bill. You know, I know Senator Link has worked hard on this bill, but it's very, very controversial, notwithstanding his -- his brief comments on it. It's opposed by the Illinois Association of Realtors, and I think what -- my understanding of what Senator Link is trying to do is to empower poor communities to take on legal battles against developers that have all of the power in a relationship. That intention is fine and that intention probably would get fifty-nine votes. The bill doesn't do that. The bill is silent as to any sort of income level, any terms of net wealth of a community. So, really what we're doing today, if we pass this bill, is empowering government more and more and more vis-à-vis the private sector. Now, that's not -- that's not where I think the sponsor intends to go. And I think he's tried to reach out and he's tried to negotiate, and that has not been successful. But I'm against the bill because I -- in my view, the government doesn't need more power. The government has plenty of power. And there are -- there are ample opportunities, I think, for the Governor -- for the government to assert its will over private individuals and private companies and private businesses. And this really does shift a balance. If the Senator is able to come up with an approach that -- that is far more narrow in its scope, then I would be happy to sign on to it. But -- but for Members on this side of the aisle, particularly, I would be very cautious about putting an Aye vote up there. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Senator Link, to close.

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SENATOR LINK:

I -- I thank my colleague, Senator Roskam, for his comments, and I echo 'em. The intent of this is to work for -- where are poorer communities. And we did work with the Realtors, and we've been trying. And we will continue when this bill gets over to the House, hopefully that we pass it out of here. We get it over to the House and we will continue to work on an amendment that hopefully we will come up to some kind of agreement and that it will come back over here for concurrence, and at that time we will be able to vote 59 to nothing on it. That we are working on this and we will continue to work on it over in the House, and I think that there will be a bill coming over from the House that will be similar to this and we can work on it at that same time. There's a lot of communities that a lot of us represent on both sides of the aisle that have building code violations and developers that take advantage of these poorer communities, and they know that the community doesn't have the money to fight these developers -- to enforce these ordinances so they get the advantage taken of 'em by these bigger developers who have deeper pockets. So I'm asking just to make a little bit level playing field so that we can upgrade these communities and help them get to the level of prosperity that they want to be at. So I would ask you to help me continue this on. This is a bill in progress. We're going to continue working on it in the House and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 2278 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 31 Yeas, 27 Nays, none voting Present. Senate Bill 2278, having received the required constitutional majority, is declared passed. Senator Viverito, for what purpose do you rise?

SENATOR VIVERITO:

Yeah. Personal privilege.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR VIVERITO:

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I think we have a very special guest here with us, the Honorable Speaker of the House, Michael Madigan. How about a nice warm greeting for him?

PRESIDING OFFICER: (SENATOR HALVORSON)

Welcome, Speaker Madigan, to the Senate. Senate Bill 2287. Senator Link. Senate Bill 2289. Senator Walsh. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2289.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Walsh.

SENATOR WALSH:

Thank you, Madam President and Members of the Senate. Senate Bill 2289 amends the Professional Engineering Practice Act. And basically what this bill does, the purpose of this bill is to make clear that the Act is not there to be used by one or more engineering firms to punish other engineering firms simply because they are party to collective bargaining agreement or that their employees belong to a union. This bill was brought to me by Local 150 Operator {sic} Engineers, and we have had numerous discussions on this piece of legislation. I had made a commitment to the committee that I wouldn't move this bill to 3rd Reading unless it was amended -- for passage. In discussions that just have been held in the last two days, that major movements by both the engineers and by the -- the engineering firms, professional engineers, have asked me to move the bill forward for further discussion in the House. I was willing to hold this bill if they weren't happy with it, and because of the commitments that have come from both sides of the -- both sides of the issue, I am moving forward. And they feel that -- that both the surveyors and the operating engineers are going to come up with language that is going to be beneficial to both of them. So, I ask that this bill moves on. The -- the surveyors, professional engineers have already got a House sponsor that is willing to continue the language and make those same kind of commitments. So I ask the indulgence of the Body



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to -- to send this -- this bill over to the House where it will continue to be worked on or fail there.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Brady.

SENATOR BRADY:

Thank you, Madam President. Sponsor yield?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR BRADY:

Senator, in no way would I question your word, but there are numerous Members over here who have been called by various opponents, who have given their word based on what you said that this bill would not move without an amendment. I would request -- the deadline's tomorrow. Could we take it out of the record so that the engineers could at least contact our side of the aisle and tell us what they believe? And in no way am I questioning your word. We just have made a lot of commitments to constituents back in our districts, Senator.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Walsh.

SENATOR WALSH:

Senator Brady, I honor that, and again, as I said, Brittan Bolin, the lady representing the Professional Engineers, actually asked me, but I will take it out of the record. We'll deal with it tomorrow. And -- and whatever. And -- and give you the opportunity to hear from -- from them.

PRESIDING OFFICER: (SENATOR HALVORSON)

Out of the record. Senator Jacobs, on 2290. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2290.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam President. Senate Bill 2290 allows distributors to notify retailers of their monthly alcoholic beverage purchases via mail, electronic mail, facsimile,

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Internet website, hand delivery, or by accumulated purchase total on the month-end invoice. And it also states that the Illinois Liquor Control Commission may fine, suspend or revoke the license of a licensee that does not comply with the filing. I know of no opposition and I ask for your support.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2290 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Yeas, 1 voting Nay, none voting Present. Senate Bill 2290, having received the required constitutional majority, is declared passed. Senator Jacobs seeks leave of this Body to return Senate Bill 2293 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 2293. Madam Secretary, are -- or, Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY HARRY:

Amendment No. 2, offered by Senator Jacobs.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jacobs, to explain the amendment.

SENATOR JACOBS:

Thank you, Madam President and Ladies and Gentlemen of the Senate. Floor Amendment 2 to 2293 becomes the bill. It -- it allows for the suspension or removal of a license -- of a liquor license by the State Liquor Control Commission to be limited to the license for the specific premises where the violation occurred. It also requires that if after a sting operation a licensee is found to be in compliance with all requirements, that licensee shall be notified within thirty days of the finding. The reason for this bill is we have numerous places, such as Casey's and et cetera, that have a number of licenses, and if they have one bad apple, not everyone should lose. So I know of known -- no known opposition and ask for your support.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Jacobs moves the adoption of Amendment No. 2 to Senate Bill 2293. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is

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

ACTING SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator Jacobs. On the Order of 3rd Reading, Senate Bill 2293. Do you wish to proceed? Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2293.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jacobs.

SENATOR JACOBS:

Just to ask for an Aye vote, or -- if there's not any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2293 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Yeas, none voting Nay -- 1 voting Nay, none voting Present. Senate Bill 2293, having received the constitutional majority, is declared passed. Senate Bill 2296. Senator Jacobs. Senate Bill 2299. Senator Jacobs. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2299.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jacobs.

SENATOR JACOBS:

Yes. Thank you, Madam Chairman. This is now a shell bill. The -- the -- the amendment we had ready didn't get out of Rules. There was a lot of misinformation. I'd like to move this bill forward, 'cause it does have some financial implications that could add to the revenues of this State, and I

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just want to keep working on it. And I would like to have permission to pass this shell bill over to the House for further consideration.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2299 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 46 Ayes, 9 Nays, 2 voting Present. Senate Bill 2299, having received the required -- constitutional majority, is declared passed. Senator Brady, on 2301. Senator Brady. Senator Brady, on 2306. Senator del Valle, on Senate Bill 2317. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2317.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Madam President. This is a school construction bill. It's for the purpose of generating a billion dollars for year nine of the schedule to meet the school construction needs in the State of Illinois. According to the Economic and Fiscal Commission, the FY2003 and FY2004 appropriations will allow for the funding of only eighty-seven percent of the entitled FY2002 projects and does not pay for any of the FY2003 applications. We have about a hundred and sixteen million dollars that are obligated right now -- unobligated, I should say. But we've got twenty-four projects worth a hundred and fifty-one million dollars that are -- that are ready and not funded, and then we have forty-seven new applications for this cycle. And so even though the Governor has announced a plan that has us spending 2.2 billion dollars over a four-year period, and that breaks down to five hundred and fifty million per year, that amount, in my opinion, is not enough to cover the school construction needs that are out there right now, the projects that have already been identified. And so the purpose of moving this bill along is to hopefully send a message to -- to the Governor and others

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that we're falling short in terms of our support for school construction in the State of Illinois. And I'll be glad to respond to any questions or comments.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Cronin.

SENATOR CRONIN:

Thank you, Madam President. I rise to express that I wish I could support this proposal, but I can't. I wish I could recommend to my friends and my colleagues that this is a good bill to support, because it certainly has wonderful features. We know that this is an extension of a wonderful program that has helped many schools address some very dire needs. And I want to support this, but I can't. And the reason I can't is because we have a Governor that wants to change the school construction program for no good reason. So I don't know what's going to happen to this one billion dollars of school construction revenues and resources. I don't know whether or not this authorization is going to be run through the Governor's hand-picked Capitol Development Board so he can develop relationships with contractors and architects and engineers for who -- who knows what purpose. I don't know why he has the idea that he does, but I'm unhappy that I can't support this today because I don't trust the Governor's plan for what he may do with that money. So, at this point in time, I urge my colleagues to vote No.

PRESIDING OFFICER: (SENATOR HALVORSON)

Any -- any further discussion? Senator Luechtefeld.

SENATOR LUECHTEFELD:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR LUECHTEFELD:

Senator, am I right that this -- this particular proposal that you've introduced will really be a -- it'll be the same as the proposal that we've had in the past? The rules are about the same as past school construction. Is that right?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator del Valle.

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SENATOR DEL VALLE:

Yes. This proposal is to spend another one billion dollars under the current system, which I think has worked very well also. I would agree with Senator Cronin that I think it's been a very successful program. The school construction program has worked smoothly. I think a lot of schools have been helped. The problem is that we haven't been able to put enough money into it to -- to meet all the projects that are out there.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

How much -- would you explain again, this is a -- this is a -- a billion dollars, and this is for a twelve-month period, or for how long a time?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator del Valle.

SENATOR DEL VALLE:

This is a billion dollars for FY'05 for a twelve-month period to deal with the projects and the backlog that we have, because according to the Fiscal Commission, we have a big backlog that -- that needs to be addressed.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

As -- as you know, we had some discussion in -- in committee. I -- I voted to get this out of committee, because I thought that the Governor's plan really is -- is a bad one. I mean, I -- I think it's bad for all of us. And I wanted -- if -- if -- if we were going to do school construction again, I want it to be -- this -- this plan, the way you want it to work. And I -- I voted it to get -- get it out of committee. I -- I guess my question to you is, is there a revenue stream at all for this?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Luechtefeld. I mean, Senator del Valle.

SENATOR DEL VALLE:

There is a -- a current revenue stream. These grants are funded from the proceeds of school construction bond sales. Debt service on school construction bonds is paid for by transfers

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from the School Infrastructure Fund. The Fund receives transfers from the General Revenue Fund in the amount of sixty million a year from both the local liquor tax and cigarette tax and one-seventh of the telecommunications excise tax. And that's -- that's where the -- the current money comes from.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

You know, the -- the past school construction fund with Illinois First and so on did have a revenue stream. I'm -- I'm told that this doesn't have enough to really -- to really cover that one billion dollars. Am I right about that, or..

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator del Valle.

SENATOR DEL VALLE:

You're right about that. We -- we'd have to take care of the -- the additional -- right now it -- it -- it covers, I think, just about the -- the five-hundred-million-dollar level that we've been working with the last few years.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Well, Senator, I -- you know, I hope that what you are trying to do we finally get done. I am having a problem and will have a problem voting for it because of the revenue stream. But we're -- this'll be back. There'll be more to this. And, you know, again, hopefully we can have your plan and we can maybe have a revenue stream to cover it. We'll probably not vote for it on the Floor right now, but let's hope that we can work together to get this plan through. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. A couple of questions for the -- the sponsor. In the past -- you know, first of all, I applaud your work. I think we're all interested in keeping school construction moving forward, but a couple of points of clarification and then a question. The -- the transfer that's made into the School

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Construction Fund is the result of tax increases we agreed as a Body to pass in the past. Every time we have done school construction, since it was first initiated under -- under Governor Edgar, we passed specific dedicated revenues to pay for it. So a lot of us are interested in hopefully seeing this bill again, if it doesn't pass this time, once we've gotten a commitment from the Governor and the Speaker and other people as to how we're going to fund it, because otherwise it simply becomes a reduction in general revenue. But a couple of questions. Is there anything in -- in this authorization which limits the Governor to issuing traditional twenty-five-year, level principal bonds? Is there -- is there any limiting language in this as to how the Governor can issue the bonds?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator del Valle.

SENATOR DEL VALLE:

No, not that I know of.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Again, you know, and I -- I really appreciate your leadership on this. Historically, for almost forty years in the General Assembly, when we issued bonds, we all knew that we were issuing twenty-five-year bonds. We all knew that they were going to be level principal bonds, from Governor Walker through Governor Thompson through Governor Edgar through Governor Ryan. We've got a new creative team on the -- in -- in the Governor's Office of Management and Budget, so we're probably going to have to add the new discipline to our bonding things requiring or limiting the Governor's flexibility. If the Governor does this as traditional -- as traditional twenty-five-year, level principal bonds, we're going to need a revenue stream of about sixty-eight to seventy million dollars to service these bonds. And I think that's something we can find to work on. But if this doesn't make it this time, I -- I hope we can come back and also talk about just making sure that we're explicit in telling the Governor what he has permission to -- to issue. In fact, in the Rules Committee, I think we have a bill filed that perhaps, with your help, or maybe with the Senate President's help, later



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we can bring out as an amendment which would simply codify into statute the traditional twenty-five-year bonds, the level principal payment so that we all know what we're doing, and the Governor would be required to have special requests, special changes if he wanted to do it differently. But I want to -- thank you for bringing it forward. A lot of us would like to be there for you when we've got the revenue side figured out.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator del Valle, to close.

SENATOR DEL VALLE:

Well, I -- I certainly agree with -- with the comments just made by Senator Rauschenberger. We do have to figure out the revenue side. And I also share the concerns expressed by Senator Cronin regarding a possible change in the future about -- of how this program is -- is managed. It's been a very, very successful program. I, personally, in speaking for myself, don't want to see changes in -- in the program. I think that we're going to have to come up with additional dollars for school construction. And so, I recognize that in order for this bill to get out of here, it needs thirty-six votes. So I -- I pretty much can determine what the fate is right now. But I think it's important for us to go on record with the public that we support more school construction dollars than are -- than are -- than are currently being put on the table and -- certainly more dollars than we have been able to appropriate in the last couple of years in order to deal with this tremendous backlog. We have overcrowded schools. We have schools that are deteriorating. We have school districts -- eighty percent of the school districts are doing deficit spending. We see how the referenda fared in this last election. Over half -- about half failed. We've got projects that have been waiting for -- for a couple of years. And so let's provide some leadership on it -- on this issue. And I certainly hope that if -- if the bill doesn't make it, that we will see it again before the end of this Session and that the final result will be more dollars -- school construction dollars for the State of Illinois. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

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This bill incurs State debt that is to be secured by the full faith and credit of the State or it -- required to be prepaid directly or indirectly from tax revenue, and pursuant to Article IX, Section 9 of the Illinois Constitution will require thirty-six votes for Senate passage. This is final action. And the question is, shall Senate Bill 2317 pass. Those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 32 Yeas, 16 Nays, 9 voting Present. And the bill, having not received the constitutionally required supermajority of at least thirty-six votes, fails. Top of page 15. Senator Welch, on 2320. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2320.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Welch.

SENATOR WELCH:

Thank you, Madam President. What this bill attempts to do is to encourage the universities in our State to request funding for renewable energy sources from the Illinois Clean Energy Community Trust fund. We've been trying to work on a bill that would allow them to create their own sources of energy, such as through windmills or other types of energy generation, and use that to supplement their energy supply from their energy companies. So we're trying to move this bill forward to continue that dialogue. I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Sullivan.

SENATOR D. SULLIVAN:

Thank you, Madam President, Ladies and Gentlemen of the Senate. As Senator Welch pointed out, there are a lot of negotiations going on on the whole renewable energy issue, but this is one portion that's agreed upon. The universities are all okay with it, and I encourage an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

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Senator Welch, you wish to close? The question is, shall Senate Bill 2320 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Yeas, none voting Nay, none voting Present. And Senate Bill 2320, having received the required constitutional majority, is declared passed. Senator Shadid, on 2323. Senator Walsh, on 2327. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2327.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Walsh.

SENATOR WALSH:

Thank you, Madam President and Ladies and Gentlemen of the Senate. Senate Bill 2327 amends the Illinois Vehicle Code in regards to trucks transporting farm products and overweight permits. This has been a piece of legislation that I've been working on for a number of years in regards to some of our issues with moving farm products from the farm or from grain facilities to the waterway and in regards to allowing -- allowing local jurisdictions and the Illinois Department of Transportation to issue permits to designate certain roads and to allow the permitting of -- of overweighted trucks. We have been working on this piece of legislation. This is a -- a cumulative bill. Senator -- Senator Watson has some language in here that he had in a piece of legislation that -- that he wanted. And we put all of this together in one piece of legislation. After having met in the Transportation Committee, which passed this bill out unanimously, we ran into some problems with IDOT in regards to the posting of bridge limit signs, and they are looking for a -- an extended time period. To basically cut to the chase, is that this a work in progress. We have -- we had a -- a -- an amendment that we were going to put on here, but it didn't cover all of the -- all of the issues that the livestock industry and Illinois Farm Bureau wanted to cover. So what I'm asking is that if we can move this piece of

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legislation over to the House and continue the work. Everybody that is involved in it - the Department of Transportation, Farm Bureau, the -- the County Engineers - are -- are supportive of continuing to work on this and see if we can't come up with -- with a piece of legislation that everybody can agree on, which then will come back here for concurrence.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Bomke.

SENATOR BOMKE:

Thank you, Madam President. I just rise in support of the legislation. I know it's a work in process. It's a good bill. It'll be a better bill when it's consummated. And would ask for an Aye vote on this side of the aisle.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Walsh, do you wish to close? The question is, shall Senate Bill 2327 pass. Those in favor will say -- vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, none voting Nay, none voting Present. And Senate Bill 2327, having -- gotten the required constitutional majority, is declared passed. Senator Martinez. 2329. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2329.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Madam President. Senate Bill 2329 is a bill to expand the scope of the existing Act to include buildings financed with federal resources and HUD mortgage insurance programs to help preserve already existing affordable housing units. Over thirty-three thousand units in -- in Illinois - senior and family housing - are at risk. We have about eight thousand units in the -- northeastern Illinois between 2004 and 2009 that will become -- that will be put out there for -- for - - for -- to be sold. We have - you know, the scope -- it's the notice requirements. Expands the notice to tenants from six

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months to twelve months. This is in line with the HUD requirement's opportunity for the tenants' association to purchase to keep the affordability of the units. It provides tenants' association with ninety days to give offer of purchase to landlord and the sale price at a market value without affordability restrictions. This -- this -- the -- the actual units affect a lot of our seniors. I think it's very important that we look at this legislation and the fact that we can go ahead and -- and -- and -- and take care of our most vulnerable. This is an agreed bill with all -- between all the affordable housing advocates of Illinois and also with the Illinois Realtors Association. And I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

Thank you, Madam President. To the bill. I just rise in support of it. I know the sponsor has negotiated in good faith and put a good bill together and made some accommodations for the Realtors, and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Any further discussion? Senator Hunter.

SENATOR HUNTER:

Madam President, I do -- I also rise in support of this bill. It's a wonderful bill, and it will also help improve the quality of life for our seniors. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Martinez, do you wish to close?

SENATOR MARTINEZ:

I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 2329 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Yeas, none voting Nay, none voting Present. Senate Bill 2329, having received the required constitutional majority, is declared passed. Senator Hunter. Senator Hendon, for what purpose do you rise?

SENATOR HENDON:

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A point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR HENDON:

In the Republican Gallery I would like for the Senate to welcome from the great west side of the City of Chicago, the children and students and parents from Faraday Elementary School.

PRESIDING OFFICER: (SENATOR HALVORSON)

Welcome to Springfield. Senator Hunter seeks leave of the Body to return Senate Bill 2335 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 2335. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY HARRY:

Amendment No. 1, offered by Senator Hunter.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hunter, explain your amendment.

SENATOR HUNTER:

Thank you, Madam President. Amendment 1 basically makes it clear that funds granted by the Community Health (Center) Expansion Act must be "in the amount up to" fifty percent, replacing "equal to." And I can explain it a little bit more during the 3rd Reading.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Hunter moves the adoption of Amendment No. 1 to Senate Bill 2335. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hunter. On the Order of 3rd -- 3rd Reading. Senator Hunter. On the Order of 3rd Reading, Senate Bill 2335. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2335.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hunter.

SENATOR HUNTER:

Senate Bill 2335 expands the Community Health (Center) Expansion Act to include sustainability funding to those that have satisfied the initial proposed project objectives and can prove continued financial need. Under this expansion, basically the grantee must be in the amount up to fifty percent of their third and final year of funding. In the past these grants have been used to expand into new service areas that have shown the need for health centers to purchase new equipment, hire and train staff, develop new practice networks and purchase services and products. This legislation is not a guarantee of funding. It only guarantees the opportunity to apply. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President. Briefly, to the bill: This bill passed out of our committee unanimously. It does not call for the expenditure of an additional dollars. It simply makes a program change, and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hunter, do you wish to close?

SENATOR HUNTER:

I simply ask for an Aye vote. Thank you very much.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 2335 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Yeas, none voting Nay, none voting Present. And Senate Bill 2335, having received the required constitutional majority, is declared passed. Senator Wojcik, for what purpose do you rise?

SENATOR WOJCIK:

Thank you, Madam President. I rise for a point of personal privilege.

PRESIDING OFFICER: (SENATOR HALVORSON)

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State your point.

SENATOR WOJCIK:

I understood that while we were in a meeting, that cake was being cut for a delightful man who's going to be eighty tomorrow. And I would be very remiss if I was not here to wish him best wishes, happy birthday and many more years to come. God bless.

PRESIDING OFFICER: (SENATOR HALVORSON)

Happy birthday, again. Senator Watson, for what purpose you rise?

SENATOR WATSON:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR WATSON:

Yes. Once again, as you've noticed throughout this Session since the Governor's budget announcement, we have a group of Vandalia Correctional Center employees, families and friends from Fayette County area. And I just want -- we had picture taken last Saturday in Vandalia, and there's about seven thousand people here. This is taken in downtown Vandalia. All these people, obviously, in support of the correctional center. All of them very concerned about the economy and what it does to their families and friends and the futures of their career. Seven thousand people made it -- made themselves available, and it actually -- pretty inclement weather. It was raining earlier and -- but to have that kind of turnout and have that kind of support and to continue to have them here with us today and throughout this -- this whole cycle of the General Assembly, I think shows that there's a lot of concern. And I hope you share that concern with me. And we met today. Senator Trotter, I appreciate you today. Yeah. Show -- get up and -- we -- Senator Trotter, to those of you in the gallery, is the Chairman of the Appropriations Committee here in the Senate and is -- is a good man and is -- has said that he would help us and support us in our effort, and I appreciate that, Senator Trotter. Thank you very much.

PRESIDING OFFICER: (SENATOR HALVORSON)



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Thank you, to our guests and to Senator Watson. Senator Cullerton leaves -- seeks leave of the Body to return Senate Bill 2339 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 2339. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY HARRY:

Amendment No. 1, offered by Senator Jacobs.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton, to explain the amendment.

SENATOR CULLERTON:

Yes. Thank you. This is -- I'm the sponsor of the bill. Senator Jacobs handled the amendment for me. The amendment becomes the bill and prohibits insurers from refusing to renew or cancel policies of accident and health insurance solely on the basis of an individual's participation in a qualified clinical cancer trial.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Cullerton moves the adoption of Amendment No. 1 to Senate Bill 2339. All in favor will say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator Cullerton. On the Order of 3rd Reading, Senate Bill 2339. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2339.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Madam President, Members of the Senate. This is actually initiative of the American Cancer Society and -- with cooperation with the Illinois Life Insurance Council. The concern is, of the Cancer Society, that some insurers are

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denying coverage for routine care for end-stage cancer patients for no other reason than they're participating in a clinical trial. So this bill deals with the issue of prohibiting insurers from refusing to renew or cancel policies of -- of insurance solely on the basis that they're -- they're participating in a qualified clinical trial. I would say that there's still further requests of the Cancer Society that they have further language which would deal with the issue of denial of benefits. There's also some concerns about the criteria for qualified cancer trials being too rigid. And that's something which perhaps we can address over in the -- in the House, but even if not, this is a good start. The bill itself is a -- a legitimate effort to try to treat the problem. Be happy to answer any questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Sieben.

SENATOR SIEBEN:

Thank you very much -- Madam President. I do rise in support of the gentleman's legislation. We had considerable discussion on this issue in the Insurance Committee. Obviously, the insurance industry is concerned about potential costs in covering patients that are involved in these clinical trials, but as the sponsor has indicated, there is significant progress made between trying to resolve the issues of the Cancer Society and the trials and the insurance industry. I think we want to continue to work on this issue, and I would urge our Members to -- to vote Aye at this time.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Senator Cullerton, to close.

SENATOR CULLERTON:

Just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 2339 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, none voting Nay, none voting Present. And Senate Bill 2339, having received the required constitutional majority, is

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declared passed. Senator Crotty. Senator Welch. Senator Clayborne. Senator Clayborne. 2354. Senator Lightford, on 2360? Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2360.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Madam President. Senate Bill 2360 amends the School Code. It requires the State Board of Ed to implement and administer a student achievement improvement grant program to provide two-year grants to school districts on the Academic Watch List and other school districts that have the lowest achieving students. It also requires a school district to establish an accountability program in order to receive the grant, and it requires the grant to be automatically renewed when achievement goals are met. This bill did pass both the Senate and the House last year, but the Governor amendatorily vetoed it because I had it subject to appropriations. He doesn't feel it should be subject to appropriations, that the funding should meet the needs. So I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates she'll yield.

SENATOR BURZYNSKI:

Thank you. Senator, when we talked about this in committee, I don't remember if we talked about a cost. Was there -- is there a dollar value or dollar -- or a cost associated with the program?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Lightford.

SENATOR LIGHTFORD:

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No.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Burzynski.

SENATOR BURZYNSKI:

You mean that these monies -- that it doesn't cost anything to do this school improvement program?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Lightford.

SENATOR LIGHTFORD:

It's a student achievement improvement program and, sure, it'll cost dollars. You asked me did I indicate any. No. We've got, as far as I know, five hundred and seventy-seven schools that are currently on the Academic Watch List. So those schools will have the ability to apply into this grant if they've been on the Watch List for a consecutive two-year period.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Burzynski.

SENATOR BURZYNSKI:

Is the State Board obligated to fund this program if they -  
- if they meet those criteria?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Lightford.

SENATOR LIGHTFORD:

Yes.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Burzynski.

SENATOR BURZYNSKI:

And where is the money supposed to come from?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Lightford.

SENATOR LIGHTFORD:

Out of their budget.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Burzynski.

SENATOR BURZYNSKI:

So, out of the school state aid formula, or what?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Lightford.

SENATOR LIGHTFORD:

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Just GRF. Whatever funds that they have available to address this concern. The Governor has a proposal to increase the funding by four hundred million dollars. Perhaps it could come from that funding or the twenty-five million that I spoke of earlier that will be added to No Child Left Behind. Considering this is a mandated category from No Child Left Behind, it should be able to fund the cost.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Burzynski.

SENATOR BURZYNSKI:

Well, to the bill: While the bill has, I think, considerable merit, again we're looking at expending more funds, new programs and not adequately funding the programs we've got already. And so, I would urge my colleagues to be very cautious and perhaps vote No or Present on this bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Question -- question of the sponsor.

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates she'll yield.

SENATOR RAUSCHENBERGER:

Is there any limitation in the bill? For example, if New Trier, a very well-financed high school, or any school district in the State that, for example, might be spending at ninety-four hundred dollars average, or take the City of Chicago, which expends an average of twenty percent per pupil more than my school district does, is there any kind of limitation? I mean, some school districts, it appears that money doesn't really solve the problem. Is there -- is there a limitation of this grant program only automatically going to schools that are at or below the average funding levels? Is there any kind of limitations?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Lightford.

SENATOR LIGHTFORD:

Senator Rauschenberger, the program is geared towards the schools that have been on the Academic Watch List for a consecutive two-year period. If New Trier falls in that

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category, then they have the ability to apply for the grant. Regardless of how much funding is put into their school, apparently there is a problem with their reading and math scores. This is an area to address the concerns. And just to piggyback on Senator Burzynski, this isn't a new program. When No Child Left Behind was created, the problem was created. If you're going to identify schools as being on the Academic Watch or Warning Lists because they -- the kids are not at forty-percent level in reading and math, then they need assistance, in some sort, to get up to that level.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

With all due respect to the sponsor, I would have to respectfully disagree. The problem's been identified, perhaps, in No Child Left Behind - a bill that I don't think works very well; don't get me wrong - but there are clearly cases where money doesn't solve the problem. Your program, although well-intended, uses money to try to solve a problem which may not be solvable with money. At -- at a time when we're really working hard on scarce resources -- you know, if this was triggered only by school districts spending, you know, up to a hundred and a ten percent of the average expenditure, that -- that's one thing. But because a school district asks for more money, that doesn't mean it's going to solve the problem. So, you know, I -- again, I voted against this last year. I think it's good that we're working on ideas to try to solve the problems, but -- but there's no limitation on who gets this money. If they're on the Watch List, they can apply for it. If they -- if they're meeting their own program goals, it's automatically renewed. There's no funding source. And we're -- again, we're rewriting the school aid formula, whether we realize it or not, one mandate at a time after the Governor made an impassioned speech - your Governor, not mine; well, I guess he's all of our Governor, but Governor of your Party - after the Governor made an impassioned speech not to use mandates as a way to govern education. So, I -- I respect the -- the sponsor's efforts to try to get at the problem. I just don't think this bill does it, and I would urge a No vote.

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PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Lightford.

SENATOR LIGHTFORD:

Well, Senator Rauschenberger, I guess your President, not mine - well, maybe all of our President - created this program that you agree that is a terrible program. Then we have to address the concerns that came with No Child Left Behind. So, again, as we look to the academic -- achievement area, the schools will be required to submit an accountability program to address the concerns. Maybe this school feels that they need to put more of the dollars into teacher professional development. Maybe they're not getting enough teachers who are trained in the area of science and math. Maybe it's the English teacher trying to teach math. So these are some of the concerns that the school when they prepare their accountability program, will provide for how they're going to address this problem.

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SENATOR LIGHTFORD:

I do. Thank you, Madam President. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 2360 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 33 Yeas, 20 Nays, 1 voting Present. Senate Bill 2360, having received the required constitutional majority, is declared passed. WAND seeks leave to videotape the proceedings. Is there any objection? Leave is granted. Senator Trotter. Oh. I thought you had a... Senator Trotter, on 2367. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2367.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Trotter.

SENATOR TROTTER:

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Thank you very much, Madam President, Members of the Senate. Senate Bill 2367 permits the Department of -- of Public Aid to negotiate a cooperative agreement with the Department of Aging in order to allow the Department of Aging to furnish elder abuse and neglect services and long-term care ombudsman services to Medicaid patients. The Department must receive a waiver from the federal government before these regulations can be implemented. If they do not receive the waiver, the -- the Act itself would not be implemented. This is supported by the Illinois Health Care Association and AARP.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2367 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, none voting Nay, none voting Present. And Senate Bill 2367, having received the required constitutional majority, is declared passed. Senator John Sullivan, on 2370. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2370.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sullivan.

SENATOR J. SULLIVAN:

Thank you, Madam President. Senate Bill 2370 is a clean-up language from Senate Bill 46, which we passed last spring. The bill corrects -- corrects the language so that there is no overlap between gasohol and majority blended ethanol. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Jones.

SENATOR J. JONES:

Thank you, Madam President. I just simply rise in support of the bill. It came out of Ag and Conservation Committee unanimously, and so I would urge a Aye vote on it.

PRESIDING OFFICER: (SENATOR HALVORSON)



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

SENATOR J. SULLIVAN:

Just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 2370 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are -  
- 58 Yeas, none voting Nay, none voting Present. Senate Bill 2370, having received the required constitutional majority, is declared passed. Senator Walsh, on Senate Bill 2372. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2372.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Walsh.

SENATOR WALSH:

Thank you, Madam President and Ladies and Gentlemen of the Senate. I actually have a bill that's completed on this one, so... Senate Bill 2372 amends the Agricultural Production Contract Code. States that production contracts must have a Flesch-Kincaid Grade Level no higher than twelfth grade. Documents - third parties are not subject to the same readability standards and et cetera. Basically, we passed a piece of legislation last -- last year that was the creation of the Agricultural Production Contract Code and when we did -- when we did pass that bill, I stated at that time that the seed companies and -- and some other concerns needed to be addressed and I would bring it back this year and bring up -- clean it up, and that's what we have done. Basically, these are the changes that we have done. Changes the measure for testing the readability of a contract while keeping the intent of the Code that a contract must not exceed a high school graduate reading level. Clarifies that only those contracts entered into after January 1 of 2005 must comply with the provision. Clarifies that a contract, such as a USDA technical advisory manual

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attached to a contract, that is not published by the party offering the contract, its affiliate or subsidy {sic} shall be subject to the provisions of the Act and also clarifies that a violation of this Act is a business offense punishable with a fine of -- no more than ten thousand dollars per offense. Everybody has signed off on this piece of legislation. Everybody has agreed that this -- this puts this piece of legislation where they would like it to be. And I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Sieben.

SENATOR SIEBEN:

Thank you very much, Madam President. I just rise to commend the sponsor of the legislation and to thank him for keeping his word. This legislation has been about a two-year process and certainly there were the concerns that he mentioned last year when we passed the initial legislation. A major concern to the seed companies in Illinois, like Pioneer and DeKalb and Sieben and Wyffels and Bo-Jacs, companies that produce and sell seed corn and soybeans in this State, had significant concerns with the legislation. Senator Walsh is certainly a man of his word, certainly an individual of integrity. And I want to compliment him on the way that he's worked through this process and taken all the concerns to heart and produced good legislation. And he's to be commended for that excellent effort.

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SENATOR WALSH:

Well, I would like to thank Senator Sieben for those kind words and -- and really what this was, was an act of working together. All the parties come to the table and we sat down, in -- in real earnest, and -- and tried to come up with a good piece of legislation. And -- and when all parties did bring -- bring their issues together, we got it solved. So, it's a good piece of legislation for the agricultural community. More and more contracts are being negotiated out there on productions,

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and it's good for our agriculture community. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 2372 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Yeas, none voting Nay, none voting Present. And Senate Bill 2372, having received the required constitutional majority, is declared passed. Top of page 16. Senator Ronen seeks leave of the Body to return Senate Bill 2375 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 2375. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY HARRY:

Amendment No. 3, offered by Senator Ronen.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Ronen, to explain your amendment.

SENATOR RONEN:

Thank you, Madam President. This amendment becomes the bill. It has to do with outsourcing and the disclosure thereof. It just states that we shall require contracts for services to define and -- and state very specifically for contracts and subcontracts if work is going to be performed outside the United States. Gives the Chief Procurement Officer the ability to use that information in evaluating a bid, and it gives information -- provides information back to this Body as to the extent of outsourcing.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Ronen moves the adoption of Amendment No. 3 to Senate Bill 2375. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator Ronen. On the Order of 3rd Reading, Senate Bill 2375. Mr. Secretary, read the bill.

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ACTING SECRETARY HARRY:

Senate Bill 2375.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Ronen.

SENATOR RONEN:

Thank you, Madam President. I think I described the amendment on 2nd Reading. That becomes the bill. I would ask for a favorable roll call and I'm available to answer any questions. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates she'll yield.

SENATOR ROSKAM:

Senator, for the -- for the benefit of everybody, can you tell us what the earlier version of the bill did and then I think what -- how the amended -- the amendment changes that, just so people are clear?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Ronen.

SENATOR RONEN:

Thank you, Senator Roskam. The earlier version precluded the State from entering into a contract with anybody who was performing services outside of this country. And we changed that when we found that federal law would preempt us doing that - the world trade agreement -- WTOs and things of that nature - that we didn't have the -- the authority to do that.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

SENATOR ROSKAM:

So, the -- the bill now, Senator, as amended, it -- there's not a prohibition, but it requires disclosure of that information. Is that right?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Ronen.

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SENATOR RONEN:

Yes. Exactly. We're asking potential contractors to disclose that information. We're allowing the Chief Procurement Officer to use that in any evaluation. And then we're requiring a report back to this Body to itemize and delineate the extent to which it's happening.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

SENATOR ROSKAM:

Senator, I have an amendment that is sort of hung up in the Rules Committee. You may have heard about it. I'm -- I know you're shocked that it's there, but it would essentially take this whole notion of State-funded or -- you know, the State activities, in terms of services, and put those things out to bid. Now, since it's not on the Floor, it's not germane, and I'm not going to ask your commitment. But how would you -- what motivated me to file that, Senator, was the -- the deal with the French bank that the administration has entered into. How would you -- how would you view the Governor's proposal - that's still very questionable - but how would you view that proposal with the French bank in light of your concern about, you know, doing business with foreign companies and so forth?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Ronen.

SENATOR RONEN:

Thank you so much for that question. And the bill's not about doing business with foreign companies. The business is about -- the bill is about doing business with companies, American companies, and trying to determine the extent to which -- those American companies export jobs overseas. Rather than hiring people to do the work in this country, they do the work in other places. A whole different story than the issue you raised. The -- the Governor's proposal would be bringing in resources to this country. My bill is about stopping the flow - - we're trying to identify this flow of jobs and talent and intellect that's moving out of the country.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam, please bring your remarks to a close.

SENATOR ROSKAM:

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Well, just for the point of clarification, my concern -- or, one of the concerns is that what the Governor is doing on the mortgage proposal is sending the profits out of the country. It's the French bankers that are going to be making the money. They're going to be making eighty-eight million dollars on the Illinois taxpayers, so that is an export that I think we need to be concerned about. Thank you for answering the questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates she'll yield.

SENATOR GEO-KARIS:

I've been listening to the arguments back and forth about foreign elements and what have you, and I'm a little bit confused. Will you tell me, in short order, what does your bill -- your present bill do? Briefly.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Ronen.

SENATOR RONEN:

Thank you for that question, Senator. My bill would just ask for disclosure of companies who enter into a contract with the State, for them to disclose whether or not they are performing the services for which they have the contract outside the United States - in other words, not always doing it inside the United States, not hiring United States -- people who live here, but having it done in other countries. We've seen what's happened when you call for Dell computers. The -- the answer desk is in India. They're doing this with architects, with engineers. So it's just to -- all we can do in this bill is to have them disclose that, make the Chief Procurement Officer aware of that and then present a report to this General Assembly delineating that activity.

PRESIDING OFFICER: (SENATOR HALVORSON)

Any further discussion? Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

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Sponsor indicates she'll yield.

SENATOR RIGHTER:

Senator Ronen, I want to -- I want to get a feel for a practical situation in which this would apply. And I'm going to -- I'm going to go back to the mortgage of the Thompson Center. If -- if your bill were law, would there have been a required disclosure that someone that the State was dealing with was utilizing out-of-the-country services with -- and in this case -- obviously, in that case, it would be the French bank? Would that -- would that fact pattern fit under your legislation?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Ronen.

SENATOR RONEN:

As I understand it, it would not.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

Why?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Ronen.

SENATOR RONEN:

Because I'm talking about a category of contractual services that are -- are to be -- are performed. It's -- I -- I -- I think it's a different situation. And I -- I -- I understand your concern and I'm willing to talk to you about that -- about that concern and see if there's a way we could talk about it, but I think this is a different issue. This is something that I think we've all been hearing from, from our constituents. The -- this -- the system of outsourcing, the process of outsourcing that has been accelerating almost on a daily basis, and that's what my bill has to do with.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

I appreciate that, Senator Ronen. I'm not trying to raise the specter of the mortgage and the French bank and all that just to be talking about it again, because there's enough press out there about it already. I don't think I'll be telling anybody who doesn't already know. What I'm trying to figure out

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is if that isn't the kind of thing that you're trying to bring disclosure to, what is? I mean, if -- it seems to me that in that -- situation -- that situation, the State of Illinois went to an entity who then contracted with another entity, and therefore the money that's being made off that is being made off somewhere else, and the jobs that are being provided for that are being provided offshore. I mean, if that's not the situation we're driving at, then -- then what is?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Ronen.

SENATOR RONEN:

I think it gets back to the Procurement Code and what the definition is of the services that we're talking about. And we're not talking about goods. You know, people started talking about prescription drugs. We're not talking about that. We're talking about ABC Company that is -- might be stationed in -- in Springfield or Chicago and we're hiring them to perform services. We want them to hire five hundred staff and now we're finding out that four hundred and fifty of those staff are going to be working in -- outside of the United States. That -- that's -- that's the difference. And it's a category having to do with the Procurement Code. And I think we could probably talk for hours about the arcane definitions in the -- Procurement Code, and I'm be -- I'd be happy to do that with you off -- you know, off the Floor sometime and talk about another bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter, please bring your remarks to a close.

SENATOR RIGHTER:

Last question. Thank you, Madam President. And I -- and we're going to have -- I do want to talk about this more, Senator Ronen, because it seems to me, in this instance, the State of Illinois went to LaSalle Bank and we're paying LaSalle Bank to help arrange a mortgage with someone who's owned by an overseas corporation. Obviously, there are resources that are coming from Illinois taxpayers paying for a service that are going overseas. And, I mean, that seems to me, at least in terms of the concept, what you're driving at. And maybe if -- if this specific language in this legislation won't address it, maybe we can move forward, hopefully sooner rather than later,



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to at least bring notice to a situation like what I've described and what the administration's done with the Thompson building. Thank you, Senator.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Senator Ronen, to close.

SENATOR RONEN:

Thank you very much. I appreciate the discussion. I look forward to having continued discussions, and I would ask my colleagues for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 2375 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Yeas, 4 Nays, none voting Present. And Senate Bill 2375, having -- received the required constitutional majority, is declared passed. Senator Ronen, on 2379. Mr. -- Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2379.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Ronen.

SENATOR RONEN:

Thank you very much. This is a trailer bill to one we passed several weeks ago, and it's a -- really a cleanup of a bill that we passed five years ago, really important bill that has to do with making sure that children's products that have been recalled are kept out of child care centers and out of resale shops. This makes some technical changes and changes the age at which we define a children's product to twelve -- under twelve, instead of under six. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none the question is, shall Senate Bill 2379 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the

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record. On that question, there are 53 Yeas, none voting Nay, none voting Present. Senate Bill 2379, having received the required constitutional majority, is declared passed. Senator Munoz seeks leave of the Body to return Senate Bill 2381 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 2381. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Munoz, to explain your amendment.

SENATOR MUNOZ:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Amendment 1 just makes a change from 1.5 million down to 1.2 million on the -- for the scholarships. Ask for its adoption.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Munoz moves the adoption of Amendment No. 1 to Senate Bill 2381. All those in favor, say Aye. Opposed, Nay. The Ayes have it. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator Munoz. On the Order of 3rd Reading, Senate Bill 2381. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2381.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Munoz.

SENATOR MUNOZ:

Thank you, Madam President. This legislation amends the Nursing and Advanced Practice Nursing Act. It increases the amount of money in the Nursing Dedicated and Professional Fund to be appropriated to the Department of Public (Health) for nursing scholarships from seven hundred and fifty thousand to

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1.2 million beginning July 1, '04. It is in accordance with the Nursing Education Scholarship Law. This figure was negotiated and agreed upon between the Illinois Nurses Association and the Department of Professional Regulation. The additional money will go to the scholarships for nursing students.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Winkel.

SENATOR WINKEL:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR WINKEL:

Senator, just a quick question. My recollection and my notes show that this is a fund that in 2002, the Governor went into this fund and took some of the money out. And I know the purpose of your bill now is to increase that fund. I want to ask, from that observation of what happened in the past, is there anything in this legislation that would prevent the Governor from charging back or raiding this fund again in the future?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Munoz.

SENATOR MUNOZ:

Senator, that question was brought up during committee and it was stated that they will not -- once the money's given to the scholarship fund, that it would stay there and the Governor's Office wouldn't take it.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Winkel.

SENATOR WINKEL:

Thank you. I'm not clear, though, where in the bill that that prohibition is. I see nothing and didn't understand from our discussion in committee exactly where in the bill that -- that -- that there is language that would prevent that sort of raid on this -- this fund again in the future. Could you help me with that?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Munoz.

SENATOR MUNOZ:

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It's my understanding it's exempt from the eight percent. That's what they stated in committee.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Winkel.

SENATOR WINKEL:

What -- what in the bill, is there anything in the bill, in the language, that exempts this fund from a future chargeback? I don't see it in the bill. Maybe I'm wrong, but if you could direct me to that, I'd appreciate it.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Munoz.

SENATOR MUNOZ:

That's not in the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Winkel.

SENATOR WINKEL:

Well, just to the bill, just briefly. I understand, Senator, and I don't doubt your sincerity. And I know your efforts here and I support it. I voted for the bill in committee. But I just thought I'd point out that we've got a history here, in the past, where the Governor has raided this fund and I see nothing in the -- in the pending legislation that would prevent that from happening again in the future. I just want to point that out so that we continue to look to this fund and watch to make sure that what you're trying to do is fulfilled and that that money goes to its stated purpose, rather than going into another purpose. So, I just wanted to point that out. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Just to the bill, Madam President. This is a situation where this fund -- we did divert several million dollars from the fund in 2002 and now the fund has also been subjected to chargeback fees by the current administration on top of that. Last week -- or, this week in JCAR, there was a rule that was placed in front of us by the Department of Professional Regulation to double the fees that we charge nurses for their licensure. And so those fees will generate eleven

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million dollars. Had we not done that, there was not enough money in that fund this year to comply with the seven hundred and fifty thousand dollars to go to the nursing scholarship. So you're absolutely right. This fund could be depleted before those funds ever go into the nursing scholarship fund, and I just wanted to clarify that. I support the legislation. I was the original sponsor of the original legislation. But we do need to be cognizant of the fact there's no assurance those funds will be there.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR RIGHTER:

Senator, I want to make sure that I understand this and -- and the Members understand this as far as how this is set up. We're talking about two separate funds in the State Treasury. Correct? The fund that receives the license money that the nurses pay every year. And that -- that's a fee that the administration just raised to sixty dollars? Okay. That -- and then money is taken out of that fund and put into the scholarship fund, which is -- and in the amount of that withdraw and deposit is what your bill deals with. Is that right?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Munoz.

SENATOR MUNOZ:

That's correct.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

Okay. Then the first fund, the -- the money -- the fund that holds the license money originally, that is subject to the eight-percent chargeback and was the subject of about a seven-million-dollar raid last year in the budget process, is my understanding. Is that right?

PRESIDING OFFICER: (SENATOR HALVORSON)

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Senator Munoz.

SENATOR MUNOZ:

That's correct.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

Okay. So we have a situation where we raised the nurses' annual licensing fees, but we're going to take out eight percent of that and put it into GRF, assuming, again this year. Then the scholarship fund, the second fund I'm talking about, if I understood your answer to Senator Winkel, that is also subject to the chargeback. Is that not correct?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Munoz.

SENATOR MUNOZ:

It's my understanding, when the question was brought up in committee, that the money from that fund would be exempt, the scholarship fund.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

Okay. This is important, Senator: Can you tell me in your legislation where that scholarship fund is specifically exempt from that provision of the State Finance Act that applies to chargeback?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Munoz.

SENATOR MUNOZ:

Senator, as I stated earlier, that language is not in the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

Then, Senator, I can promise you that the administration will take eight percent out of the nurses fund and then turn around and take eight percent out of the scholarship fund as well, which means now sixteen percent of those dollars are being taken away from the Nurses Scholarship Fund. I know that's not what you're intending to do, and I just hope that this bill

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passes the Senate, that over in the House there are -- there are specific exemptions put in from the State Finance Act chargeback for both of these funds so that the nurses don't get the impression that the only reason we're raising their licensing fees is so we can put more money in GRF. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Munoz, to close.

SENATOR MUNOZ:

I thank my colleagues for all their comments. Maybe there's something that we can do when it goes to the House, if it passes here on the Senate Floor, to ensure that with some type of language in the bill. I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 2381 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 55 Yeas, 1 voting Nay, none voting Present. Senate Bill 2381, having received the required constitutional majority, is declared passed. Senator Munoz, on 2382? Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill -- pardon me, 2382.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Munoz.

SENATOR MUNOZ:

Thank you, Madam President, Members of the Senate. Senate Bill 2382 changes the physical therapist licensure requirements so that an applicant for licensure may -- must have a post-bachelor degree from a college or university with physical therapy education program approved by the Commission Accreditation in Physical Therapy Education. It also takes away the requirement that the Department of Professional Regulation must approve curriculums in physical therapy for persons that were educated outside of the United States. Also -- requires that in order to become a physical therapist -- therapy assistant, one must have graduated from a two-year college-level

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physical therapy assistant program accredited by the Commission on Accreditation in Physical Therapy Education. I'll attempt answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Let me just remind the Body, before we go on to Senator Burzynski, that we spent twenty-two minutes on the last bill. And if we do that for every bill that gets fifty-five votes, we're going to be here way into the night. So, please, let's be cognizant of that. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President. That was a point well taken. I'll limit my comments. Senator, having chaired the committee for a few years, I was just kind of curious, what will DPR's responsibility be to physical therapists if they no longer approve the programs or -- that they're accredited for? I mean, does...

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Munoz.

SENATOR MUNOZ:

Senator, IDPR is neutral on the bill, because they already utilize the recommendations from the Commission on -- Accreditation in the Physical Therapy Education.

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SENATOR MUNOZ:

Just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 2382 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Yeas, none voting Nay, none voting Present. And Senate Bill 2382, having received the required constitutional majority, is declared passed. Senator Viverito, for what purpose do you rise?

SENATOR VIVERITO:

Personal privilege.



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PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR VIVERITO:

We have one of our dear Senators that just returned. He's on the Floor. Jimmy Rea. Let's give a nice warm welcome to Jimmy Rea.

PRESIDING OFFICER: (SENATOR HALVORSON)

Welcome, Senator Rea. Senator Shadid seeks leave of the Body to return Senate Bill 2386 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 2386. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Yes. Amendment No. 2, offered by Senator Shadid.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Shadid, to explain the amendment.

SENATOR SHADID:

Thank you, Madam President. The amendment -- Amendment No. 2 to Senate Bill 2386 is a response to the recent situation in Wilmette where a homeowner was defending his residence from a home invasion by using a gun to shoot and wound the attacker. The attacker is now civilly suing the homeowner for shooting him. This bill provides protection from civil liability for people who are forced to defend themselves, their families and their homes. It is limited to those situations that are defined as justified use -- justified -- use -- use of force under the Criminal Code and only where the attacker meets the Criminal Code definition of an aggressor. Amendment No. 2 makes it very clear that these protections do not apply to those who use force that involves willful or wanton misconduct. This bill is designed to protect the innocent, to prevent victims of crimes from being victimized again in civil court, and this amendment is -- is sponsored by the Illinois Trial Lawyers Association.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Shadid moves the adoption of Amendment No. 2 to Senate Bill 2386. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments to be approved for consideration?

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SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator Shadid. On the Order of 3rd Reading, Senate Bill 2386, do you wish to proceed? Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2386.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Shadid.

SENATOR SHADID:

Thank you, Madam President. And I'll be glad to answer any questions, if I may.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Petka.

SENATOR PETKA:

Thank you, Madam President, Members of the Senate. This piece of legislation, to me, makes eminent sense. Those individuals who go out looking for trouble, breaking into individuals' homes in a violent, tumultuous fashion and when they are confronted by a homeowner, in my opinion, simply forfeit the right to be able to sue a homeowner. It makes all the sense in the world. And time and time we read about instances where -- where home invaders sue and win. That should not be a part of -- of a right enjoyed by any person who -- who goes looking for trouble. I commend the -- the Senate sponsor of this legislation. I think it is not only a commonsense approach, but something that most people of our State would expect to be part of the law and I would certainly urge an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Senator Shadid, to close.

SENATOR SHADID:

Thank you. Thank you, Senator Petka, for your support. This bill, again - let me repeat myself, if I may - is designed to protect the innocent, to prevent victims of crimes from being victimized again in civil court. The victim -- the amendment

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also ensures that it cannot be abused to protect willful misconduct. I'd appreciate a Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 2386 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Yeas, none voting Nay, none voting Present. Senate Bill 2386, having received the required constitutional majority, is declared passed. Senator Crotty, on 2395. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2395.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Crotty.

SENATOR CROTTY:

Thank you, Mrs. President, there. Senate Bill 2395 extends the grandfather period for the speech language pathology assistant period to July 1st, 2005. It also defers the date for the implementation of the temporary license to that date, July 1st, 2005. That'll allow adequate time for the Department to promulgate the necessary rules. And the bill amends the School Code to allow the holder of a temporary license to perform speech language pathology services in school.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2395 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Yeas, none voting Nay, none voting Present. Senate Bill 2395, having received the required constitutional majority, is declared passed. Senator DeLeo, on 2397. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2397.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR HALVORSON)

Senator DeLeo.

SENATOR DeLEO:

Thank you very much, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 2397 is an administration vehicle bill. I'm sure we'll see this sometime before June 1st. It's for the State Finance Act. That's all that's in there.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any -- is there any discussion? Senator Jones.  
No. Senator Roskam.

SENATOR ROSKAM:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR ROSKAM:

Senator, any clue whatsoever as to the intention, seriously, of the administration on this bill?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator DeLeo.

SENATOR DeLEO:

At this time, no.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, the question is, shall Senate Bill 2397 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 35 Yeas, 19 Nays, none voting Present. And Senate Bill 2397, having received the required constitutional majority, is declared passed. Senator DeLeo, on 2398. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2398.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator DeLeo.

SENATOR DeLEO:

Thank you, again, Madam President and Ladies and Gentlemen of the Senate. Senate Bill 2398, once again, is an

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administration bill. It's for the Department of Natural Resources. I'm sure between now and June 1st we'll see -- this will be back from the House. It's a shell bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Jones.

SENATOR J. JONES:

Thank you, Madam President. Senator DeLeo, is there any chance that this might be the vehicle bill for the Governor's proposal to move some of the operations from the Department of Agriculture over to DNR?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator DeLeo.

SENATOR DeLEO:

No, it's not. And I think the only thing that you may -- see in here are about ten or fifteen more additional riverboat licenses. So feel free to vote for this. No, I'm joking. This is -- this is just a DNR -- this is just a shell bill just to keep out there in case we -- need some clean-up language or do some language at the end of Session.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, the question is, shall Senate Bill 2398 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 31 Yeas, 24 Nays, 1 voting Present. Senate Bill 2398, having received the required constitutional majority, is declared passed. Senator DeLeo, on 2399. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2399.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator DeLeo.

SENATOR DeLEO:

Thank you very much, Madam President. As you can see from the title, this is going to be an autobiography. No, once -- once again, it's an administration bill. It's just a shell bill to -- to have out there, there's no...

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PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Jones.

SENATOR J. JONES:

Thank you, Madam President. Senator DeLeo, I know that you did not present this bill in -- in committee. Senator Halvorson presented the bill for you in Ag and Conservation Committee, but you don't have any idea what you might put on this bill at a later date?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator DeLeo.

SENATOR DeLEO:

Once again, it's just a shell bill. We need -- because of -- as some of you know, some of you who've been here a few years, the Supreme Court wanted single-subject matter. We can no longer do "Christmas tree" bills at the end, and conference committees and concurrences. So we just have some bills out there so we have bills under the title structure for the end of Session. There's -- nothing's going to be put in -- there's been no discussion. It's just, a -- just a shell bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Yeah. I want just -- last year in the course of proceedings, we had done a couple of very, very comprehensive roll calls where we included quite a number of shell bills. At the time, I think I requested an answer of the Chair how many shell bills we had passed. I still am awaiting that answer and I was just going to renew that today. I know we've got a very full Calendar and people want to move along. You know, I certainly understand why the Senate President would need a -- an extensive list of -- of potential shell bills, but I just wonder if everybody over there who's got a -- kind of a -- an extensive list of shell bills might raise their hands. Maybe we could just do those mass roll calls again and you guys could just report to us later. I mean, this is the emergency year. Are we going to hear every shell bill on the 3rd Reading Calendar? Inquiry of the Chair.

PRESIDING OFFICER: (SENATOR HALVORSON)

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Senator Rauschenberger, we will probably hear each one individually, because we are open to this process and want to give you a chance to have discussion. Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I just want to tell you how much I enjoy having you in the Chair.

PRESIDING OFFICER: (SENATOR HALVORSON)

Thank you, Senator Rauschenberger. Senator Haine.

SENATOR HAINE:

Yes, Madam President. A question for the sponsor.

PRESIDING OFFICER: (SENATOR HALVORSON)

A sponsor? We're not in -- Senator DeLeo.

SENATOR HAINE:

Does this have -- restricted to wildlife in the City of Chicago?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator DeLeo.

SENATOR DeLEO:

No.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, the question is, shall Senate Bill 2399 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 34 Yeas, 19 -- 18 Nays, 3 voting Present. And Senate Bill 2399, having received the required constitutional majority, is declared passed. Senator Jacobs seeks leave of the Body to return Senate Bill 2401 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 2401. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Jacobs.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jacobs, to explain the amendment.

SENATOR JACOBS:

Thank you, Madam President, Ladies and Gentlemen of the Senate. The -- Floor Amendment 1 to Senate Bill 2401 allows the

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Secretary of State to stagger the dates for motorcycle and motor driven cycles for their registration. Currently, all registrations expire on March 31st of each year. This actually just permits the SOS to stagger those expirations as they do with the automobile vehicles, and is a request for the Secretary of State's Office.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Bomke.

SENATOR BOMKE:

Thank you, Madam President. I just rise in support. It's a good bill. Came out of committee unanimously. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jacobs moves the adoption of Amendment No. 1 to Senate Bill 2401. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator Jacobs. On the Order of 3rd Reading, Senate Bill 2401, do you wish to proceed? Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2401.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jacobs.

SENATOR JACOBS:

You heard Floor Amendment 1. The underlying bill merely permits the Secretary of State to include information concerning a donation of vehicles to charitable organizations with notices they -- they are required to send out. I know of no known opposition and ask for support.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2401 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the



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record. On that question, there are 57 Yeas, none voting Nay, none voting Present. And Senate Bill 2401, having received the constitutional majority, is declared passed. Senator Jacobs seeks leave of the Body to return Senate Bill 2404 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 2404. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam President. Floor Amendment 1 implements the National Association of Insurance Commissioners model law on annuity non-forfeiture. It creates an indexed non-forfeiture rate to accommodate the current low interest rate environment.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jacobs moves the adoption of Amendment No. 1 to -- oop! Is there any -- Senator Peterson, I apologize. Did you want to -- okay. On 3rd Reading. Senator Jacobs moves the adoption of Amendment No. 1 to Senate Bill 2404. All those in favor will say Aye. Those opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 2, offered by Senator Jacobs.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam President. Senate Amendment 2 is a -- was brought to me by the Department of Insurance, and it gives life, accident and health insurers the ability to submit policy forms to the Department of Insurance electronically.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jacobs moves the adoption of Amendment No. 2 to Senate Bill 2404. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

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SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator Jacobs, on Senate Bill 2404. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2404.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jacobs.

SENATOR JACOBS:

Be happy to answer any questions. As I said, Floor Amendment 1 and No. 2 become the bill. There is a need to do another amendment with this bill. I told them we'll work on it in the House and make sure that we get it back over here.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Peterson.

SENATOR PETERSON:

Thank you, Madam President. To the bill: I just want to say that the insurance industry, the Department and all parties concerned are working on this. And there is agreement at this time and I hope you'll support Senator Jacobs' bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Senator Brady.

SENATOR BRADY:

Thank you, Madam President. To the bill: I intend to support the legislation as well. I supported it in committee, but I think it's important for people to know there is a change in a fee in this bill. Currently we have a maximum fee of one thousand dollars for filing a rate change. This changes it to fifty dollars per rate. If, for some reason, someone filed in excess of twenty rate increases in one -- in one filing, it would go greater than a thousand. I intend to support the bill. I think it's a reasonable proposal, but I thought our Members should know that.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Geo-Karis.

SENATOR GEO-KARIS:

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The sponsor yield for a question?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR GEO-KARIS:

Briefly, what does your bill do?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jacobs.

SENATOR JACOBS:

Didn't hear the question.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Geo-Karis, please repeat that.

SENATOR GEO-KARIS:

Oh. Briefly, what does your bill do?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jacobs.

SENATOR JACOBS:

Well, basically, what it does, it -- it implements a transition period for insurers to move the new provisions under this bill. What it does, it creates an index non-forfeiture rate to accommodate the current low interest rates environment. It -- it has a fixed-dollar annuity. It -- as the Senator indicated, Senator Brady indicated, it puts a cap of fifty dollars. And it -- it basically just allows the -- the -- both the insurer and the insureds to -- to be better covered.

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SENATOR JACOBS:

Just an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 2404 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 Yeas, 5 Nays, none voting Present. And Senate Bill 2404, having received the required constitutional majority, is declared passed. Senator Dillard, on 2407. Madam Secretary, read the bill.

SECRETARY HAWKER:

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Senate Bill 2407.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President. This is an initiative of..

PRESIDING OFFICER: (SENATOR HALVORSON)

Excuse me, Senator Dillard. We're getting a little out of hand. Can you guys please be quiet? Senator Dillard.

SENATOR DILLARD:

Thank you again, Madam President. This is an initiative of the State Treasurer, and it stems from a piece of legislation that Senator Schoenberg and I sponsored about a year ago and allows the Treasurer to direct up to ten percent of the investment earnings from a Technology Development Fund to be used for school computers and technology. It's a -- a way to provide a funding source for additional computers and related technology in schools without additional expense to the State or taxpayers. And I'd be happy to answer any questions and appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2407 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Yeas, 1 voting Nay, none voting Present. And Senate Bill 2407, having received the required constitutional majority, is declared passed. Senator Silverstein. Senator Link. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2411.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link.

SENATOR LINK:

Thank you, Madam President. This is basically the extension of some TIF districts in the cities of Waukegan,

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Champaign, Urbana and Effingham. I'll be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2411 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 Yeas, 4 voting Nay, none voting Present. Senate Bill 2411, having -- received the required constitutional majority, is declared passed. Top of page 17. Senator Haine, on 2414. Senator -- with leave of the Body, we'll return to 2424. Senator Demuzio -- Senator DeLeo, are you handing 2432 for Senator -- Demuzio? Excuse me? He's not doing it. Senator Jones, for what purpose do you rise?

SENATOR J. JONES:

Thank you, Madam President. On the Senate Bill 2414, I would like to be recorded as an Aye vote on that.

PRESIDING OFFICER: (SENATOR HALVORSON)

Well, I don't think we did it. Our last one we voted on was 2411. We did not -- Senator Jones.

SENATOR J. JONES:

Madam President, 2411, be recorded as an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Absolutely. The record will so reflect. Okay. Now we're still discussing -- Senator DeLeo, are you going to proceed on 2432? Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2432.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator DeLeo.

SENATOR DeLEO:

Thank you very much, Madam President. And -- once again thanks for leave of the Body for letting me present this bill for Senator Demuzio. Senate Bill 2432 just clarifies the amount that counties pay to printers. It's generally newspapers for printing material that accompanies a county's delinquent tax

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list. This passed unanimously out of committee and I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2432 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Yeas, none voting Nay, none voting Present. And Senate Bill 2432, having received the required constitutional majority, is declared passed. Senator Jones, on Senate Bill 2435. Senator Clayborne, on 2441. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2441.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Madam President. This is just a vehicle bill. This bill is designed and hopefully we could come up with something regarding the 529 plan consistent with the Treasurer's plan trying to give some kind of tax relief, make it consistent with the Treasurer's plan as it relates to college savings. The dispute is what the fees should be and -- and they're still negotiating. So, at this point, I would just ask that we -- ask we pass this out to allow negotiations to continue.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Peterson.

SENATOR PETERSON:

Thank you, Madam President. Senator -- would the Senator yield?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator indicates he'll yield.

SENATOR PETERSON:

Senator Clayborne, I remember you had a bill similar to this a few years ago and it came back to us as a income tax increase.

PRESIDING OFFICER: (SENATOR HALVORSON)

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Senator Clayborne.

SENATOR CLAYBORNE:

Senator, I -- I -- I have no -- maybe you could explain to me. I -- the -- one of the bills that I sponsored was the increase in the exemption. Maybe that's the one you're thinking about, in the personal exemption.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Peterson.

SENATOR PETERSON:

No, I think it was a shell bill or something to this effect that went over to the House and it came back, and I think it was a bill supported by Governor Edgar that had to do with an income tax increase. Do you remember that one?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Clayborne.

SENATOR PETERSON:

Can you reach back...

SENATOR CLAYBORNE:

I -- I know what you're talking about, but it wasn't a shell bill. What I sent over was a bill to allow corporations to invest in schools and get a three-percent reduction in their -- in their taxes. And, yes, Governor Edgar, in his wisdom, I guess, made it the -- the education reform funding bill to shift from property taxes to income taxes. But, you know, I read Peter Fitzgerald's -- commercials when he ran for the Senate, U.S. Senate. He talked about that being the largest tax increase, but what he failed to mention, it was the largest property tax reduction proposal in the history of the -- the State, as well.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Lauzen. Oh, I'm sorry, Senator -- Peterson.

SENATOR PETERSON:

Just a reply to the Senator. I -- I just wanted to probe a little bit to see. You know, we're going through all this -- this fiscal -- all these fiscal problems and you never can tell what can happen at the end of the Session. So I -- I thought I'd just be on alert.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Lauzen.

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SENATOR LAUZEN:

Thank you, Madam President. Just to the bill and to the record. First of all, this is a shell bill and so I would give the typical caution. Secondly, on Senator Fitzgerald's point on not including the property tax decrease, it's because when you actually read the bill as it came back and confirmed in questioning that day in Revenue Committee in the Senate, there was no permanent and substantial property tax relief. It was -- it was amazing. That's why that's not included in those commercials.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Clayborne.

SENATOR CLAYBORNE:

Well, I -- I guess to close, but -- well, I don't know if he has additional question. Senator Lauzen, I beg to differ. There was an average of eighteen-percent reduction in the property taxes. I mean, you can debate that one way or another. I think the -- the real question for people was whether there was a dollar for dollar in terms of -- of -- of the property tax -- and as well as the income tax funding. But this bill was designed to work with the Treasurer's Office and the Illinois Bankers, and that's what I'm trying to do. Any bill we send over there dealing with taxes -- I -- I would assume that you all believe the Governor when he says to do more with less, and he has come out saying that he's not for a tax, sales tax or any of those. So, I think he's been pretty consistent on that. And I don't think you-all have -- have that to worry about.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, the question is, shall Senate Bill 2441 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 30 Yeas, 27 Nays, none voting Present. And Senate Bill 2441, having received the required constitutional majority, is declared passed. Senator Welch.

SENATOR WELCH:

I would ask for a verification.

PRESIDING OFFICER: (SENATOR HALVORSON)



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

SECRETARY HAWKER:

The following Members voted in the affirmative: Clayborne, Collins, Crotty, Cullerton, DeLeo, del Valle, Forby, Garrett, Haine, Halvorson, Harmon, Hendon, Hunter, Jacobs, Lightford, Link, Maloney, Martinez, Meeks, Munoz, Obama, Ronen, Sandoval, Schoenberg, Shadid, Silverstein, Trotter, Viverito, Walsh and Mr. President.

PRESIDING OFFICER: (SENATOR HALVORSON)

Does Senator Welch question the presence of any Member voting in the affirmative? Senator Welch.

SENATOR WELCH:

Senator Cullerton.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton. Is Senator Cullerton in the Chamber? Yes. Senator Cullerton is right there.

SENATOR WELCH:

Senator del Valle.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator del Valle is right there.

SENATOR WELCH:

Senator DeLeo.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator DeLeo is right here.

SENATOR WELCH:

Senator Lightford.

PRESIDING OFFICER: (SENATOR HALVORSON)

I'm still looking for her. There she is. Senator Lightford is right there.

SENATOR WELCH:

Senator Link. Senator Ronen. Senator Schoenberg. That's about the only names I had. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

On a verified roll call, there are still 30 Yeas, 27 Nays, none voting Present. And Senate Bill 2441, having received the required constitutional majority, is declared passed. Senator

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Righter. Senator Righter, on 2447. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2447.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President, Ladies and Gentlemen of the Chamber. Senate Bill 2447 is a simple piece of legislation. There is currently in the Juvenile Court Act a number of facts or circumstances outlined that if they occurred, would create a prima facie evidence that a minor is abused or neglected. Senate Bill 2447 would add one more of those sets of facts or circumstances. And I can read directly from the bill. It would say that any proof that a minor was present in a structure or vehicle in which the minor's parent, custodian or guardian was involved in the manufacturing of methamphetamine constitutes prima facie evidence of abuse and neglect. Basically this is for the situations where we have across the State of Illinois, where parents or guardians are manufacturing methamphetamines in vehicles or homes where there are minors present. And we want to be able to take this to court in a more expedited fashion if it's appropriate for the child to be taken from the home or at least supervised by DCFS. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2447 pass. All those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Yeas, none voting Nay, none voting Present. And 2447, having received the required constitutional majority, is declared passed. Senator Wendell Jones, on 2451. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2451.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jones.

SENATOR W. JONES:

Thank you, Madam President. This is a bill that was brought to my attention by a constituent. It seems that the condominium associations and the -- and their agents were charging quite a bit more than a reasonable fee when there was a sale of a condominium. That reasonable fee, in some cases, reached two, three, four hundred dollars. This simply sets the limit to expenses that are related to the actual cost. And at the request of Senator Cullerton yesterday, he asked me to talk to the Chicago Bar Association on this bill. I think most of you will recall that. I did talk to their lobbyist and they are in favor of this bill as well. And I would ask for a unanimous roll call. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank -- thank you, Madam President. I wonder if Senator Cullerton is available in the Chamber. You know, I don't think I've ever voted for condominium law that Senator Cullerton did not sponsor and I just don't feel comfortable unless he comments on Senator Jones' bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Madam President. I'm in favor of the bill and Ellis Levin is against it.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I -- I just -- did -- did Senator Jones respectfully request the right to -- did he check in with you before he picked this bill up? Is -- is this any kind of changing of the guard that we need to know about?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

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Actually, no, he did not ask me permission to sponsor a condominium bill, but it did come to my committee. And I figured, you know, I have enough bills and it's -- it's time that we pass the torch to a new condominium guy, and that would be Senator Jones.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Senator Jones, to close.

SENATOR W. JONES:

Well, thank you, Madam Chairman {sic}.

PRESIDING OFFICER: (SENATOR HALVORSON)

Quickly.

SENATOR W. JONES:

I just have one -- I -- I just have one suggestion. When we talk about Senator Jones, I would appreciate it if we'd specify Wendell, John or Emil, because I was probably -- I probably got this out of committee 'cause they thought it was Emil's. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 2451 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 Yeas, 4 voting Nay, none voting Present. And Senate Bill 2451, having received the required constitutional majority, is declared passed. Senator Dillard, on 2456. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2456.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President. This is a bill that is supported by Dorothy Brown, the Cook County Clerk, and a variety of county officials statewide, and it's an attempt to resolve what is an estimated problem to be approaching nearly one billion dollars - with a "b" - one billion of outstanding receivables affecting every unit of local government and the

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judiciary within Illinois. It's the product of extensive research and thirteen years of -- of -- of experience and collection of data dealing with court receivables. And it essentially allows a -- a collection fee to be charged for outstanding fines and -- and a variety of other things that individuals may owe the Circuit Court system within the State. I'd be happy to answer any questions and would urge a favorable vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2456 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Yeas, 2 voting Nay, none voting Present. And Senate Bill 2456, having received the required constitutional majority, is declared passed. Senator Sieben, on 2457. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2457.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sieben.

SENATOR SIEBEN:

Thank you very much, Madam President. This legislation amends -- amends the Wildlife Code and allows the use of dogs to track wounded deer. It's an agreed bill with the Law Enforcement Division of the Department of Natural Resources. Requires the handler of the dog to keep the animal on a leash of at least -- no more than fifty feet. Had a lot of discussion in the Ag and Conservation Committee, and I think we've got unanimous support for the legislation. I don't think there's any opposition. Be pleased to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Walsh.

SENATOR WALSH:

Thank you, Madam President. To the bill: I compliment Senator Sieben on working hard on this piece of legislation, and when he actually -- when he actually brought the parties

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together, DNR was very -- more than gracious to put something together and -- and worked on getting a -- a -- the language put together that accomplished what he had intended, after he had worked for -- for -- for months trying to put a piece of legislation together. So after continued hard work, the sponsor has come up with a good piece of legislation, and I encourage our Members to vote Aye.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sieben, did you have an answer for that?

SENATOR SIEBEN:

Yes, Madam President. I -- I had noticed Senator Burzynski had some comments on the bill, but they sounded like a barking dog over here. And I wanted to know if he wanted to specifically address any issues in the bill, or if he was just prepared to bark Yes for the bill. We got an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall -- I don't even know what bill -- 2457 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Yeas, none voting Nay, none voting Present. Senate Bill 2457, having received the required constitutional majority, is declared passed. Senator Burzynski, on 2460. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2460.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President, Ladies and Gentlemen of the Senate. We've had a lot of discussion on gaming, types of gaming in the State of Illinois, but one thing we haven't addressed is Native American gaming. And what this bill does is creates the Native American Gaming Act and provides that before the Governor can enter into a compact with any Native American tribe, that that process has to go through the legislative

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process and the General Assembly for approval. Be more than happy answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Harmon.

SENATOR HARMON:

Thank you, Madam Secretary. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR HARMON:

Senator, this bill just came to my attention, and I apologize for seeming ignorant. Do we as a General Assembly have jurisdiction over federal compacts with Native American tribes?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Burzynski.

SENATOR BURZYNSKI:

Not at present. And -- and -- and actually, this wouldn't be a federal compact. This would be the State's compact with the tribe. I'm not concerned necessarily about trying to keep them from -- from having a -- an operation here. If the federal government deems that they have right to a property, right to a situation, that's one thing. But what we need to make sure is that we have an open process so that all entities involved have an opportunity to have some sort of -- opportunity to express their concerns. Currently there's no mechanism for that at all.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Harmon, are you finished or -- sure. Senator Burzynski, while Senator Harmon is...

SENATOR BURZYNSKI:

Yeah -- thank you. Maybe I can answer Senator Harmon a little bit better than that, too. If -- there are certain types of gaming that we don't have any authority over. However, if they want to enter into some other types of gaming that go beyond bingo, for instance, social games with minimal prizes, that's where the State has an opportunity to enter in into that discussion.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Harmon.

SENATOR HARMON:

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Thank -- thank you for your answers and your indulgence.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Wendell Jones.

SENATOR W. JONES:

Yes. I think -- I think this bill exposes a real problem in Illinois and I congratulate Senator Burzynski for bringing it to our attention. In Hoffman Estates, Illinois, they came up with a plan with a casino -- a Native American casino which would devastate most of our casinos in the area, as well as Arlington Race Track and a few other places. And it is guided by federal law, but clearly the General Assembly of this State should be involved in it and have some review over it. Just to leave this to the gaming -- to the gaming authorities in Washington and to the governor of a state is a real bad precedent. I congratulate you on this fine piece of legislation and I would again ask for an unanimous vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, the question is, shall Senate Bill 2460 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Yeas, none voting Nay, 1 voting Present. And Senate Bill 2460, having received the required constitutional majority, is declared passed. Senator Martinez, on 2466. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2466.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Madam President. This bill amends the Property Tax Code by creating a homestead improvement exemption for a residential fire safety sprinkler system. There are hundreds of needless deaths and extensive property damage nationwide every year due to the lack of adequate fire prevention measures. One way we can save lives and protect property is by encouraging the installation of sprinkler system in residential buildings. This



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bill would create a property tax exemption as an incentive for the installation and maintenance of a residential fire safety sprinkler system. The exemption includes modification to homestead properties that have been made to comply with life safety compliance plan approved by a local authority. The amount of the exemption to the equalized assessed value of the property is limited to twenty-five hundred dollars or the actual cost of the exemption, whichever is less, for year the system is installed. Also, for each year the system remains in place after the installation, a one-hundred-dollar exemption is permitted. The legislation is exempt from the State Mandates Act. And I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I want -- I want to thank the sponsor for bringing a bill forward that really deals with incentivizing the -- the installation of home sprinkler systems. The question I have is, you know, at a time when revenue sharing from the State is down for local governments and school districts and others, why the sponsor chose -- instead of offering a -- an income tax credit on the Illinois income tax or something that would affect the earned income tax credit, or a State grant, why we're -- you know, -- it's a good idea, but why -- why are we asking local governments or, actually, other local taxpayers to pick up the difference? Because when you offer that exemption, the levy stays the same and surrounding taxpayers pick up the difference. Why wouldn't we do this as a income tax credit or you know, take -- if it's our idea, take responsibility here?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Martinez.

SENATOR MARTINEZ:

It's a property tax issue dealing with the local tax.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Madam President. Well, I would like to commend the sponsor on the work on a safety issue. I -- I certainly appreciate what Senator Rauschenberger just said. And I -- I

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would have liked to have thought of that during the committee meeting, but in committee, it did pass unanimously. Since that time for work that takes place over in the House, just -- under the notice provision, it has that notice will be provided, but it's defined in all counties except for Cook. And I think that it's -- it's a bill that has a very good aim. You might want to make that modification so notice has to go out in Cook County also. Thank you very much.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Martinez.

SENATOR MARTINEZ:

Thank you for your recommendations, Senator Lauzen.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Senator Martinez, to close.

SENATOR MARTINEZ:

I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 2466 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Yeas, 2 voting Nay, none voting Present. And Senate Bill 2466, having received the required constitutional majority, is declared passed. Senator Haine, on 2471. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2471.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Haine.

SENATOR HAINE:

Thank you, Madam President and Ladies and Gentlemen of the Senate. Senate Bill 2471 requires a prison term, mandatory three to seven years, for a second subsequent, within a ten-year period, unlawful use of -- of weapons or the aggravated unlawful use of weapons. It also provides a mandatory prison term of three to seven years for someone convicted of unlawful use of weapons within a ten-year period after being released from

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prison for a Class 2 felony or above. It -- it aids the State's attorneys in their ability to enforce the law. Removes automatically probationable offenses. Puts them in a special docket. The -- the -- the ten-year period seems to be a reasonable window. After that, a prison term still may be imposed, but after a judge looks at the situation and the career and the history of the person charged. I ask for a favorable vote. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2471 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, none voting Nay, none voting Present. And Senate Bill 2471, having received the required constitutional majority, is declared passed. Senator Cullerton seeks leave of the Body to return Senate Bill 2491 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 2491. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton, to explain the amendment.

SENATOR CULLERTON:

Thank you, Madam President, Members of the Senate. This would allow government agencies, mortgagees and other third parties to receive electronic notices of cancellation of insurance policies under premium finance arrangements. It's an initiative of the Illinois Property and Casualty Insurance Association.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion on the amendment? Senator Brady.

SENATOR BRADY:

I just rise in support of the Senator's legislation. It came out of unanimous -- it came out of committee unanimously.

PRESIDING OFFICER: (SENATOR HALVORSON)

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Senator Cullerton moves the adoption of Amendment No. 3 to Senate Bill 2491. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator Cullerton, on the Order of 3rd Reading. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2491.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Madam President. As I said when I explained the amendment, this allows government agencies, mortgagees and other third parties to receive electronic notices of cancellation of insurance policies. It also allows producers, agents to accept notification of assignment, transfer, renewal or cancellation of insurance electronically if they wish. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2491 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, none voting Nay, none voting Present. And Senate Bill 2491, having received the required constitutional majority, is declared passed. Senator Cullerton, on 2495. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2495.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

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Yes. Thank you, Madam President, Members of the Senate. This deals with orders of protection. And it's -- there's been some confusion about what's needed to be done in order to register an order of protection from one state so that it's enforced in the other jurisdiction. There was a federal Violence Against Women Act that was -- that addressed that -- this, and so what we're trying to do here is put into Illinois law the exact language that is to be used in an order of protection in order for it to be enforced in other states. Again, I know of no opposition. Be happy to answer any questions. It's initiative of the Illinois Coalition Against Domestic Violence. And be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2495 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, none -- no Nays, none voting Present. And Senate Bill 2495, having received the required constitutional majority, is declared passed. Senator Cullerton, on 2496. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2496.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Madam President, Members of the Senate. This bill deals with adoption, and you may recall back in 1994, we had changes to the Adoption Act in response to the Baby Richard case. There's been some confusion that's occurred in the judiciary as result of that legislation, and this is meant to clarify that, give a directive to the judiciary that -- as to how to proceed. Once the court decides that the consent of a putative father is not required because he has failed to establish paternity or failed to register with the Putative Father Registry Act, then this bill clarifies that these notice-

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only fathers are -- are not allowed to present evidence as to the best interests of the child because it's already been determined that they are -- are not interested. And this has come as a result of some cases involving adopting parents who've experienced the court either giving notice-only fathers full rights, as to a party with rights of discovery, cross-examination, or treating the father as if he could still obtain custody even though he couldn't. I know of no opposition. Again, I'd be happy to answer any questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2496 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And Senate Bill 2496, having received the required constitutional majority, is declared passed. Senator Cullerton, on 2499. On the top of page 18, Senator Cullerton, 2502. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2502.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Madam President, Members of the Senate. This is a request of the Supreme Court. It's to clarify -- the legislation is meant to remove a conflict between a Public Act that we passed last year and the Supreme Court Rule 551. The purpose of this bill would be to achieve the intent of making the offense of proceeding without caution or failure to yield in construction zones a required court appearance. So the purpose of this bill and the effect of this bill is to make that offense something that you have to go to court and respond to. Again, no opposition. Happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

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Is there any discussion? Seeing none, the question is, shall Senate Bill 2502 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Yeas, none voting Nay, none voting Present. And Senate Bill 2502, having received the required constitutional majority, is declared passed. Senator Cullerton seeks leave of the Body to return Senate Bill 2503 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 2503. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton, to explain the amendment.

SENATOR CULLERTON:

One second please. Yes. Thank you. The amendment becomes the bill. The bill deals with an initiative of the National Federation for the Blind. What we did with the amendment was take out the need for -- or, the right to have an injunction from the State Board of Elections. With that, I would be happy to answer any questions and ask for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Cullerton moves the adoption of Amendment No. 1 to Senate Bill 2503. All those in favor will say Aye. Opposed, Nay. The Ayes have it. And the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator Cullerton, on 2503. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2503.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Madam President. This bill came to me from the National Federation for the Blind. Turns out that both federal law and State law require that as of January 1st, 2006, voting systems must offer blind and visually impaired voters the same level of privacy and access that other voters have. What this bill deals with is in defining some standards by which the equipment that the election officials should -- would eventually purchase, to make sure that they have certain standards which -- which would achieve those goals. And we negotiated this with the State Board of Elections and the -- the blind community to clarify these definitions. We -- as we said, with an amendment, we took out the -- what was initially in the bill to allow for -- - injunctive relief. And it should be noted that it doesn't -- it only applies to equipment as it is purchased and upgraded. It doesn't require any change in the equipment that we're using right now. But as jurisdictions come into compliance with the federal and the State law, which goes into effect in 2006, they would follow this -- these standards. Again, be happy to answer any questions. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2503 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, none voting Nay, none voting Present. And Senate Bill 2503, having received the constitutional majority, is declared passed. Senator Cullerton, on 2510. Senator Cullerton. 2517. Madam Secretary -- oh, no. Senator Cullerton seeks leave of the Body to return Senate Bill 2517 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading, Senate Bill 2517. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HALVORSON)



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Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Madam President, Members of the Senate. This also deals with the issue of services for the blind. It concerns the funding for their Newsline® service, and the amendment was an agreed-upon amendment with the Illinois Telecommunications Association and blind and deaf citizens' groups in Illinois. Be happy to -- answer any questions on the amendment, and then hopefully on 3rd Reading.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion on the amendment? Senator Cullerton moves the adoption of Amendment No. 5 to Senate Bill 2517. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator Cullerton, on 2517 on the order of 3rd Reading. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2517.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Madam President, Members of the Senate. There's a very interesting service that's offered for blind people in Illinois. It's called the Newsline® and they can use the telephone, they can type -- type in the phone numbers, and they can access over two hundred newspapers throughout the -- the nation. This service is -- has been funded by the State through the Illinois Library, through the Secretary of State's Office. It's about -- costs about forty thousand dollars a year. The blind community is concerned about the -- the funding and they wanted to have a more -- kind of a permanent funding source for this -- this service. It's a -- it's -- basically, you have to pay the National Federation for the Blind for -- for the

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service. So we worked with the Illinois Telecommunications Association to come up with this agreed amendment which allows for the monies to come from the Digital Divide Elimination Infrastructure Fund. This -- this fund actually has fifteen million dollars in it. It was the result of a -- an agreement with SBC. The money has not -- no money has been taken out of it other than four million dollars that we took out from the GRF last -- last year. And as a result, this would come under the -- the supervision of the ICC, and it provides a more permanent funding source for the blind community. And, again, know of no opposition. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Risinger.

SENATOR RISINGER:

Thank you, Madam President. Just a comment. The bill came through State Government Operations. It unanimously passed out. We want to commend the Senator on the great work that he did identifying the revenue to fund this bill. And I urge those on this side of the aisle to vote Aye.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you. Just couple quick comments. I -- I know the sponsor's anxious to make sure that Jesse White doesn't have to fulfill his role, perhaps, as -- as State Librarian, but the Digital Divide Fund was established in the telecommunications rewrite to make sure that people in this Chamber who represent areas that don't have access to high-speed Internet access would have pilot programs and resources for the ICC to encourage the deployment of -- of white wire so that we could get high-speed Internet access throughout the State. We already provide, in Jesse White's budget, sufficient funds for him to provide this service. I really respect the Senator for trying to make sure that the blind community is not concerned, but the telecommunication industry has no right to broker the -- the proceeds that are in the Digital Divide Fund. Those are -- those really belong to particularly the downstate rural areas of the State that do not have access to high-speed telecommunications. So, I just would caution everybody here.

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You know, we're -- we're beginning kind of the drip, drip, drip. Let the ICC off the hook. Don't force them to worry about high-speed deployment. Leave downstate areas forced to deal with dial-up service for -- for Internet access -- and it's not criticism of the sponsor. I know he was looking for a source of funds, but I just would caution everybody. You know, this again is -- we need to have the ICC do their job and ask Jesse White to continue to allocate forty thousand dollars a year for this important service for the blind community. Moving it off to the Digital Divide Fund only means that you're not going to ever get any kind of progress out of that digital divide question that's a frustration, I know, to a lot of my downstate colleagues. For the record, all of my district has access to high-speed access. So it's -- it's not an issue for me. The Digital Divide Fund was set aside specifically to make sure that the ICC had resources to develop high-speed Internet access. So, I just would ask everybody to be cautious about how they vote on this bill and make sure this is a decision that we want to take Jesse White off the hook on and give him flexibility on his budget in exchange for losing a chance to make progress on -- on high-speed interconnection. Apology.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

Yes. Well, I think -- Senator, I appreciate your comments. Let me give you a little bit more history. It's not Jesse White; it's the General Revenue Funds that -- that they're subject to every year and making sure we find thirty thousand dollars to -- to -- to fund 'em. So their -- their concern was, obviously, they didn't want to have to come back every year and have to petition the General Assembly for these funds, not knowing whether or not this service was going to be provided from year to year. So just to give you the history: The -- the first place we -- we looked to and the reason why the telecommunications people were involved is because there's an Illinois Telecommunications Access Corporation Fund - ITAC Fund. That's funded through a -- a fee on people's phone bills. And that provides about seven and a half million dollars, and it's - - basically used now for the -- for the deaf -- the deaf

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community. It's about seven and a half million dollars. So our initial bill -- this is Amendment No. 5 that we adopted. Some of our -- our initial efforts were to take forty thousand dollars out of that fund. And, of course, the deaf community was concerned that we were raiding their fund. Okay? So that's when we had the -- Telecommunications Association come and suggest this fund as well. I -- I -- I recognize everything you've said about the original purpose of this fund. You know, it's fifteen million dollars. The only person that took any money out of that was the -- the Governor last -- last year. So, I can -- I appreciate your concerns, but we're only talking about forty thousand dollars here. There's fifteen million dollars in the fund, and as a result, we felt it was a compromise that was worth -- worth doing.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Again, will all due respect to the sponsor, the reason -- the reason that the funding comes from the telecommunication companies for the deaf is because it's to -- to provide substitute service because the deaf can't use the telephone lines. So there's a direct relationship between the telecommunication industry funding TDD -- TDY -- or whatever, I don't know the -- the right initials. I mean, that makes sense. This is an -- information access service, which is appropriately housed in -- with the Illinois State Librarian. And for the record, in the twelve years I've been in the General Assembly, not once, no matter who the Secretary of State was, has the General Assembly ever seen any wisdom in reducing the budget of the Secretary of State, every single year. In fact, Jesse White's budgets have enjoyed exceptional consideration under both Republican and Democratic Senates. So, if this is only thirty or forty thousand dollars, just beginning kind of to raid funds the way the Governor does, I -- you know, with all due respect, I -- I'm not sure this is the right progress. The funding's in place. Let's stay committed to the General Revenue and just be cautious.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton, to close.

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SENATOR CULLERTON:

Well, I -- I understand that there has been a problem in -- in making sure that they have this money from year to year. The reason why we looked at that ITAC corporation fund was because it does deal, as I indicated, with the telephone. They use the telephone in order to read the newspapers. It seems to me the Digital Divide Fund is an appropriate one, given the amount of money that's in there and the amount of money that we need for this program. And the -- the -- I think the blind community need to have some reassurance they're going to have this service in the future. And I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 2517 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Yeas, 3 voting Nay, none voting Present. And Senate Bill 2517, having received the required constitutional majority, is declared passed. Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I just want to apologize to the Chair. I won't explain stuff again.

PRESIDING OFFICER: (SENATOR HALVORSON)

Thank you, Senator. Senator Jacobs seeks leave of the Body to return Senate Bill 2525 to the Order of 3rd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 2525. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam President and Ladies and Gentlemen of the Senate. Floor Amendment 1 to Senate Bill 2525 is the -- result of negotiations involving the Attorney General, the Citizens Utility Board, the Illinois Commerce Commission staff and MidAmerican Energy, the utility which serves all of my 36th

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District. During some of those negotiations or discussions earlier, we found there was a need to clarify the intent of the General Assembly that a division of a regulated utility has always been able to provide competitive gas service in Illinois to an -- industrial and commercial customers and that they can continue to do so as they have done for the last ten years. This amendment, which becomes the bill, will provide that needed clarification.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion on the amendment? Senator Jacobs moves the adoption of Amendment No. 11 -- oh, it is -- okay -- oh, thank you. Senate Amendment -- or adoption of Amendment No. 1 to Senate Bill 2525. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator Jacobs, on the Order of 3rd Reading. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2525.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jacobs.

SENATOR JACOBS:

Just basically, as I said during the amendment stage, Senate Bill 2525 has been drafted very narrowly to address a specific threat that MidAmerican faces to its competitive gas business. Specifically, it would allow MidAmerican to continue providing competitive gas service under the close supervision of the Illinois Commerce Commission, which is granted extensive regulatory powers, just as it has in the last ten years. Failure to do this would -- would -- would mess up all of the contracts that we have with Deere and Company, all of the school districts. We've had letters from all of them. This is a very important bill and I ask for your support.

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PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2525 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Wait -- sorry, Senator Jacobs. Okay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Yeas, none voting Nay, none voting Present. And Senate Bill 2525, having received the required constitutional majority, is declared passed. Senator Jacobs.

SENATOR JACOBS:

Madam Chairman, the only thing I did want to do, I did want to read in some legislative intent, which Senator Munoz was to ask the question and evidently no one saw his light, which I would still like to do, if that's all right, just so we'll have it as part of the record.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there leave to allow Senator Jacobs? Senator Jacobs, on Senate Bill 2525.

SENATOR JACOBS:

And -- and one of the reasons I want to do this, I think this is one of the -- the last acts that Emmett McNamara performed in his duties down here. And the question would have been, a concern has been raised by the IBEW that this legislation may have some impact on the reciprocity provisions of the electric consumer Choice and Retail {sic}(Rate) Relief Law, specifically 220 ILCS 5/16-115/(d)(5), 1997. Does House Bill 5216 {sic} have any impact with respect to the above mentioned statute? The answer is, no. House Bill 5216 {sic} in no way impacts the reciprocity provisions of the Electric Service Customer Choice and Rate Relief Law. Thank you. Thank you for your indulgence.

PRESIDING OFFICER: (SENATOR HALVORSON)

Thank you, Senator Jacobs. Senator Welch, on 2526. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2526.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Welch.

SENATOR WELCH:

Thank you, Madam President. What Senate Bill 2526 does is amend the Military Code of Illinois, requiring the publication of the rights and responsibilities of service members under State and federal law. This can be done either by publishing it by printed means or by electronic means to service members, families, organizations that -- assist service members, veterans or their families. It's supported by the AMVETS, the Veterans of Foreign Wars and the Lieutenant Governor. I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2526 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, none voting Nay, none voting Present. And Senate Bill 2526, having received the required constitutional majority, is declared passed. Senator Forby, on 2530. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2530.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Forby.

SENATOR FORBY:

Thank you, Madam President. Senate Bill 2530 would allow the Department of Aging to accept gifts to be used in funding for senior citizens. This bill would set up awareness for our senior citizens, they can give a gift for seniors' senior centers. The AARP has worked really hard on this bill. With this bill, seniors could make a gift to the senior centers across the State at the Department of Aging grant to locate -- community senior service. And all this money that are -- gives out, one hundred percent of it goes to the senior citizens.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Righter.



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SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR RIGHTER:

Thank you, Madam President. Senator Forby, I'm -- sat on the committee, voted for the bill, going to vote for it here on the Floor. It's a good piece of legislation. I just want to make sure, and we had a little discussion on this during committee, that everyone understands here out on the Floor, and this is the specter of the eight-percent chargeback returning again. You're creating a new fund in the State treasury, and it's my understanding that there's a specific exemption from that chargeback for this fund. Is that correct?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Forby.

SENATOR FORBY:

That is correct.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

The amendment that created the exemption also inserted the language "distinct funds" with regards to if there is a specific gift given to the Department on Aging. So, let's say, if my grandmother leaves ten thousand dollars to the Mattoon Senior Center, that money is going to be put into what this statute calls -- or, this legislation calls a distinct fund. That is not going to be a separate fund in the State treasury that's subject to the eight-percent chargeback is it?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Forby.

SENATOR FORBY:

No. That's correct.

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SENATOR FORBY:

Ask for an Aye vote.

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PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 2530 pass. Those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, none voting Nay, none voting Present. And Senate Bill 2530, having received the required constitutional majority, is declared passed. Senator Cullerton, on 2536. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2536.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Madam President, Members of the Senate. This is a initiative of the State Appellate Defender and the Illinois State Bar Association. Under current law, investigators -- the State Appellate Defender has the authority to provide investigative services to public defenders and appointed counsel, but the -- the office is not given any express authority to hire investigators and this bill gives them that. It's actually something which we passed out of the Senate before, but has not passed the House. And ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2536 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, none voting Nay, none voting Present. And Senate Bill 2536, having received the required constitutional majority, is declared passed. Senator Welch, on 2542. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2542.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

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Senator Welch.

SENATOR WELCH:

Thank you, Madam President. This bill amends the Enterprise Zone Act by requiring that those who want to be into -- in the enterprise zone have to disclose the individuals who are entitled to receive any percentage of the total distributable income of any limited liability company, corporation or limited partnership having any interest in the property. Currently, if the interest is less than seven and one-half percent, they do not have to -- disclose it. The purpose of this is -- is to make sure that we know who is getting benefits from the State of Illinois, those who may or may not be entitled to them were their names disclosed. This bill I came up with after reading a editorial in the Chicago Tribune which disclosed many problems with property ownership not being disclosed to the State of Illinois - in particular, a lease that was awarded in Joliet, Illinois, for a Secretary of State building where the individual purchased the building for two hundred thousand dollars, then leased it to the State for two hundred and seventy thousand dollars just for the first year, recouping more than one hundred percent of his investment. The idea was that, even then, the Secretary of State could not find out, by law, who owned the building, and it turned out to be an individual who has since been indicted by the U.S. Attorney for the Northern District of Illinois. I would be glad to try to answer any questions. It passed the committee unanimously.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you, Madam President. Just to -- just to congratulate the sponsor on -- on his work to tie this up. The greater disclosure is certainly a good thing, and emphasize for this side of the aisle that as the sponsor said, passed out unanimously.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Welch, to close.

SENATOR WELCH:

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Well, I would just say that when Senator Lauzen compliments me, I think we should all vote for this bill. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 2542 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Yeas, none voting Nay, none voting Present. And Senate Bill 2542, having received the required constitutional majority, is declared passed. Senator Martinez, on 2545. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2545.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Madam President. Senate Bill 2545 requires an insurer use an -- identifier other than a social security number on insurance identification cards. Insurers will be replied -- required to comply with the format as laid out in the Uniform Prescription Drug Information Card Act. With the growing concerns over identity theft, this measure ensures that such a commonly used form of identification does not provide thieves a mean with which to obtain personal information, financial information in the event that an insurance card gets lost or stolen.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2545 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, none voting Nay, none voting Present. And Senate Bill 2545, having received the required constitutional majority, is declared passed. Senator Martinez, on 2546. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2546.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Madam President. This -- this bill clarifies the ten-year period during which a sex offender must register does not begin until the sex offender signs the initial registration material with their local police department. This bill would create a massive incentive for a sex offender to make their initial registration -- immediately after being discharged from incarceration and mandatory -- supervised release. I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2546 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, none voting Nay, none voting Present. And Senate Bill 2546, having received the required constitutional majority, is declared passed. Senator Shadid, on 2547. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2547.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Shadid.

SENATOR SHADID:

Thank you very much, Madam President. Senate Bill 2547 regards a Dr. James Baldi, who is a dentist from Peoria and is also a Colonel in the Air Force Reserves. Was called to serve on active military duty for six months. He was the sole practitioner of his business so there was no one to manage his operation while he was gone. As a result, he was forced to close temporarily and lay off his employees. Upon return from duty, he has been charged the highest rate of unemployment insurance tax allowed by State law. This legislation would end the practice of penalizing a business owner for being called up

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to serve their country. I ask for your support. And by the way, this only has about a five-thousand-dollar impact on the Trust Fund.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Wojcik.

SENATOR WOJCIK:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicated he'll yield.

SENATOR WOJCIK:

Senator, it seems that business and labor have always had an agreed bill dealing with UI. And it seems that this bill is being -- coming out of that agreement. Is that fact?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Shadid.

SENATOR SHADID:

There's no agreement, but there's also no opposition.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Wojcik.

SENATOR WOJCIK:

That's my next question. We hear the IRMA is opposed to it, and I believe they still are.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Shadid.

SENATOR SHADID:

Yeah. You're right. They are opposed to it.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Wojcik.

SENATOR WOJCIK:

Okay. And that -- because of that, I would ask my side of the aisle to vote No.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, the question is, shall Senate Bill 2547 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Yeas, 2 voting Nay, none voting Present. And Senate Bill 2547, having received the

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required constitutional majority, is declared passed. Senator Sandoval, on 2548. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2548.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Madam President and Members of the Senate. Senate Bill 2548 toughens the regulations and penalties of notary publics in the State of Illinois as it relates to advertising, translation and the usage of the term "notary public" and record keeping. The bill also strengthens the requirements for people who advertise immigration assistance services in other languages. One of the largest issues in the Latino community in the State of Illinois, as well as other immigrant communities, are -- unscrupulous notary publics. Notary publics -- many of these types of notary publics serves - - serve as pseudo attorneys and take advantage of the people and affect their livelihoods here in the State of Illinois. My bill increases the penalties and tries to put these unscrupulous notary publics out of business. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Petka.

SENATOR PETKA:

Thank you, Madam President. To the bill: This bill was heard in the Executive Committee. The -- the Senate sponsor explained the problem. I think he explained it very well. This -- this type of activity is something that should be prescriptive and I agree that the penalties should be raised. So I ask Members on our side of the aisle to support his legislation.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, the question is, shall Senate Bill 2548 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? Take the record. On that question, there are 55 Yeas,

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none voting Nay, none voting Present. And Senate Bill 2548, having received the required constitutional majority, is declared passed. Senator Hunter, on 2551. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2551.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hunter.

SENATOR HUNTER:

Thank you, Madam President. This is an agreed bill with the environmentalists and the industry. It creates the Mercury-Containing Products Act. Its proponents are the Illinois EPA, Environmental Council, the Healthy Schools Campaign, the pharmacists, Pfizer, Sierra Club, General Electric, Retail Merchants and the Dental Society. What it does is prohibits schools from using or purchasing mercury-added devices. It bans the general sale and distribution of mercury switches and relays. It requires scraps salvage yards to remove mercury switches and other mercury components before crushing or shredding a -- motor vehicle. And it mandates the EPA to examine the effectiveness of -- of -- of the existing programs for reducing and recycling mercury thermostats, and they'll make a report to the General Assembly and the Governor by 2005. And I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President. Very briefly. I appreciate the sponsor's work on the bill. The bill and the amendment -- the amendment after that came out unanimously and I would appreciate Aye votes as well.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, the question is, shall Senate Bill 2551 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Yeas, none voting



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Nay, none voting Present. And Senate Bill 2551, having received the required constitutional majority, is declared passed. On the top of page 19, Senate Bills 3rd Reading. Senator Harmon, on 2559. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2559.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Harmon.

SENATOR HARMON:

Thank you, Madam President. Senate Bill 2559 is an initiative of the Illinois Bankers Association. We are proposing to amend to definition of "security" found in the Illinois Securities Law to remove the words "certificate of deposit." Those words were added a couple years ago without much fanfare, making Illinois law, the language of the definition at least, inconsistent with the laws in other states and the Federal '33 and '34 Act. We are seeking to restore the original language and bring Illinois law back into -- or, the definition back into conformity with the -- the -- the language in other jurisdictions. The Secretary of State's Office is not opposed. I'm aware of no opposition and I ask for Aye votes.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Welch.

SENATOR WELCH:

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR WELCH:

Why were the certificates of deposit included in the first place under the definition of securities?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Harmon.

SENATOR HARMON:

I don't know -- I don't know the answer. Again, it was -- it was done without much fanfare in a -- in a larger bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Welch.

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SENATOR WELCH:

Does this include certificates of deposit from banks that aren't part of the federal insurance corporation, FDIC?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Harmon.

SENATOR HARMON:

I'm sorry, Senator. I -- I don't understand the question.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Welch.

SENATOR WELCH:

Well, a lot of certificates of deposit are -- are bought from banks and some banks or savings and loans may not be insured. That's my question. Is that -- include...

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Harmon.

SENATOR HARMON:

I -- it removes the certificates of deposit from the definition of security. I don't think it -- it matters what -- what sort of bank they're from.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Welch.

SENATOR WELCH:

That's why I'm wondering. What regulation is there left if you remove it as a security? Who looks into any fraud if you buy a security -- certificate of deposit and the purchaser is defrauded?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Harmon.

SENATOR HARMON:

Well, if -- if it's a bank product, I would assume it's maybe regulated by the Office of Banks and Real Estate, but not -- not as a security.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Sponsor yield for a question?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicate he'll yield.

SENATOR GEO-KARIS:

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A certificate of deposit is money, real money. And it would seem to me that what Senator Welch said, his questions are absolutely on point. How could they say it's not a security?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Harmon.

SENATOR HARMON:

It is not included in the definition of security in the federal 1933 Act. It is not included in the definition of security in the federal 1934 Act. It is not, to my knowledge, included in the definition of security in any other state. It is not included in the definition of security found in the model Act being promulgated currently. I -- it is -- it is much like a bank account deposit, which is not considered a security.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Geo-Karis.

SENATOR GEO-KARIS:

But if it's a security deposit -- a certificate of deposit, that's what we're talking about isn't it?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Harmon.

SENATOR HARMON:

We are talking about certificates of deposit. That's correct.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Geo-Karis.

SENATOR GEO-KARIS:

A certificate of deposit mean that's -- there's money on hand. I don't quite understand it. May I suggest to you that if we don't have it in our Illinois law, we should have some protection about certificates of deposit.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Senator Harmon, to close.

SENATOR HARMON:

Thank you. I'd ask for Aye votes.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 2559 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Yeas, 2

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voting Nay, 0 voting Present. And Senate Bill 2559, having received the required constitutional majority, is declared passed. On Senate Bill 2567, Senator Shadid, are you... Senator Welch, on 2572. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2572.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Welch.

SENATOR WELCH:

Thank you, Madam President. The purpose of this bill is to allow two walking paths, or trails, to connect up that go through the north-central part of Illinois. One is the Hennepin Canal Trail, which goes from the Mississippi River down to the Illinois River at Hennepin, Illinois, in Putnam County. The second trail is the Illinois (and) Michigan Canal Trail, which starts in, I think, Senator Munoz's district in -- in Chicago and comes all the way down to LaSalle, Illinois. What we are trying to do is to hook up the two trails. The only way we can do that is to use a partially abandoned right-of-way that is owned by the -- CSX Railroad, and the right-of-way is a portion of -- of a rail line where one of the sets of tracks was removed. So what this bill does is say that the trail can be used as a connection -- between the two trails by using the -- the part of the railway right-of-way. And it also says that unless there's willful or wanton acts or omission, the owner of the property, the railroad, would not -- would be immune from civil liability for death or injury to an individual or damage to an individual's property resulting from the individual's use of a rails-with-trails trail. This is used in several other states and it is -- it has worked in those states. And it has been used in Senator Haine's county. I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Wendell Jones.

SENATOR W. JONES:

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Very quickly, Madam President. I just had one question and those of you that have been here awhile will know why I ask it. Senator Welch, are there any rattlesnakes involved in this area?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Welch.

SENATOR WELCH:

No. We made sure that they have all been moved to Lake Carlyle.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Senator Welch, would you like to close?

SENATOR WELCH:

I just urge an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 2572 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Yeas, 1 voting Nay, none voting Present. And Senate Bill 2572, having received the required constitutional majority, is declared passed. Senator Cullerton seeks leave of the Body to return Senate Bill 2578 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 2578. Madam Secretary -- Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY HARRY:

Amendment No. 3, offered by Senator Cullerton.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Madam President, Members of the Senate. This amendment redefined the term "armed habitual criminal" as possessing or transferring a firearm where the person has been previously convicted on two or more occasions for certain offenses. Ask for its adoption.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton moves the adoption of Amendment No. 3 to Senate Bill 2578. All those in favor will say Aye. Opposed,

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Nay. The Ayes have it, and the amendment is adopted. Are there any more -- are there any further Floor amendments approved for consideration?

ACTING SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator Cullerton. On the Order of 3rd Reading, Senate Bill 2578. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2578.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Madam President, Members of the Senate. This creates the offense of being an armed habitual criminal, which is a Class X felony. What it means is that if someone's transferred a firearm where they've previously been convicted of two or more offenses, which vary from arson, burglary, gunrunning, home invasion, a number of these other offenses, if this is your third offense, you would be deemed an armed habitual criminal and it would be a Class X felony. It's initiative of the City of Chicago and the Cook County State's Attorney's Office and the Illinois Sheriffs' Association.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2578 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Yeas, none voting Nay and none voting Present. And Senate Bill 2578, having received the required constitutional majority, is declared passed. Before we go on to Senator Obama's, I'd just like to give the -- a little information to the Body that we plan on working well into the evening, maybe till 9 o'clock. So if you need to make plans for dinner, I'm just giving you forewarning that we will be here for awhile. Senator Obama, on 2579. Mr. Secretary, read the bill.

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ACTING SECRETARY HARRY:

Senate Bill 2579.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Obama.

SENATOR OBAMA:

Thank you very much, Madam President, Ladies and Gentlemen of the Senate. This is a agreed-upon bill between the Hospital Association and advocates for the uninsured. The objective in this bill has been to make sure that the uninsured, particularly those who are indigent or have a difficult time but are working and, hence, don't qualify for Medicaid, that they don't pay more for the treatment that they receive at hospitals than we who are lucky enough to have -- health insurance do. So what the bill does is essentially puts some teeth into the charity care provisions of hospitals. It says that if a -- a person is at the poverty level, that they should get free care. If they make two hundred percent -- of poverty between the poverty level and two hundred percent of poverty, then they should be paying the cost of the care and -- and no more than that. So, as I said, this is an agreed-upon bill. I appreciate the work that was done by both the Hospital Association and advocates to arrive at this agreement. It passed out of the committee unanimously and I'd ask for a -- Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President. Very briefly, just congratulations to the sponsor for taking a very large and ominous piece of legislation and getting the two parties together and getting them to work out something that I think will be benefit to everyone. So, I would urge an Aye vote from our Members. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Senator Obama, do you wish to close?

SENATOR OBAMA:

Just wish an Aye vote.

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PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 2579 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, none voting Nay, none voting Present. And Senate Bill 2579, having received the required constitutional majority, is declared passed. Senator Obama, on 2581. Senator Trotter, on 2583. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2583.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Madam President, Members of the Senate. 2583 amends the Abandoned Newborn Infant Protection Act. It adds police stations to the list of places that a person or parent can leave their infant for care with the presumption of abandonment. The police station must accept the infant and provide for transportation of the infant to the nearest hospital. The act of abandoning the infant serves as implied consent for a hospital to treat and provide care for the infant. If a parent returns within seventy-two hours of relinquishing the child, the police station must inform the parent of the name and location of the hospital which the infant was sent. As Members may remember, this was legislation -- the abandoned baby bill was legislation that we passed back in 2001, Senator Karpziel's -- one of her bills when she was here. And just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President. Very briefly, the bill passed out of committee unanimously. Appreciate the sponsor's good work and we would urge Aye votes on this side of the aisle.

PRESIDING OFFICER: (SENATOR HALVORSON)



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Is there any further discussion? Senator Trotter, do you wish to close?

SENATOR TROTTER:

Just a favorable roll call. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 2583 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, none voting Nay, none voting Present. And Senate Bill 2583, having received the required constitutional majority, is declared passed. Senator Clayborne, on 2601. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2601.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Clayborne.

SENATOR CLAYBORNE:

Yes. This is just a vehicle bill just in case if something comes up. There's nothing intended for it. Being -- being in the Minority all those years, I learned from the other side of the aisle that as the chairman, you should push through vehicle bills.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2601 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 37 -- Yeas, 17 Nays, none voting Present. And Senate Bill 2601, having received the required constitutional majority, is declared passed. Senator Clayborne, on 2602. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2602.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

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Senator Clayborne.

SENATOR CLAYBORNE:

Yes. Now, this bill does have a purpose. There -- the Supreme Court just rendered a decision, ruled this past week, where there was going to be an amendment where the State can regulate or offer regulations to municipalities that want to get in the phone business, providing local services. The Supreme Court just recently ruled that municipalities have to do it at cost. They can't use taxpayer dollars to lower rates. So, basically, that's what we're going to do. There's going to be amendment over in the House to that effect. This is at the request of the Illinois Telecommunications Association.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2602 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 39 Yeas, 13 Nays, 0 voting Present. And Senate Bill 2602, having received the required constitutional majority, is declared passed. Senator Clayborne, on 2603. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2603.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Clayborne.

SENATOR CLAYBORNE:

Yes. This bill is like Senate Bill 2601. It was just filed just in case if something happens. There's no intention at this time to do anything other than pass it. Just in case if we need it.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2603 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 38 Yeas, 17 Nays, none voting Present. And Senate Bill 2603, having received the

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required constitutional majority, is declared passed. Senator Clayborne, on 2605. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2605.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Madam President. Senate Bill 2605 requires that all part-time and full-time police officers be licensed rather than certified. All police officers will be licensed upon completion of the standard basic training course for police officers. If they have successful -- if they successfully complete the basic training course before or on the day of this Act becomes law, that certification will be deemed a license and later changed to reflect the new credential required. It also requires local government units to furnish personnel rosters, employment status reports and annual training plans to the Illinois Law Enforcement Training Board. Adds ethics in performing police duties to the curriculum for probationary police officers under the rules and standards for schools. It removes the grandfather clause and makes it clear that the bill that we passed last year dealing with cops committing -- police officers committing perjury as relates to murder cases, that their license would be -- can be revoked as well. I ask for a favorable vote. I don't know of any -- any opposition.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Winkel.

SENATOR WINKEL:

Thank you, Madam President. Just rising in support of the bill. It passed out of Licensed Activities. I just wanted to compliment the sponsor on his work and his being willing to accommodate our concerns about the death penalty. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Clayborne, to close.

SENATOR CLAYBORNE:

I ask for a favorable vote. I thank you, Senator Winkel.

PRESIDING OFFICER: (SENATOR HALVORSON)

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The question is, shall Senate Bill 2605 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, none voting Nay, none voting Present. And Senate Bill 2605, having received the required constitutional majority, is declared passed. Senator Haine, on 2613. Senator Haine, on 2617. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2617.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Haine.

SENATOR HAINE:

Yes, Madam President, thank you, and Ladies and Gentlemen of the Senate. This is a bill which removes a gap in the enforcement of the Illinois Optometric Practice Act to the effect that some of the penalties for violations of the Act do not apply to the owners of the business. They only apply to the optometrists, which seems to be unfair. This -- this changes that and brings everyone under the umbrella of the Act, and I would appreciate Members of the Senate seeing their way to vote for this bill. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Winkel.

SENATOR WINKEL:

Thank you, Madam President. Again, rise in support of this legislation. It passed through the Licensed Activities Committee unanimously. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Haine, do you wish to close?

SENATOR HAINE:

Thank you, Senator Winkel. And I just ask for an Aye vote. Thank you, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall -- shall Senate Bill 2617 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have

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all voted who wish? Take the record. On that question, there are 56 Yeas, none voting Nay, none voting Present. And Senate Bill 2617, having received the required constitutional majority, is declared passed. Senator Haine, on 2618. Okay. On the top of page 20, Senator Soden, on 2626. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2626.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Soden.

SENATOR SODEN:

Thank you, Madam President. And to my wonderful colleagues, if I may just digress for a moment. I want to thank each and every one of you sincerely for your well wishes today. I appreciate that very much. This bill will basically reinstate something that happened when I was Chairman of the Illinois Veterans' Commission under the late Otto Kerner, who was a great veteran's Governor, and what it basically does is provide for the various veterans' organizations to represent the veterans of this State in claims that are filed with the Veterans' Administration in Washington, D.C. It's a very unique situation, because you have to have power of attorney to adjudicate and file a claim. It's very difficult for an individual to do that on his -- on his own, and so, as a consequence, the veterans' organizations who are congressionally chartered - that's the American Legion, VFW, the Italian-American War Veterans, the Jewish War Veterans - all of these organizations maintain service officers in the V.A. facilities so that these claims can be adjudicated and the veteran receiving the proper entitlement that they so deserve. It includes the widows and orphans. It includes education, and it includes everything across the board, as far as their service-connected disabilities are concerned. So I ask you today because we have people serving over in Iraq, men and women, and I just recently learned yesterday that we have a new situation over there with a sand fly that's caused about four hundred of our young men and women to become infected. And I'll say this

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is -- could be comparable, years down the road, to Agent Orange, which we had to fight very vigorously to get the Veterans' Administration to recognize and claim as a disability. So, basically, what I'm requesting is that we reinstate this program and -- for the veterans of the State of Illinois and that they receive the service and entitlements that they're so directly entitled to. Any questions?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Madam President and Ladies and Gentlemen of the Senate, Senator Soden and I have been part of a Republican task force on veterans. We've had six hearings all over the State, and this -- one of the most common things we heard is that our veterans cannot get the service. And I think this is very commendable for Senator Soden to introduce this bill. It's a very needed bill if we want to help the veterans and their families. And certainly the service officers of the various great institutions, like the American Legion, VFW and the others, that are duly licensed should be allowed to help the veterans. And I ask for an -- for an Aye vote, and I thank Senator Soden, who attended every meeting of our -- of our veterans' task force, and for -- for doing such a good job with it.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Viverito.

SENATOR VIVERITO:

Madam President, I, too, rise and would like very much to commend the sponsor of this very worthwhile bill and tell him to continue the good work that you've always done. I'm very proud to ask everyone on this side to vote Yes as well.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President. Will the sponsor yield for a couple of questions?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he will.

SENATOR BURZYNSKI:

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Thank you. First of all, let me commend you, Senator Soden, for the content of the bill and for its, it appears to be, successful passage here; however, I -- I just do have a couple of personal questions. First of all, what do you think it is, your birthday or something?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Soden.

SENATOR SODEN:

I'll tell you what, I -- just at a loss of words. Today is my -- my brother's birthday, who I lost several years ago, but tomorrow, basically, is my birthday. And, ironically, this bill is Senate Bill 2626.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Burzynski.

SENATOR BURZYNSKI:

That's right. And we were talking about this earlier, but if you didn't know this, this is Senator Soden's first bill. And, you know, he was giving us some historical perspective, and you mentioned Governor Kerner. Now, I don't know, but I'm looking across here and I think that -- what years -- what years were those that you served in that capacity?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Soden.

SENATOR SODEN:

Seems like the year I was born, but about 1960 -- fifties, sixties.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Well, I thought maybe you could give a history lesson, because looking around us, I think there were several Members of the Chamber who weren't even born then, Ray. So, you know, happy birthday. Congratulations on a great piece of legislation.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Wendell Jones.

SENATOR W. JONES:

Well, thank you very much. And clearly, Senator Soden, this is probably the most important piece of legislation that

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we've worked on today, but it still is your first bill. And I don't care how old you are, it's still your first bill, so I have a few questions. The first one I have is, did you know Casimir Pulaski?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Soden.

SENATOR SODEN:

He and I belonged to the Polish Legion of American Veterans together.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jones.

SENATOR W. JONES:

Thank you. It was my understanding that Casimir Pulaski never set foot in Illinois, but I'm glad to hear that -- that you guys were close. Tell me, if we could reminisce just for a minute -- I know it's late in the afternoon and we've got -- we've got other things to do, and we want to pass this important piece of legislation. But, clearly, we can't let you off the hook quite so easily. So, I'd just like to ask you a couple questions about the Civil War, if I could.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Soden.

SENATOR SODEN:

Well, I'll tell you, it was a tough war, and thank God for Abe Lincoln and what he achieved.

PRESIDING OFFICER: (SENATOR HALVORSON)

No. Senator Jones, you have to put your light on.

SENATOR W. JONES:

In case you missed that, he said Lincoln told him it was a tough war. Well, Lincoln -- Lincoln was a good friend of Stan Weaver and they went to high school together. Stan was a couple years ahead of him, though. But, Ray, in all honesty, I know some people tease you. They think you were in World War I, instead of World War II, but I know better. I know you were a member of the greatest generation that we've ever had in this country, and we appreciate you very much. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Senator Soden, would you like to close?



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SENATOR SODEN:

Yes, I would. Thank you, Wendell. I thank God today for one thing I wanted to live for, and I'm going to work hard to do it, and that's to see the World War II Memorial dedicated in Washington, D.C. I will be there for that and represent a lot of veterans who gave their lives that won't be able to be there. So, with that, I'll close. Ask for a favorable vote. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill...(applause)... The question is, shall Senate Bill 2626 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Yeas, none voting Nay, none voting Present. And Senate Bill 2626, having received the required constitutional majority, is declared passed. Congratulations, Senator Soden. Senator Winkel, on 2630. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2630.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Winkel.

SENATOR WINKEL:

Thank you. Senate Bill 2630 is a follow-up to a bill we passed last year, Senate Bill 1347, which is now a Public Act. What that did last year, it increased the upper limit for summary administration of an estate. What this legislation does is would raise the upper limit for a small estate affidavit to correspond to that adjustment that we made last year. So this - - this helps expedite the probate of small estates. Would ask for your support.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2630 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, none voting Nay, none voting Present. And Senate Bill 2630, having received

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the required constitutional majority, is declared passed.  
Senator Link, on 2634. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2634.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link.

SENATOR LINK:

Thank you, Madam President. This bill basically is any bank or trust company acting in a fiduciary capacity may purchase services or products distributed by affiliate or affiliates directly, from a syndicate or -- or a selling group which includes the bank, trust company, or its affiliate. The purchase must be prudent and not prohibited by the fiduciary instrument. The fees paid by the affiliate and terms and conditions of such purchases must be reasonable. Mandatory disclosure of purchase provisions. This is a result of federal legislation known as the Gramm-Leach-Bailey Act that we are trying to come in compliance with in the State of Illinois. I'll be more than happy to answer any questions. I know of no opposition.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Rutherford.

SENATOR RUTHERFORD:

Thank you, Madam President. I stand in support of the Senator's legislation. It went through our Financial Institutions Committee unanimously, and albeit what he just read sounds awfully doggone complicated, he did a real good job in committee explaining it.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, Senator Link, would you like to close?

SENATOR LINK:

Just ask for a favorable vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 2634 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted

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who wish? Take the record. On that question, there are 56 Ayes, none voting Nay, none voting Present. And Senate Bill 2634, having received the required constitutional majority, is declared passed. Senator Link, on 2635. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2635.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link.

SENATOR LINK:

Thank you, Madam President. This bill amends -- amended will enhance the information that is required to provide that public hearing notice to ensure that property within a special service area is clearly defined and the nature of the special service being provided is clearly stated. This is -- bill, as amended, requires that if the special service area is to be maintained other than its unit of local government after the life of the bonds, then a statement must be included in the public notice indicating who will be responsible for maintenance of this special service, such as a homeowners' association. I'll be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2635 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, none voting Nay, none voting Present. And Senate Bill 2635, having received the required constitutional majority, is declared passed. Senator Cullerton, on 2653? Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2653.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

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Yes. Thank you, Madam President, Members of the Senate. This is a request of the Department of Corrections. This would allow medical treatment to be given to mentally ill patients that have stopped eating or terminally ill inmates that are unable to feed themselves or unconscious hunger-strikers. This would allow for them to be treated. The warden would be able to give consent to medical treatment for these inmates. Happy to answer any questions. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2653 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, none voting Nay, none voting Present. And Senate Bill 2653, having received the required constitutional majority, is declared passed. Senator Cullerton, on 2654. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2654.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Madam President, Members of the Senate. This bill does two things. The first part is a request of the Department of Corrections, and it changes the Code of Corrections so that minors convicted as adults will serve their adult sentences concurrently - at the same time - with any juvenile court sentences that -- that they are serving. And secondly, the second part of the bill is an initiative of the Illinois Association of Drug Court Professionals. I think the amendment was adopted yesterday. Drug courts are working throughout our State. This bill would allow the drug court program defendants to be sentenced to a -- combined term of incarceration and probation. So, it allows more flexibility for the court in issuing sentences in drug court. Again, ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

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Is there any discussion? Seeing none, the question is, shall Senate Bill 2654 pass. Those in favor will vote aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, none voting Nay, none voting Present. And Senate Bill 2654, having received the required constitutional majority, is declared passed. Senator Wendell Jones, on 2659? Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2659.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jones.

SENATOR W. JONES:

Thank you very much, Madam President. This 2659, as amended, Senator Althoff suggested amendment -- an amendment based on her experience in municipal government which strengthened the bill. Basically says if a township has a treatment facility and a municipality has a treatment facility and the sewer systems are annexed to the municipality, then the municipality will allow the township to go ahead and operate the treatment facility and the municipality will operate the sewer system, but the municipality will not charge fees for the -- for the treatment system, but the township will. Now, if neither one -- if neither one of them have a treatment facility, then the municipality would be in charge of the sewage system. So, it involves the annexation of sewage systems. And there -- I believe with the Althoff amendment, we now have a -- a good piece of legislation. I would appreciate, again, a unanimous roll call. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2659 pass. Those in favor will vote aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Yeas, 1 voting Nay, none voting Present. And Senate Bill 2659, having received the required constitutional majority, is declared passed. Senator

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Garrett, on 2664. Senator Ronen? Senator del Valle, on 2676?  
Senator Shadid, on 2678? Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2678.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Shadid.

SENATOR SHADID:

Thank you, Madam President. Senate Bill 2678, as amended, reinstates payments to Lakeview Museum that were previously received from taxes paid by an off-track betting facility located within the Museum's park district. The Horse Racing Act of 1975 sets up a structure that requires payments to many different entities, including museums, located in a park district with a population of less than five hundred thousand that is home to an OTB that was up and running by May 1, 1994. These -- these payments were to be paid from the Horse Race Tax Allocation Fund. On January 1, 2000, this fund was dissolved and payments were to continue from GRF. Peoria received these payments up until the time the OTB closed in 1995. The OTB reopened in May of -- of 2000, and the payments did not restart due to a change in the funding formula for these payments. Before January 1, 2000, the payments were figured to be four-seventh of taxes collected after adjustments from OTB. After 2000, the payments are frozen at 1998 rates. The Peoria OTB was up and running in 1998 and therefore has not received any payments. The purpose of this amendment is to reinstate payments to Lakeview Museum for which they are qualified to receive but have not been receiving. In the -- it is the intent of this legislation to allow Lakeview Museum to receive the same amount of funding that Peoria received in 1994 when they were still receiving payments from the Horse Race Tax Allocation Fund. I will try to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Madam President. I support the bill. I think it's interesting, though - and the Legislature should know

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- that when we negotiated this off-track betting bill back in 1986, we decided that one of the goals of the bill was to direct money to museums and later to -- well, basically to museums and maybe park districts. And so we had that in effect until 1999, when we passed the horse racing and casino bill, and one of the things we did was to abolish the horse racing allocation fund and we let the track owners and the -- and the horsemen keep that fund, and we shifted the responsibility of paying the money to the museums to the General Revenue Fund. So, when we -- we originally created this money by increased revenues from OTB to give to museums. Then, in 1999, we decided to let the tracks keep that money, and we still require and have the obligation to pay the museums and the park districts.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Madam President. To the bill. I don't know if you noticed, though, when Senator Shadid was presenting the bill, he really couldn't give us eye contact. He was doing his presentation and his voice was very quiet, and he -- he didn't look up until the very end and then he didn't even look in anybody's eyes. I think he looked at the flag and sat down, and I know what was in his mind. He thought, "I might actually get away with this. I might actually move this -- this bill, get away with this." Well, I think it's a real bad idea. Here's why. And he knows. In his heart of hearts, he knows, and I know he knows. He wants us to kill this bill, because if he's successful in this bill, every taxing body in his district is going to be all over him to make one exception after another after another. 'Cause if he can accomplish this, he can accomplish anything, for his roads, for his schools and so forth. This -- this museum wasn't eligible at the time that the eligibility was created. These weren't people that were sleeping at the switch. These weren't people that were inadvertently left off the list. These were people that were not eligible. Now, as Senator Cullerton has pointed out, the -- the -- the burden is on the entire General Assembly. This is not coming off of some dedicated fund. So, for George Shadid, let's do it for him,

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what he can't do for himself. Let's vote against this bill.  
Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Yeah. Just a couple of questions. In the 1960s, when Otto Kerner was Governor, the whole concept of horse racing was sold to the General Assembly, to the people of the State of Illinois, that it was going to be -- the proceeds from this wonderful enterprise were going to be used to subsidize development of agriculture in the State of Illinois, and it was going to help fund county fairs. And it was going to do wonderful things, and it was going to stimulate the -- the horse-raising industry and those people that raise horse feed and other things. And -- and as we kind of migrated through that, little by little we've kind of lost sight of that. We no longer -- we no longer have an agricultural premium fund, which is the taxes that used to come from horse racing. We actually put general revenue into there and pretend we have it. We no longer use horse racing to subsidize county fairs. It's actually subsidized with general revenue. We used to -- when -- when we went to off-track betting, we kind of dressed the -- the baby up with a little dress and said we'd -- we'd allow communities that hosted an off-track betting parlor to divert one -- have a one-percent tax to go to their museums so their museums could develop, as John Cullerton pointed out. Now, in -- in George Shadid's case, as Senator Roskam pointed out, his OTB, his off-track betting place, closed three years before we discontinued the program and grandfathered those people who were already in on this. So, not only should we help George by -- by not letting this one museum have an exception to the statutes, but we also should face up to the fact that what fuels cynicism is -- is our continued reliance on general revenue to prop up what used to be obligations of -- off-track betting parlors and -- and the horse racing industry. I mean, how do we go home and explain that we -- we can't do very much for schools this year or that we're going to have to increase fees on employers again and drive more jobs across the border, but we continue to have money to -- to pay the property taxes of race tracks in the State of Illinois,



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that we have -- we have general revenue to -- to give special museum grants because ten years ago some museum lost its off-track betting parlor and now wants in on a hold harmless deal that's eight years old? I mean, you know, I can't understand why people don't trust us when we engage in this kind of stuff. I mean, what we ought to do is clean up the whole statute and put horse racing off on its own, and if it can't make money, it can't make money. So, George, I love you, but I can't be with you on this.

PRESIDING OFFICER: (SENATOR HALVORSON)

Any further discussion? Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Madam President. All of you know I have a racetrack in my district, and I couldn't figure out why I was a cosponsor of this fine piece of legislation until I just heard my colleague's speech from Elgin. And now I -- now I remembered, because thoroughbred racing is being attacked and they -- they talk about thoroughbred racing starting in 1960. Arlington Park, in my district, is eighty years old - eighty years old. Yeah, Seabiscuit was there. Seabiscuit was there in 1930. And we have Balmoral, we have Maywood Park. Thoroughbred racing is a part of the State of Illinois and should remain a part of the State of Illinois. And if they want to make a museum for Shadid in Peoria, that's okay with me.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator -- Senator Shadid, would you like to close?

SENATOR SHADID:

I certainly appreciate the history lesson, or whatever it was, but I don't remember 1960. I wasn't around. Maybe, Senator Soden, you could remember and tell us about it. You remember what happened in 1960? I don't remember. I -- I'm not that old. Well, thank you very much. And the museum will not be named after me. And, by the way, the amount of money involved in 1994 was seventy-six thousand dollars, and that's what we went back to, to get that rate, if we could. I appreciate the support and the kind words from all the Senators on that side of the aisle. Thank you very much.

PRESIDING OFFICER: (SENATOR HALVORSON)

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The question is, shall Senate Bill 2678 pass. Those in favor will vote aye. Those opposed, Nay. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted? Take the record. On that question, there are 30 Ayes, 23 Nays, 2 voting Present. And Senate Bill 2678, having received the required constitutional majority, is declared passed. Senator -- Senator Welch, on 2682. Mr. Secretary, read the -- oops! Senator Bomke, for what purpose do you rise? Nope. Senator Harmon, for what purpose do you rise? Okay. Senator Welch, do you wish to proceed? Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2682.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Welch.

SENATOR WELCH:

Thank you, Madam President. What this bill does is amend the State Finance Act. It provides that no transfers may be made in order to help defray the State's operating costs for the fiscal year from the Road Fund or the State Construction Account Fund on or after the effective date of this amendatory Act, which is July 1, 2004. The purpose of the bill is to end the chargebacks from the Road Fund and State Construction Fund into the General Revenue Fund that we did last year. I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Harmon.

SENATOR HARMON:

Thank you, Madam President. I move the previous question.

PRESIDING OFFICER: (SENATOR HALVORSON)

There are five speakers. Senator Risinger.

SENATOR RISINGER:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator -- Senator Welch indicates he'll yield.

SENATOR RISINGER:

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Yeah, Senator, I -- I appreciate this bill. I think it was needed. It was needed last year. But I don't -- I don't know that this bill goes far enough. I -- the question that I have for you, are -- are you in favor of ending all the diversions from the Road Fund or only the chargebacks?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Welch.

SENATOR WELCH:

Senator, this bill just deals with the chargebacks. That's what I'm proposing here today.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Risinger.

SENATOR RISINGER:

Yeah, I understand this bill is only for the chargebacks, but I guess in -- in the committee, whenever you testified for the bill, you indicated that, you know, this was a good start but it probably didn't go far enough. We don't get the roads fixed and -- and people don't -- aren't working and -- and building roads. I guess my real question for you is, are you going to -- are you going to push this? Have you -- made any contacts over on the House side to make sure that this bill will move through if it gets through the Senate?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Welch.

SENATOR WELCH:

Senator, I assume this bill will be picked up in the House and passed the way it is. I haven't spoken with a sponsor in the House, although I'm sure there'll be a number of them standing in line to be the House sponsor. So, the answer is, I haven't talked to anybody about amending it, and I even haven't talked to anybody about being the sponsor, frankly.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Risinger.

SENATOR RISINGER:

Senator, why -- why are you sponsoring the bill this year, compared to last year, whenever you were -- I think the sponsor of the bill that -- that created this diversion to begin with?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Welch.

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SENATOR WELCH:

Well, last year we didn't have chargebacks. That would -- would have been unnecessary, to sponsor a bill banning chargebacks, when nobody had done it before. So, since we did it once to balance the budget, now to keep us from taking money of the Road Fund, now I think we should do it.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Risinger.

SENATOR RISINGER:

I guess my real questions was, why were you anxious to create the chargebacks to begin with and now you're anxious to end the chargebacks?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Welch.

SENATOR WELCH:

Well, Senator, as a Member of the Leadership of the Legislature, my impression is that I'm here to help balance the budget, and that was the purpose of many of the things we did last year. Now, we were -- we were handed a five-billion-dollar deficit, and it would have been easy to say, let's not -- "Let's not raise any fees. Let's not raise any taxes. This is just a balloon." It was your Governor, my friend. It was your Governor who handed us that five-billion-dollar deficit. You know -- you know, I -- I have asked before that we get some doctors here in the Legislature to -- to investigate this legislative amnesia that nothing happened in the budget before January 1, 2003. There seems to be this pall that has been cast over what happened then. By gosh, Steve Rauschenberger wasn't even the Chairman of the Appropriations Committee from what -- to hear them tell it. He had no control. So, Senator, I would say this: In order to balance an extraordinary deficit, you need extraordinary measures. And that's why we were in the Leadership and that's why we did what we did, to balance the budget and get us out of that hole, to make sure that in balancing the budget, we didn't have to cut education. Senator, thirty-nine percent of the budget goes to education. If we hadn't raised some fees, we would have cut education thirty-nine percent. Now, I'm sure that you are not for cutting education by thirty-nine percent, and I doubt that anybody else over there

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is. But that's what one of the options was, so that's why we did what we had to do.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Risinger, your time has expired. Could you make it just real short?

SENATOR RISINGER:

Yes. Well, thank you, Madam President. Well, I'm glad you didn't exercise the option of cutting education, 'cause that would not have been one of my options, I -- I can assure you. But, also, my option was not to cut the Road Fund at the same time. I hope that you will take this a little bit further, Senator. I will vote for this bill 'cause I think it's a good bill, but I hope that you will push this and help end all the diversions from the Road Fund.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Bomke.

SENATOR BOMKE:

...you. Thank you, Madam Chairman {sic}. A question to the sponsor.

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR BOMKE:

Let me commend you, first of all, Senator Welch. This is a very good bill, and we know you're a very responsible person. In the event that -- as Chairman of the Appropriations Committee, are you willing to make a commitment that in the event that a Governor continues the diversion and a chargeback, that you will not support the Governor's budget?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Welch.

SENATOR WELCH:

Senator, I can't make promises like that. You know, let's look at the -- reality here. Now, the last speaker, in his ending statement, did you hear what he had to say? He said, by gosh, I know education's thirty-nine percent of the budget, but I wouldn't cut education, and I wouldn't have cut the Road Fund. What would he have done? We didn't get any help from your side of the aisle, and now we are not going to stand here -- we are not going to stand here and let our hands be cuffed. We are

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going to keep our options open, because you don't know what's going to happen. We are going to continue to try to balance this budget and do our duty as prescribed by the Constitution of the State of Illinois.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Bomke.

SENATOR BOMKE:

Thank you. Can I take that to mean you won't support the Governor's budget if those diversions and chargebacks are in there?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Welch.

SENATOR WELCH:

Senator, let's say the question comes down to cutting education funding, and I'm faced with that choice. Let's say you're faced with that choice. What would you do? Would you cut education funding, which gets thirty-nine percent of State dollars?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Bomke.

SENATOR BOMKE:

Yeah. I'm asking the questions. Now, wait a minute here. Wait a minute. Wait a minute. You're the sponsor of this bill. I think I'm a cosponsor, but I'm not sure. Don't confuse me with a question.

PRESIDING OFFICER: (SENATOR HALVORSON)

I try.

SENATOR BOMKE:

As the -- you mentioned that you are, and we know, and you do a great job as a -- an Assistant Majority Leader -- and I think that it was alluded to earlier but not -- not asked. Are -- have you spoke to the Speaker of the House to determine or get his commitment to move this bill if it goes to the other Chamber?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Welch.

SENATOR WELCH:

Senator, that's -- that's part of the negotiations that happens among the four Leaders, in particular. And Senator

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Jones has -- has the ability to talk to Speaker -- Madigan, and should this pass, I'm sure Senator Jones will express the opinion of this Body to Speaker Madigan. But, you know, to say that, "Well, don't ask me that question," well, you're asking me hypothetical questions. We don't know what's going to happen. So, if it's okay for me to be faced with hypothetical questions, I think that your side should also be faced with them.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR RIGHTER:

Senator Welch, when you presented this legislation in committee, I think one of the inquiries that was made of you was with -- to you was with regards to the constitutional amendment that the Senate Republicans have proposed that would reduce the Road Fund diversions dramatically more than what your legislation would do. And I -- I think you were asked at that time if you would sign on to it. And I think that you -- in a very artful way, dodged the question, but here I'm -- I'm going to ask you, Senator Welch. I'm going to tell you. We're a pretty talented and -- and -- and determined bunch over here, but we're just for now a little bit short of the thirty votes we need to pass something like that. So, I'm asking for your help. I'm asking you if you can tell me here on the record that in addition to what you're doing here, that you're going to sign on to that constitutional amendment and help us get these Road Fund diversions down to a responsible level. Will you do that for me, Senator?

SENATOR WELCH:

Senator, let me say this: I am in total sympathy with that bill, with that proposed constitutional amendment, and once it gets out of Rules Committee, I will be glad to sign on to it.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

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Thank you for your sympathy, Senator Welch. Then next question. This is -- and Senator Risinger pointed out, this is a stunning legislative pirouette that you're performing here by being the -- the sponsor of the bill last year to -- budget bills to not just enact the chargeback - the five-percent chargeback that you're seeking to repeal here - but the other almost seven hundred million dollars in diversions, total, that we saw -- that we see in the FY'04 budget. Now, I want to go through what this doesn't do. Your legislation would not affect diversions like we saw in the FY'04 budget, such as diversions to the Secretary of State or to the State Police or the fifty-million-dollar, open-ended check that was written to GRF. This legislation won't affect those diversions at all, will it?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Welch.

SENATOR WELCH:

No.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

How much money has -- has your staff advised you, or do you know, this -- if this became law, how much less money is going to be deposited into the General Revenue Fund?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Welch.

SENATOR WELCH:

We have a figure of sixty-four million dollars.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

Senator Welch, that's less than ten percent of the overall diversions, and I agree with -- and I'm on the bill, and I'm going to vote for it. And I -- I mean, if you want me to walk over with you to the Speaker's Office and talk to him and tell him why it needs to become law, I'm with you. But what I'd like to see is us do better than this, because you know, Senator Welch, you've been around here a long -- a lot longer than I've been here, but you know that when we push back and delay infrastructure projects, when we stretch out a five-year plan to



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a seven-year plan just to make it look like no one got their project cancelled, all we're doing is delaying the inevitable. And what that is, is we've got to take care of our infrastructure, and we're not doing it. Thank you, Senator Welch, for this bill, in all honesty. I just -- I think we need to do better, and -- and I hope somewhere later this Session or down the road we can do better. Thank you, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Yes. Thank you. It's a -- it's a pleasure to stand up. I was almost not going to talk, but then you got so excited, kind of picking on poor Dale Risinger, who wasn't here for the history. So, in -- in an effort to combat -- legislative Alzheimer's, let me review a couple things with you to make sure that you've got context around what we're doing here today. It was Fiscal Year '02, after September 11th, when we first developed our revenue problem. At the time, the Democratic Party controlled the House. The Speaker was the same guy that it is today, and the Republicans controlled the Senate. It was after our Veto Session that the Governor said we've got a fiscal problem, and he began reserving funds. He asked the Speaker of the House for help, and I think Mike Madigan's comment was, "It's the Governor's budget. It's the Governor's problem." When we came back that January, the Speaker tried to -- the -- the Governor tried to engage the Speaker and the Senate President, the -- the Leader of the Democrats in the Senate and the Leader of the Republicans in the House in discussions to deal with the emergency in '02. And Vince Demuzio commented, "We don't need any talks." That's what the environment was that created the problem. Let's not talk about one-hand clapping. The Governor -- Governor Ryan, big-spending Governor Ryan, for the '03 budget, for the first time in twenty years, introduced a State budget, and his first '03 budget was smaller than the '02 budget. He cut appropriations in his first introduced budget, but he didn't stop there. He introduced a -- a May budget, again - a second introduction, for the first time in my memory - that was smaller than the one he introduced to begin with. So, two budgets below the '02 level to deal with the financial

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crisis. Do you remember what the House of Representatives under Mike Madigan did with that budget, Senator? They refused to consider it. They sent us a budget over to this Chamber a billion dollars - a billion dollars - larger than the Governor introduced. And we -- the Governor vetoed it and we stood on this Senate Floor -- you recall the long day of Steve Rauschenberger, one at a time, doing each one of those veto sustain votes. So, don't try to tell us there's some kind of legislative amnesia. And as an Approp Chairman, we've got to be honest here. The -- the budget problem that the Governor inherited was never five billion dollars. It was three billion dollars - it's evidenced in his first budget - because he spends a billion new dollars and there's four billion dollars in new revenues. So that's easy arithmetic. It was a three-billion-dollar problem occasioned by an inability to work together in a bipartisan way to deal with it, but it certainly wasn't a Republican problem. Let's just remember that before we get there. Now, your Governor, when -- when Rod Blagojevich shows up, does he cut budgets for the first time in the middle of this financial crisis? No. He increases spending by a billion dollars. So, let's not get lost. How does he finance that? He borrows two billion dollars from our grandchildren. In his '05 budget dealing with this emergency, how does he deal with this emergency? Seven hundred million dollars in more new spending. So, before you start talking about financial holes being a Republican problem, don't forget Speaker Madigan's active participation, and look back at the history carefully. I think this is a great bill. I'm going to vote to support it. I'm a big fan of the sponsor. I would just remind you that if we had allowed a little sunshine on the Budget Implementation Act, just a little bit of sunshine, we would have told you from experience, if you're going to do a diversion, authorize it for one year. You, in your wisdom, as a Majority, authorized diversion in perpetuity, until you take it away from the Governor. When we diverted in the past, in emergencies, it was for one year. You gave him authority to -- to divert in perpetuity. So, I'm glad you're doing this bill. I'm glad you recognize this problem, but be careful when you give history lessons.

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PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Welch, to close.

SENATOR WELCH:

Well, let me -- let me respond to some of the comments here. You know, I -- I must have awakened this morning in the State of Nebraska, because I thought we had a bicameral legislature here, a House and a Senate. But to hear the last speaker, apparently when Mike Madigan sent over a budget that was a billion dollars out of whack, he didn't need to have Senate approval - a Senate controlled by the Republicans? He didn't need approval here? He didn't need a signature by a Republican Governor? I mean, give me a break. You know, at the same time we have these arguments about, "Well, the deficit started after Rod Blagojevich came in on January of -- of 2003," on the federal level, we have the reverse, "Well, there was a deficit that Bill Clinton had and he handed that down to George Bush." So on the federal level, it was the Democrats' fault, prior to the same month Rod Blagojevich took over in Illinois, but somehow it was the Democrats fault there, too. Isn't that interesting how that happened - the disconnect between the federal problem and the State problem? You know, we can pretend like it was all roses during the George Ryan administration, but there was a hell of a lot of spending that went on there and very little for education. You know, Senator Rauschenberger, you have often lectured all of us and educated all of us about what you called "the built-in structural deficit in the State of Illinois," a deficit that continues yearly that we don't have enough money to pay, and then you say Governor Blagojevich increased the spending by seven or eight hundred million dollars last year to pay for the increases that were necessary for health care and education, to fund education at a proper level. Same thing this year. We're trying to fund education, not cut it back. And we didn't get a heck of a lot of help from your side of the aisle in the last budget situation. You -- there were no suggestions. What do we cut, or what do we raise? Oh, we had a lot of platitudes but very little information. There was a -- a lot of handwringing about "Let's cut waste." The last refuge of those who have no opinion, "Let's cut all the waste out of government." Somehow, the amount of waste in

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government expands to the amount of the deficit, depending on the year you're running for office in, and that's what happened in the last year. So, let me -- let me just say, getting back to the bill, that...

PRESIDING OFFICER: (SENATOR HALVORSON)

Thank you, Senator.

SENATOR WELCH:

Whatever the bill was...

PRESIDING OFFICER: (SENATOR HALVORSON)

2682.

SENATOR WELCH:

Whichever the bill, I urge an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 2682 pass. Those in favor, vote Aye. Those opposed, Nay. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Yeas, none voting Nay, none voting Present. And Senate Bill 2682, having received the required constitutional majority, is declared passed. All that for a unanimous vote. With leave of the Body, we are going to return to 2665. Unfortunately, I didn't see Senator Ronen say that we wanted to go forward. So, Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2665.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Ronen.

SENATOR RONEN:

Thank you very much, Madam President. I appreciate your kindness. This bill is a supplement to the federal WARN Act and -- which applies to businesses with over five hundred or more workers. This bill would apply to smaller businesses. Currently, Illinois has no State law regarding layoff notification. This bill would put in place specific protections for workers that we think are important, and I would urge all my colleagues to vote Aye.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Roskam.

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SENATOR ROSKAM:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates she will.

SENATOR ROSKAM:

Senator, could you go to the definition Section of the bill, 'cause I've got a couple of questions? I don't serve on the committee, but it's my understanding that "covered establishment" was amended on -- with Amendment No. 1 to mean a business enterprise. Is that -- that's correct, isn't it?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Ronen.

SENATOR RONEN:

Yes, it is.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

SENATOR ROSKAM:

And then "employer" means any person who directly or indirectly - and I'm reading from it - owns/operates a covered establishment. The question has come up in our discussions that under the definition as crafted, there's not a specific exemption for a governmental body. So, the State of Illinois - seems like a common reading of business enterprise - would be included under this definition. Surely that is not your intention.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Ronen.

SENATOR RONEN:

I'm not sure that is my -- my intention. I'm not sure we could include the State of Illinois because I know the federal law -- the federal law exempts government. So we'd have to -- I can look into that when it goes over to the House and ask for a -- a ruling as to whether it could or not. My understanding is that it could not apply, whether my wishes would be that it did or not.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

SENATOR ROSKAM:

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So, could it be then, under your bill, there would be a requirement for a notice? If, for example, the Governor makes a decision, you know, as he's had to, to close a particular facility and he gives -- let's say the State funding ends at the end of -- end of June, and he doesn't have enough money into the next fiscal year in order to run a -- run -- run the facility, would the State then be in jeopardy of being in violation of this bill or this statute if enacted?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Ronen.

SENATOR RONEN:

Not as I understand it, because, as I said, federal law exempts government from the WARN Act.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

SENATOR ROSKAM:

But what you're doing, Senator, is creating something that is outside of federal law. In other words, in your opening comments you said that the State of Illinois does not have this particular provision under -- on our statutes. So, let me just make this suggestion: I think it's a very serious question that you should -- that you should -- that you should look at. Apparently, the union representatives, when it was raised earlier, kind of blew it off, but I -- I -- I think that now that this thing is moving, you may want to have those folks take another look. Now, here's -- to the bill. I understand what the Senator's trying to do, and, you know, when I -- when I was listening during the -- the senatorial campaign, remember Dan Hynes had all those ads? And the backdrop was "Such and such company, Danville, Illinois. Thirty-eight jobs." One, two, three -- you know, "ACME Pioneering Company, Carbondale, Illinois." And then the voiceover said, "George Bush. Bad man. Sending things overseas. Vote for Dan Hynes." Remember that one? Well, that was making me crazy. I'm listening to that. I'm listening on WLS, and I'm just going absolutely nuts, because I know what happens down here, unlike a lot of folks back home. And, Senator, I think this is one of these bills that tells businesses, "Come on the list of the Dan Hynes commercial; just -- just sign right up and -- and -- and join in

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to the businesses that go away," because we have a federal law that's already in place for the protection of workers. This sends a signal that I don't think -- I think -- I think the Majority Party has sent plenty of signals over the past eighteen months, "Business, stay away." They've gotten that message, and even the businesses that are here have gotten the message, "We need to move out." They've gotten that message. I think that what you need to do is to have the -- the effervescent change of heart that Senator Welch demonstrated just moments ago, and that is to say, "Come business. Come here. It's easy. We want you to be here. We don't want you to be in the Dan Hynes commercial." This says, be in the Dan Hynes commercial. Now, as we all know, the Dan Hynes commercial didn't work out too well. And it's my hope that this bill doesn't work out too well either, because it sends -- it sends a message to business that there's going to be another hassle, there's going to be another department overlooking you, there's going to be another bunch of forms to fill out. And heaven help you if you don't send notice to the -- the -- the -- the chief political officer in the municipality and the county and the "this" and the "that," if you don't do that and you want to lay people off, heaven help you because it's going to be lawsuit city under this bill. Vote No. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Wojcik.

SENATOR WOJCIK:

Thank you, Madam President. Would the Senator yield for a question?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator indicates she will yield.

SENATOR WOJCIK:

Okay. Senator, according to my analysis here, and I'm looking at it as we speak, I notice that on February 26th, the sponsor agreed to hold the bill on 2nd Reading pending discussion between business and labor. That's the notes. That's here.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Ronen.

SENATOR RONEN:

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I don't recall what you're -- we just had a hearing last...  
SENATOR WOJCIK:

That's one part of it though, but it was the original bill.

SENATOR RONEN:

Right. And then we came back to committee after having that meeting.

SENATOR WOJCIK:

Right.

SENATOR RONEN:

We just passed it in committee this week. This...

SENATOR WOJCIK:

I understand. We discussed this bill, and I asked you if you would hold it then, last week, on 2nd Reading. I did. That was almost the last bill. Remember when everybody was running out and saying, "I'm casting an Aye vote," and they left the committee? Yeah. Okay. That's what was going on. So, business and labor still have not come to an agreement, and that's the problem that we're having right now.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Ronen.

SENATOR RONEN:

Yeah. I'm -- I don't recall that discussion at all, and -- and I'm not sure there were any negotiations going on around this.

SENATOR WOJCIK:

Well, see, according to my notes and according to the Illinois Chamber, they have great opposition against this, and I was under -- under the impression that there would become an agreement and that it would become an agreed bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Ronen.

SENATOR RONEN:

Well, they -- yes, I -- I guess they're against it. I've had no discussions with them, and they haven't asked me to make any changes.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Wojcik.

SENATOR WOJCIK:



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You're not planning, then, on further -- anymore further compromising on this issue. You're just going to let it be?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Ronen.

SENATOR RONEN:

There -- there might be in the House, and -- and they can do that. This is not final -- you know, this has to pass the -- the House. But they have -- they've not asked me to make any changes.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Wojcik.

SENATOR WOJCIK:

When it gets to the House and whomever picks up the bill, could you instruct that sponsor of the bill to get an agreement with the Illinois Chamber become -- before it comes back for you to accept the amendment?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Ronen.

SENATOR RONEN:

I will ask them to -- to work with them. Yes.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Wojcik.

SENATOR WOJCIK:

There still is a lot of controversy regarding this legislation, and I can only speak on the behalf of the Chamber and the issues that they put forth to me. So I would again ask my side of the aisle to vote No until this bill is compromised and we have an agreement.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Shadid.

SENATOR SHADID:

Thank you, Madam Chairman. I don't have any questions. I have a comment. If you'll excuse me, the sponsor. I wanted to ask Senator Roskam, he's got such a great voice, if I could hire him for my commercials next time I run. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates she'll yield.

SENATOR RIGHTER:

Senator Ronen, a couple areas I want to question you on. First, I'm looking at Section 40 of the legislation, under the title, "Powers of the Director of Labor," and it says, "In any investigation or proceeding under this Act, the Director of Labor has, in addition to all other powers granted by law, the authority to examine the books and records of an employer." Now, let me give you a situation where an -- if this becomes law and an employer fails to give the notice within the required time frame. So, rather than sixty days from the closure, they give notice forty -- forty-five days out, or whatever it might be. The Department of Labor initiates an investigation and wants to examine the books and the records of the employer. As I read this language, there isn't any limitation on the Director -- being allowed to only examine the books and the records as they pertain to the layoff. So, there's carte blanche authority for the Director of Labor here to look at any book and record, including any internal memos that might exist with regards to negotiation of collective bargaining agreements, trade secrets or any other issues like that. I mean, can you help me with that?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Ronen.

SENATOR RONEN:

Absolutely. Thank you for raising that. And the -- the amendment right now is the Department of Commerce and Economic Opportunity, but more to the point, that is one of the areas we anticipate working in the House on and there's been discussions about how we're able to -- we might change that and narrow it. And I think all your points are very well-taken, and I will instruct the Senate sponsor to address those things -- the House sponsor. I'm the Senate sponsor, right? The House sponsor. Roskam really kind of -- you know, he flustered me with all of his commercials and everything.

PRESIDING OFFICER: (SENATOR HALVORSON)

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Senator Righter.

SENATOR RIGHTER:

He does that to people on this side of the aisle, too, Senator. The second issue I want to raise is, as I read the bill, the bill has language in it that says that payments to an employee won't be reduced by any other payments that might be received pursuant to some of these Acts, including the federal Act. So, as I read the bill, and please tell me if I'm -- if I'm wrong, if an employee files a complaint or a grievance under both the federal Act and then, if this bill becomes law, the State Act, and is able to get back wages from -- ordered by the federal government and the State government, then the employee is getting twice what they would have earned otherwise, and there's no offset for that at all for the employer. So the employer is not paying the damages compensated by State law or federal law. They're paying twice of that. I mean, is that a fair reading of the bill as it stands now?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Ronen.

SENATOR RONEN:

As usual, you raise another interesting point. It is not our intent to have that happen. We will refine the language as it moves into the House, and I'll have an answer for you as it goes through committee there, and make sure that when it comes back for concurrence, we will have had that addressed.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter, your time is up. Please come to a close.

SENATOR RIGHTER:

Thank you, Senator Halvorson -- I mean, Madam President. I'm sorry. Then can I take it, Senator Ronen, that what you're telling me is, is that you will go to the Governor's Office and ask him not to sign the bill, or amendatorily veto it, unless it's got those two amendments in there that restrict the Department's ability to inspect books and records, except to as how they relate to the layoff, and to avoid any double payments by the employer like that? I mean, is then -- I mean, are you -- 'cause if you give me that commitment then I'm -- I'll feel good about it, but can you tell me right now that -- that that's going to be the case?

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PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Ronen.

SENATOR RONEN:

My -- my commitment was to work in the House to address those issues so that before it comes back to us, it addresses those sufficiently. So I would hope that we send to the Governor a bill that we can agree on, and my commitment to you is to work with you to make sure we address those points as -- as specifically as we can.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Just to make it brief. We have lost jobs and we just had a -- a -- eight hundred jobs leave Illinois and go to Wisconsin, just within the last couple of weeks. I think, Senator, much as I love you, I don't think that we have to keep batting and batting business, 'cause if we don't have business, we will not have any labor. And therefore, I would urge you to take it out of the record and put those two amendments that the Senator and my side suggested to you, because we want to keep business here. We're tired of it leaving, and it is leaving. We lost eight hundred jobs - I just got word a week ago - just from my county alone, that crossed over to Wisconsin. So, I urge you to take it out of the record and put those two amendments on; otherwise, I cannot vote for the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Ronen, to close.

SENATOR RONEN:

Thank you very much. This has been a very interesting discussion and we've talked a lot about the problems of businesses closing and having to move away and having to lay off people. And the one thing I don't think we really focused on is that business that lays off a -- eight hundred people or that business that lays off two hundred people, we're talking about the families and what happens to them. And that's the point of this bill, is to focus on those families and make sure that they're just given adequate warning and support when after working for a company for their whole lives, and then just get the short end of the stick. We saw it here in Chicago with the

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Fannie May company. This is only asking for a little fairness to working families. So I would urge all my colleagues to vote Aye.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 2665 pass. Those in favor will vote aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 31 Ayes, 23 Nays, 0 voting Present. And Senate Bill 2665, having received the required constitutional majority, is declared passed. Senator DeLeo in the Chair.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. With leave of the Body, we'd like to go back to page 8. Page 8. That would be Senate Bill 2091. Senator Pat Welch. Senator, on the Order of 3rd Reading is Senate Bill 2091. Do you wish to proceed sir? Madam Secretary, he wishes -- he wishes to proceed. Would you read the bill?

SECRETARY HAWKER:

Senate Bill 2091.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. The purpose of this bill is to address a situation that happened in Morris, Illinois, when an - - a funeral home decided to add a crematorium to their building, the building being in the city -- within the city boundaries of the City of Morris. The council found out they could not control that because of a State law which exempted funeral homes from having crematories from the zoning ordinance. I've been working on this bill with the Cemetery Association and the Funeral Home Directors and we've worked out a compromise, but we didn't have enough time to add it here in the Senate. Will be added in the House. The compromise was that the crematory could not be within one hundred feet of a residence. So, that would be added when it goes to the House. Those were the only two objectors, I believe, in the committee, and I'd be glad to answer any questions.

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PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Is there any discussion? Senator Welch, to close.

SENATOR WELCH:

I would just urge an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Okay. The question is, shall Senate Bill 2091 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, take the record. On that question, there are 56 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 2091, having received the constitutional majority, is declared passed. Ladies and Gentlemen, continuing with leave of the Body, we'd like to go now to page 17. Senate Bill 2424. Senator Halvorson. Senator Halvorson, on the Order of 3rd Reading is Senate Bill 2424. Do you wish to proceed, ma'am? She indicates she does. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 2424.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President. Senate Bill 2424, it amends the Department of Public Health Powers and Duties Law of the Civil Administration {sic} Code to create a cervical cancer task force within the Department of Public Health to address some of the issues that are going on with regards to cervical cancer. It'll establish this task force. It will contain twenty-one members, and there's no pay. Costs no money. But what we want to do is keep up with science and technology and get back to the General Assembly with regards to outreach and how we can educate women on the issue of cervical cancer.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Any discussion? Senator Righter.

SENATOR RIGHTER:

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Thank you, Mr. President. Very briefly. This bill passed out of Health and Human Services Committee unanimously. Appreciate the sponsor's work and would urge an Aye vote as well.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Halvorson, to close.

SENATOR HALVORSON:

I appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The question is, shall Senate Bill 24 {sic} pass. Those in -- 2424 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, take the record. On that question, there are 56 Ayes, 0 Nays, 3 {sic} voting Present. Senate Bill 2424, having received the constitutional majority, is declared passed. Okay. Returning back on where we just left, Ladies and Gentlemen, on Senate Bills 3rd Reading. We'll go back to page 20 and continuing on. Senator Cronin. Senator Dan Cronin, on 2683, sir. Do you wish to proceed? Madam Secretary, he indicates he wishes to proceed. Would you read the bill, please?

SECRETARY HAWKER:

Senate Bill 2683.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President. This bill seeks to promote more ethical conduct in government. It simply requires that any employees that are involved in negotiations for naming rights of State facilities must file a statement of economic interest and disclose their financials and so forth. I don't know of any opposition. Ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Cronin. Is there any discussion? Seeing no discussion, Senator Cronin asks for a favorable roll call. The question is, shall Senate Bill 2683 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is

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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, 0 voting Present. Senate Bill 2683, having received the constitutional majority, is declared passed. Continuing on page 20 of the Calendar, Senate Bill 2689. Senator Pat Welch. Madam Secretary, he indicates he wishes to proceed. Would you please read the bill?

SECRETARY HAWKER:

Senate Bill 2689.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What Senate Bill 2689 does is allow for the Illinois Emergency Management Association {sic}, who has initiated this bill, to purchase a contaminated piece of property along Fox River in Ottawa, Illinois. They have been unsuccessful. They are hoping to take possession of the property, remediate the site and then turn it over to the Department of Natural Resources. This is land that's been contaminated by an old construction -- an old company that used to have -- they used to make watches and alarm clocks with radium to make them fluorescent. When you turned off the lights, they would glow in the dark. Well, so did a lot of the people who worked there, it turns out, and a lot of them ended up getting cancer. And part of the -- part of the radium that was there was thrown out with the dirt and the dirt was moved around the city. Some of it ended up right by the Fox River just either inside Ottawa or right on the border of Ottawa. So, in order to clean that up, the IEMA needs additional space to move dirt around, so that's why they're looking for quick-take authority.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR ROSKAM:



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To the bill. I rise in support of the bill, Mr. President. It passed unanimously out of the Executive Committee, and I urge its passage. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lauzen, what purpose do you rise?

SENATOR LAUZEN:

Just questions for the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for questions, sir.

SENATOR LAUZEN:

Thank you, Mr. President. Have there been steps taken to pursue the manufacturer who created the problem in the first place, and could you explain that to the group?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Welch.

SENATOR WELCH:

The original company that did this was the Westclox Clock Company that had a major headquarters in Peru, Illinois, at one point employing six thousand people. They closed down in 1980. They were purchased and moved to Alabama, in part because they thought they would have cheaper labor. When they got down to Alabama, they found out that the workers down there were not as efficient as the ones from Peru and LaSalle, Illinois. We have a very smart workforce in that area and also a lot of smart voters, I might add. And they -- they went to Alabama and went out of business, and so there really isn't anybody to pursue.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lauzen.

SENATOR LAUZEN:

Okay. And then is there an assurance that there's no further private use of this property after it's been reclaimed by the government source?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Welch.

SENATOR WELCH:

This is right next to the major car dealer in the County of LaSalle, and the Mayor of Ottawa would like to get the property and turn it into a park. What we're doing in Ottawa is we're trying to construct a river walk that would actually go through

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this property once it's cleaned up. So the purpose is recreation in the future. It's very narrow, between Route -- between Route 71 and the river, so there's not a lot that could be done with it.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Seeing no further discussion, Senator Pat Welch, to close, sir.

SENATOR WELCH:

Well, I was going to mention Senator Rauschenberger's name so he could start a little debate, but I guess I'll let that go. I would just -- I would just urge an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The question is, shall Senate Bill 2689 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, take the record. On that question, there are 52 Ayes, 0 -- 3 voting Nay, 0 voting Present. Senate Bill 2689, having received the constitutional majority, is declared passed. Senator Crotty. Senator Maggie Crotty, on Senate Bill 2690. Do you wish to proceed? She indicates she wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 2690.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Crotty.

SENATOR CROTTY:

Thank you very much. Senate Bill 2690 would allow the Department of Public Aid to continue wage withholding regarding noncustodial parents who owe past due child support using the same terms of the court order to collect those arrearages even after the child emancipates. In calendar year '04, the Department will have five thousand cases, representing sixty-seven million dollars in past due child support owed. This bill will allow the State to collect that money.

PRESIDING OFFICER: (SENATOR DeLEO)

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Is there any discussion? Is there any discussion? Seeing no discussion, Senator Crotty, to close. Indicates she'd like a favorable roll call. The question is, shall Senate Bill 2690 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 Ayes, 0 voting No, 0 voting Present. Senate Bill 2690, having received the constitutional majority, is declared passed. Ladies and Gentlemen, on the bottom of page 20, Senator Sandoval, on Senate Bill 2693. Madam Secretary, he indicates he'd like to proceed. Please read the bill.

SECRETARY HAWKER:

Senate Bill 2693.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Senor Presidente? and Members of the Senate. Senate Bill 2693 is a vehicle bill that I'm holding for a piece of legislation that might occur as a result of the special hearings we've been holding on the Joint Task Force on Immigration. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Senator Geo-Karis, for what purpose do you rise, ma'am?

SENATOR GEO-KARIS:

Sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question.

SENATOR GEO-KARIS:

What do you mean? What's in the bill?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sandoval.

SENATOR SANDOVAL:

Senator Geo-Karis, it is a vehicle bill. We've held six hearings throughout the State of Illinois throughout the last year - health care education, citizenry, public participation -

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and we're evaluating that -- the results of those hearings to determine whether or not there's a possible piece of legislation.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Have you made your evaluation from all your hearings?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sandoval.

SENATOR SANDOVAL:

That report is currently being developed and we'll present it to the General Assembly in the -- in this year.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Seeing no further discussion, the question is, shall 2693 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 36 Ayes, 16 voting Nay, 0 voting Present. Senate Bill 2693, having received the constitutional majority, is declared passed. Continuing on Senate Bills 3rd Reading, on the top of page 21, Senate Bill 2696. Senator Burzynski. Do you wish to proceed? Yes. He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 2696.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Burzynski, sir.

SENATOR BURZYNSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill provides that DNR shall prepare an information pamphlet concerning property owners' rights relating to drilling operations and the laws pertaining to those rights. DNR is to provide the drilling operator with a copy of the pamphlet at the time the operator is given a permit to perform drilling operations, and then, in turn, the operator should give written notice to the surface owner of the operator's intent to

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commence drilling and a copy of the pamphlet. I'll be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Seeing no discussion, Senator Burzynski, to -- excuse me. Late light. Senator Lauzen, for what purpose do you rise, sir?

SENATOR LAUZEN:

First of all -- thank you, Mr. President. I apologize. It was a late light. Just in going through some of the analysis, is it old information that DNR is opposed?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Burzynski.

SENATOR BURZYNSKI:

No. I think there was a question with DNR relative to the cost of the pamphlet; however, in talking with some of the organizations that are involved, such as the Oil and Gas Association in the State of Illinois, I think we've got those costs covered.

PRESIDING OFFICER: (SENATOR DeLEO)

Seeing no further discussion, Senator Burzynski asks us for a favorable roll call. The question is, shall Senate Bill 2696 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 51 Ayes, 2 voting Nay, 0 voting Present. Senate Bill 2696, having received the constitutional majority, is declared passed. Continuing on Senate Bills 3rd Reading. Senate Bill 2701. Senator Munoz. Tony Munoz. Madam Secretary, he indicates he wishes to proceed. Please read the bill.

SECRETARY HAWKER:

Senate Bill 2701.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Munoz.

SENATOR MUNOZ:

Thank you, Mr. President, Members of the committee {sic}. Senate Bill 2701 is just a vehicle bill. No legislation has

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been drafted as of yet. Back in November, the President of the Senate formed Senate Select Committee on Pensions, and we have both sides of the aisle that are participating, the Members. We've held several meetings with the pension systems throughout the State. Seems to be going in the right direction. I will answer any questions, if necessary.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Seeing no discussion, Senator Munoz asks us for a favorable roll call. The question is, shall Senate Bill 2701 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 35 Ayes, 19 Nays, 0 voting Present. Senate Bill 2701, having received the constitutional majority, is declared passed. Senator Clayborne, James Clayborne, on Senate Bill 2704. Madam Secretary, he indicates he wishes to proceed. Please read the bill.

SECRETARY HAWKER:

Senate Bill 2704.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President. Senate Bill 2407 {sic} amends the Illinois Income Tax Act to provide certain residents and non-individuals {sic}, not only professional athletes, relief from multiple state taxation on their personal income. Under current law, the compensation of a nonresident individual is assigned its entirety to Illinois if the nonresident performs some services in Illinois and the nonresident's employer maintains his base of operation in this State. We're creating a duty days formula where a nonresident professional athlete will figure the portion of his or her total compensation that is taxable in Illinois by multiplying total compensation from service -- service performed as a member by the ratio of the number of duty days spent in Illinois, inside the State versus outside the State. So, for example, if -- if the total number

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of days they worked as a ballplayer for the taxable year is twenty-five and they spent two days in the State, then they -- their percentage of their income would be one -- I mean, two/twenty-fifths that they would have to pay in terms of State taxes. My good friend, Chris Lauzen, put a physical {sic} note on this bill, and it actually showed that if this bill passes, Department of Revenue estimated that the State of Illinois would gain two hundred and fifty thousand dollars additional for the taxable year. So, I -- I -- I'm open for any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Senator, just for the record, that you mentioned in debate just now, you said Senate Bill 2407. I think you mean 2704, sir. Just for the record, it's -- we're debating 2704, sir. Leader Watson, for what purpose do you rise, sir?

SENATOR WATSON:

Yes. Thank you. And I guess there's just some confusion on this. We had legislation that was -- I think it was called the Michael Jordan Law several years ago, because many states were retaliatory about our athletes going into their state and they were charging them tax. Now, what -- what are we doing here? Are we undoing that or -- give us -- give me an example, too, of a -- of a ticket or player? Are we -- is -- is this somebody, like, from the New York Mets and the Los Angeles Dodgers, or is this a penalty to the people that play for the Cubs and the White Sox and the -- and the Bulls and the Blackhawks? Or just exactly who -- who is being -- ox is being gored here?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

Actually, there are -- there are two famous cases, Senator Watson. One is Sammy Sosa and one is Radinsky. And this would supercede the -- the Michael Jordan rule. Currently, Senator, there are other states that use this formula - Indiana, Louisiana, Maryland, New Jersey, New York, North Carolina, Oregon, Rhode Island, Utah and Wisconsin. It is determined that this is probably the fairer way to do this. Even though the Michael Jordan rule is in place, there were current players and

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professional teams here in Illinois that were being punished, so we're trying to make this fairer, a fairer process.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR LAUZEN:

Just -- thank you very much. To the bill. Just to the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR LAUZEN:

First of all, I appreciate the work that you -- that the sponsor has done on this bill. I -- I am confused by this one. On -- on the one hand, it appears that what we're doing is eliminating a double tax, and that sounds -- to me, I believe that that's part of your intention, and that's a good thing. On the other hand, when you eliminate a double tax, usually it doesn't generate an increase in revenue. So I -- I'm confused by that. If maybe in your closing comments, you could help us understand along the lines that Senator Watson asked. You know, what was the need for this? And maybe you -- if you could just clarify what this bill is going to do in the end. In committee, for the Republican side of the aisle, we were Yes votes in supporting what you're doing. Just -- just for the record. But if you could just clarify it. There's -- it's just a confusing one.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RUTHERFORD:

Well, I've got a question. I just...

PRESIDING OFFICER: (SENATOR DeLEO)

A question to the sponsor, sir?

SENATOR RUTHERFORD:

No, actually for the President, because you had suggested that he said that this was 2407 and then you corrected it to say it's 2704. Now, is that an "o" or a zero? Is that twenty-seven zero four or twenty-seven "o" four?

PRESIDING OFFICER: (SENATOR DeLEO)



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Depends what side of the board you're looking at. That's twenty-seven "o" four, and that's twenty-seven zero four.

SENATOR RUTHERFORD:

'Cause I tried to bring it up as twenty-seven "o" four and there wasn't such a bill number, and I just wanted to make sure that we're looking at the same one. So, it's twenty-seven zero four.

PRESIDING OFFICER: (SENATOR DeLEO)

Depending on which board you're looking at. That's zero and that's "o".

SENATOR RUTHERFORD:

Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Clayborne, to close, sir.

SENATOR CLAYBORNE:

Thank you. It's Senate Bill twenty-seven zero four. Senator Lauzen, to answer your question, basically as I -- as I went through this, we're trying to correct a situation that affects ballplayers, professional athletes that -- that play in the State of Illinois. And we're trying to make sure that the -- the taxation is fair and equitable for them, because if they're nonresidents, as the current law is, and -- and their -- and the employer maintains a base of operations here in Illinois, then we're taxing them on every dollar that they earn in the State of Illinois -- I mean, we're taxing them on every dollar that they generate, that they get paid for, regardless of number of days that they play in Illinois. So, if an athlete is a nonresident of Illinois and his -- his company's based here, he may pay taxes in another state, or she may pay taxes in their home state, and then, because they played a few games here - not all the games - they're also taxed on the entire amount in Illinois. They may be playing in -- in Missouri, and Missouri has a state tax, and again, they're being taxed again on the entire amount of their compensation in Missouri. So what we're trying to do and what -- what this is designed to do is to make sure that there is a fair and equitable process by creating this -- this definition of "duty days," that there's a formula by which they go by where they're only -- they're only -- they only pay taxes on those days that fall within the duty day provision.

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Now, as it relates to Department of Revenue, I'm not able to answer that question, because those were their figures. I don't know what formula they came up with, but they sent a -- a response to your physical {sic} note saying that this would be a net gain or an increase of two hundred and fifty -- two hundred and fifty thousand dollars.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. The question is, shall Senate Bill 2704 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, 0 voting Present. Senate Bill 2704, having received the constitutional majority, is declared passed. Madam Secretary, do we have any Messages from the House?

SECRETARY HAWKER:

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

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

House Bills 4027, 4067, 4458, 4491, 4788, 4847, 4856, 4989, 5017, 5061, 6753, 6845, 3833, 3978, 4076, 4135, 4232, 4269, 4271, 42 -- pardon me, 4393, 4621, 4887, 4976 and 6567.

All passed the House, March 25, 2004.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. Madam Secretary, House Bills 1st Reading, please.

SECRETARY HAWKER:

House Bill 393, offered by Senator DeLeo.

(Secretary reads title of bill)

House Bill 3877, offered by Senator Brady.

(Secretary reads title of bill)

House Bill 3942, offered by Senator Hunter.

(Secretary reads title of bill)

House Bill 3979, offered by Senator Hendon.

(Secretary reads title of bill)

House Bill 4005, offered by Senator Emil Jones.

(Secretary reads title of bill)

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House Bill 4006, offered by Senator Righter.

(Secretary reads title of bill)

House Bill 4023, offered by Senator Maloney.

(Secretary reads title of bill)

House Bill 4032, offered by Senators Obama and Emil Jones.

(Secretary reads title of bill)

House Bill 4109, offered by Senator Silverstein.

(Secretary reads title of bill)

House Bill 4120, offered by Senator Hunter.

(Secretary reads title of bill)

House Bill 4239, offered by Senator Petka.

(Secretary reads title of bill)

House Bill 4371, offered by Senator Obama.

(Secretary reads title of bill)

House Bill 4431, offered by Senator Lightford.

(Secretary reads title of bill)

House Bill 4444, offered by Senator Maloney.

(Secretary reads title of bill)

House Bill 4461, offered by Senators Collins and Hendon.

(Secretary reads title of bill)

House Bill 4489, offered by Senator Soden.

(Secretary reads title of bill)

House Bill -- pardon me, 4686, offered by Senator  
Lightford.

(Secretary reads title of bill)

House Bill 4730, offered by Senator Obama.

(Secretary reads title of bill)

House Bill 4771, offered by Senator Halvorson.

(Secretary reads title of bill)

House Bill 4777, offered by Senator Martinez.

(Secretary reads title of bill)

House Bill 4818, offered by Senator Demuzio.

(Secretary reads title of bill)

House Bill 4833, offered by Senator Garrett.

(Secretary reads title of bill)

House Bill 4980, offered by Senator Garrett.

(Secretary reads title of bill)

House Bill 4996, offered by Senator Halvorson.

(Secretary reads title of bill)

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House Bill 5131, offered by Senator Ronen.  
(Secretary reads title of bill)

House Bill 5533, offered by Senators Crotty and Garrett.  
(Secretary reads title of bill)

House Bill 5050, offered by Senator Cronin.  
(Secretary reads title of bill)

House Bill 6745, offered by Senator Ronen.  
(Secretary reads title of bill)

House Bill 6786, offered by Senator Collins.  
(Secretary reads title of bill)

House Bill 7026, offered by Senators Collins and Garrett.  
(Secretary reads title of bill)

House Bill 7029, offered by Senator Trotter.  
(Secretary reads title of bill)

House Bill 7057, offered by Senator Harmon.  
(Secretary reads title of bill)

House Bill 4027, offered by Senator Martinez.  
(Secretary reads title of bill)

House Bill 4458, offered by Senator Sieben.  
(Secretary reads title of bill)

House Bill 4788, offered by Senator Hunter.  
(Secretary reads title of bill)

House Bill 6845, offered by Senator Hunter.  
(Secretary reads title of bill)

House Bill 4076, offered by Senator Harmon.  
(Secretary reads title of bill)

House Bill 4135, offered by Senator Hunter.  
(Secretary reads title of bill)

House Bill 4393, offered by Senator Silverstein.  
(Secretary reads title of bill)

House Bill 3922, offered by Senator Crotty.  
(Secretary reads title of bill)

House Bill 4389, offered by Senator Silverstein.  
(Secretary reads title of bill)

House Bill 4453, offered by Senator Haine.  
(Secretary reads title of bill)

House Bill 4171, offered by Senator Althoff.  
(Secretary reads title of bill)

House Bill 4651, offered by Senator Clayborne.

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(Secretary reads title of bill)

House Bill 4103, offered by Senators Walsh and Rutherford.

(Secretary reads title of bill)

House Bill 4966, offered by Senators Martinez -- pardon me, by Senator Martinez.

(Secretary reads title of bill)

House Bill 4395, offered by Senator Obama.

(Secretary reads title of bill)

And House Bill 4478, offered by Senator Garrett.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Thank you very much, Madam Secretary. We have an announcement to make. Rules Committee will meet immediately. Rules Committee will meet immediately in the President's Anteroom, and we'll sit at ease for just a couple seconds. And we're going back to 3rd Readings in just a couple minutes. So, please stay very, very close to the Floor. Madam Secretary, Introduction of Bills.

SECRETARY HAWKER:

Senate Bill 3374, offered by Senator Emil Jones.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Geo-Karis, for what purpose do you rise, ma'am?

SENATOR GEO-KARIS:

On a point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point.

SENATOR GEO-KARIS:

Today is March 25. In 1821, the Greeks rebelled against the Turks, who had enslaved them since 1492 - something like that. And it means a lot to the Americans of Greek ethnic origin, because they believed in freedom, they believed in independence and they believed in the rugged individualism of people. So I just want you all to know there will be a parade in Chicago, and I believe it's Sunday, for Greek Independence Day. And whether you're Greek or not, I know that you appreciate independence. You appreciate serving others, and I'd like you to know that

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ordinarily I would have a resolution drawn, but I didn't have time. But I just want to tell you that we who are of Greek ethnic origin respect the rights and privileges that we have here in America, and our people came here because America gave us the freedom that our ancestors so richly did in Greece and so richly desired for their children here. So, I just thought I would remind you that today is Greek Independence Day, 25th of March, and Sunday is the parade in Chicago. We invite everyone to come down.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much, Senator Geo-Karis. Madam Secretary, Committee Reports.

SECRETARY HAWKER:

Senator Viverito, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to Agriculture and Conservation Committee - House Bill 4769; refer to Executive Committee - House Bills 4005, 4031, 4194, 4371; refer to Health and Human Services Committee - House Bills 3942, 4730 and 7026; refer to Insurance and Pensions Committee - House Bill 383 {sic}(393); refer to Judiciary Committee - House Bills 2582, 4032, 4275, 4538, 4751, 4771, 6786, 6811 and 7057; refer to Licensed Activities Committee - House Bill 4157; refer to Revenue Committee - House Bills 4106, 4461 and 4705; refer to State Government Committee - Senate Resolution 474 and House Bills 3877, 4686 and 4947; refer to Transportation Committee - House Bills 2587, 4489 and 4833; and Be Approved for Consideration - House Bills 717 -- pardon me, that was Senate Bill 717 and House Bill 2268.

PRESIDING OFFICER: (SENATOR DeLEO)

That completes our Messages, Madam Secretary. Okay. Ladies and Gentlemen, continuing on page 21. Senate Bills 3rd Reading. Senate Bill 2707. Senator Lightford, do you wish to proceed? She indicates, Madam Secretary, she wishes to proceed. Please read the bill.

SECRETARY HAWKER:

Senate Bill 2707.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

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Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President. Senate Bill 2707 amends the Office of Banks and Real Estate Act. It is an agreed bill between the Office of Banks and Real Estate, AARP and the Department on Education. It's an effort to assist with financial exploitation of the elderly with their intervention program. I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much, Senator. Is there any discussion? Seeing no discussion, Senator Lightford, to close.

SENATOR LIGHTFORD:

I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Okay. The question is, shall Senate Bill 2707 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 54 Ayes, 0 voting No, 0 voting Present. Senate Bill 2707, having received the constitutional majority, is declared passed. Senator Lightford, on Senate Bill 2710. Do you wish to proceed, ma'am? Madam Secretary, she indicates she wishes to proceed. Please read the bill.

SECRETARY HAWKER:

Senate Bill 2710.

(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, Senate Bill 2710 was legislation that was brought to me by the Community Bankers Association. This bill was written to ensure that out-of-state banks and savings and loan banks, if they attempt to merge or branch with State of Illinois banks, that their laws are similar to the State of Illinois and that there is no less -- restrictions on their laws. There's no opposition on this bill. There was a couple amendments to

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address concerns of Members, and I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RUTHERFORD:

I rise to extol the fine virtues of this bill and to suggest that it would be a fine thing if we passed this unanimously.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much, Senator.

SENATOR RUTHERFORD:

Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Any further discussion? Senator Geo-Karis, for what purpose do you rise, ma'am?

SENATOR GEO-KARIS:

Senator yield for a question?

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates she'll yield for a question. Senator Geo-Karis.

SENATOR GEO-KARIS:

Is this a bill, Senator, that includes reciprocity?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

Yes. That's what the Floor Amendment No. 2 addressed, Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

In other words, that when we say reciprocity, that if they come in from another state, that we have the same rights in the other state that we have here.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator -- Senator Lightford.

SENATOR LIGHTFORD:

Yes. Let me just share with you the way it's written in the language. Reciprocity shall be determined when the



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Commissioner determines that a State bank may establish a branch in the other state under terms and conditions that are substantially similar to these reciprocity provisions and the laws of the other state and do not impose administrative or regulatory burdens substantially more restrictive than Illinois. So there is reciprocity language written in the second amendment to address your concern.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. The question is, shall Senate Bill 2710 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 Nays, 0 voting Present. Senate Bill 2710, having received the constitutional majority, is declared passed. Senator Halvorson, on 2718. Do you wish to proceed, ma'am? Indicates she wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 2718.

(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. Senate Bill 2718 is basically just clean-up language to correct the laws relevant to the operations and functions of DNR. I'd ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much, Senator. Seeing no -- Senator Risinger, what purpose do you rise, sir?

SENATOR RISINGER:

Yes. I just want to say that this bill passed unanimously out of the State Operations Committee, and I urge the -- this side of the aisle to vote Aye.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. The question is, shall Senate Bill 2718 pass. Those in favor will vote Aye. Those opposed will

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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. Senate Bill 2718, having received the constitutional majority, is declared passed. Senator Martinez, Iris Martinez, on Senate Bill 2726. Do you wish to proceed, ma'am? Indicates she wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 2726.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President. Senate Bill 2726 amends -- it's a compromise between AARP and Department of Aging. This bill is as introduced and amended. According to the AARP, they are recommending this bill because they discovered that volunteers' were not required to undergo background checks, and the volunteers ombudsman weren't trained to investigate complaints. AARP indicates that an agency that currently performs criminal background checks stated that they had identified a person convicted of -- of drug trafficking and another was a sexual predator. This bill is just to make sure that we -- that any volunteers dealing with the elderly have a background check, and I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

Thank you, Mr. President. Simply to rise in support of the bill. This is a simple piece of legislation. Go a long way in helping protect seniors. I appreciate the sponsor's work.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. The question is, shall Senate Bill 2726 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,

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please take the record. On that question, there are 56 Ayes, 0 Nays, 0 voting Present. Senate Bill 2726, having received the constitutional majority, is declared passed. Continuing Senate Bills 3rd Reading, in the middle of page 21, Senate Bill 2729. Senator Martinez, do you wish to proceed, ma'am, on 2729? Out of the record. Senator Sandoval, on 2723. He indicates he wishes to proceed. Madam Secretary, please read the bill. 2731. I'm sorry. Excuse me.

SECRETARY HAWKER:

Senate Bill 2731.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Senor Presidente? and Members of the Senate. Senate Bill 2731 is an important consumer protection measure. It protects against fraud in the prepaid calling services market by requiring prepaid calling card providers to seek certification through the process administered by the Illinois Commerce Commission. Because Illinois immigrants are such frequent users of prepaid calling service, they are often easy prey for scam artists peddling fraudulent cards. Unsuspecting residents become victims once they purchase worthless cards. Because there are no laws - no laws - currently regulating the prepaid calling market, our immigrants, Illinois residents, are often held -- holding the bag with no options or remedies. Senate Bill 2731 requires providers of prepaid calling service to disclose specific information when applying for ICC certification. Retailers participate merely by maintaining the appropriate records that document prepaid calling card provider certification. The bill has -- is the product of extensive negotiations involving CUB, the Lieutenant Governor, the Attorney General, the Illinois Telecommunications Association and a number of individual telecom companies. Almost every group has slipped in support of this measure, and we hope to continue working together in the spirit of cooperation should any of the parties voice their concerns in the future. I ask your support and a favorable roll call. Thank you.

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PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RAUSCHENBERGER:

A question -- well, a question of the sponsor and a -- couple quick comments.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RAUSCHENBERGER:

Senator Welch, first of all, let me compliment Senator Sandoval. He has been working diligently on this issue. It's a very important issue. When you find out that -- that -- that people are being misled to the extent they are, I'm glad he's taken it up. I know you've been working carefully with the -- telephone -- the legitimate telecommunication carriers to make sure we have access to these kind of products after we figure -- and you expect to continue to work with them to try to smooth out the -- I guess there are a few left -- wrinkles left?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sandoval.

SENATOR SANDOVAL:

Yes, Senator Rauschenberger. I've had number of meetings, as you've indicated, with members of the industry, the Retail Merchants Association, and there are still a couple of languages -- language changes that perhaps may surface. I will work with them.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Well, I just want to again compliment the Senator on the work he's done. It's a very important issue, and I would urge -- Senator Sullivan's not here, the spokesman for our committee, but I would urge Members of this side of the aisle to support this bill and the continuing work you're doing. Congratulations. Good job.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. The question is, shall Senate Bill 2731 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have

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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, 0 voting Present. Senate Bill 2731, having received the constitutional majority, is declared passed. With leave of the Body, we'll skip over 2732. Continuing on page 21 of the Calendar, Senate Bills 3rd Reading, is Senate Bill 2755. Senator John Sullivan, do you wish to proceed? Madam Secretary, indicates he wishes to proceed. Please read the bill.

SECRETARY HAWKER:

Senate Bill 2755.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sullivan.

SENATOR J. SULLIVAN:

Thank you, Mr. President. Senate Bill 2755 allows persons who are recipients of the Illinois National Guard Grant to continue to receive the grant for one year after their membership in the Guard has expired if they have served in the Guard for at least five years and they served a total of at least six months of active duty. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Any discussion? Seeing no discussion, okay. The question is, shall Senate Bill 2755 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 Nays, 0 voting Present. Senate Bill 2755, having received the constitutional majority, is declared passed. Okay. Ladies and Gentlemen, leave of the Body, we'd like to go back on page 21 to Senate Bill 2732. Senator Demuzio and Senator Cronin. Senator Cronin has been asked to handle this bill. Senator Cronin, do you wish to proceed, sir? Indicating he wishes to proceed. Okay. Senator Cronin will seek leave of the Body to return Senate Bill 2732 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. Okay. On

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the Order of 2nd Reading is Senate Bill 2732. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Shadid, on the amendment, sir.

SENATOR SHADID:

Thank you, Mr. President. Amendment No. 2 retains the underlying bill, as amended with Senate Amendment 1. This amendment makes four changes to the bill. It reduces the required number of school districts for participation in the project to seven from eight. It changes the required geographic location of participating districts, requiring one school district to be located in Chicago, three school districts to be located in a collar county or in Cook outside of Chicago and three school districts to be located in the remainder of the State, rather than four in the Chicago metro area and four in the remainder of the State. Finally, it increases the required number of individual schools the State Board of Education is required to, if possible, select for participation in the project to nine from eight and further requires that at least three of those schools must be located in Chicago and one from each of the other school districts selected.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR BURZYNSKI:

Thank you, Mr. President. Will the sponsor yield for a couple of questions?

PRESIDING OFFICER: (SENATOR DeLEO)

He indicates he'll yield for a question. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Senator, when we had this bill in committee, this was one of those great ideas. It's a great concept that we can provide students in these types of school districts, or at-risk schools, with -- with a laptop computer to take home to do their homework on to get them interested in education and

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educational opportunities. The problem is, there's a cost, isn't there? And what is the cost for this pilot project?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Shadid.

SENATOR SHADID:

No more than ten million, Senator.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Burzynski.

SENATOR BURZYNSKI:

Okay. Thank you. And -- and so there's a little bit of ten million. Do you know what fund that will be coming out of?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Shadid.

SENATOR SHADID:

I think the museum fund in Peoria. ...Burzynski, I've been told that the bill is subject to appropriation money.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you very much for that answer. And -- and it is subject to appropriation, but like so many things we do down here, this is another one of those really good ideas, good concepts, builds expectation, builds pressure on the budget, builds pressure on the educational system. We don't have the money, folks. I would encourage a No vote. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Seeing no further discussion, Senator Shadid moves the adoption of Amendment No. 2 to Senate Bill 2732. 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 -- 3rd Reading. Senator Cronin, on Senate Bill 2732. You wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

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Senate Bill 2732.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President. This pilot project simply provides an option for the Governor, the administration, Appropriations Committees and others, when the time comes, if there's money available. This is a wonderful program. Ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Senator Burzynski.

SENATOR BURZYNSKI:

First of all, thank you, Mr. President. I -- I apologize for -- for taking time up during the explanation of the amendment, but to -- to -- you know, again, this is a bill, there is no money tied to it. It builds expectations. We just need to be careful about that. We've done that with several bills already today. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Cronin, to close, sir. Okay. The question is, shall Senate Bill 2732 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 42 Ayes, 13 Nays, 0 voting Present. Senate Bill 2732, having received the constitutional majority, is declared passed. Senator John Sullivan, on Senate Bill 2756. Do you wish to proceed, sir? He indicates he wishes to proceed, Madam Secretary. Please read the bill.

SECRETARY HAWKER:

Senate Bill 2756.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator John Sullivan, sir.

SENATOR J. SULLIVAN:



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Thank you, Mr. President. Senate Bill 2756 amends the Nursing Education Scholarship Law authorizing scholarships for persons pursuing graduate degrees in nursing and to -- and to students in areas identified as designated shortage areas. Requires twenty-percent of the scholarships to go to recipients pursuing a graduate degree in nursing. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. And is there any discussion? Senator Winkel, for what purpose do you rise, sir?

SENATOR WINKEL:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR WINKEL:

We -- we discussed this in committee. I just wanted to go over it for the Body. There was some discussion about leaving out the hospital program. You've -- you've put that back in, is that correct?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator John Sullivan.

SENATOR J. SULLIVAN:

That is correct.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Winkel.

SENATOR WINKEL:

Thank you. And there's a -- there's a -- a funding formula or a distribution formula that's in place. How does the adding back in of the hospital program impact that distribution formula, if at all?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator John Sullivan.

SENATOR J. SULLIVAN:

Thirty -- Senator, thirty percent of the scholarship money goes to this program, and it's split between the hospital-based and the -- and the association.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Winkel.

SENATOR WINKEL:

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So then, the opposition to your bill had been removed by this -- by this addition of that program?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator John Sullivan.

SENATOR J. SULLIVAN:

Yes, that is correct.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Winkel.

SENATOR WINKEL:

Just a brief comment. This came through our committee. Appreciate the sponsor's work. It passed out of -- the Licensed Activities Committee, I believe unanimously, and I would urge its passage.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Anything -- seeing no further discussion, Senator John Sullivan, to close, sir. Okay. Senator indicates...

SENATOR J. SULLIVAN:

Ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

The question is, shall Senate Bill 2756 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? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 56 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 2756, having received the constitutional majority, is declared passed. Senator John Cullerton, on 2757. Senator Cullerton indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 2757.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This Act is designed to facilitate the funding of alternative dispute resolution programs in appellate courts. It's a request of the Supreme Court and the Appellate Court, and the purpose is to

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implement this Act so that we can reduce the cost of civil litigation, simplify issues on appeal and reduce caseloads in the reviewing court. It sets up a fund, and the Supreme Court is authorized to designate an amount in filing fees. Our filing fees right now are extremely low in our State for the appellate courts. In fact, I think we rank forty-eighth out of fifty states. So the Court would designate a certain amount that would be collected. They also would determine whether or not one of the five districts are -- which of the five districts in the State would utilize this program. Again, the goal is to actually reduce costs for the courts and its user-fee function, and I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much, Senator. The question is, shall Senate Bill 2757 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 51 Ayes, 5 voting Nay, 0 voting Present. Senate Bill 2757, having received the constitutional majority, is declared passed. Okay. Ladies and Gentlemen, continuing on Senate Bills 3rd Reading, on the top of page 22, we have Senate Bill 2768. Senator Maloney. Senator Maloney, do you -- seeks leave of the Body to return Senate Bill 2768 to the Order of 2nd Reading for the purposes of amendment. Hearing no objection, leave is granted. Okay. On that Order of 2nd Reading is Senate Bill 2768. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Maloney, to the amendment, sir.

SENATOR MALONEY:

Thank you, Mr. President. The amendment is simply a technical change. It replaces the term in the bill, "medical records" with "medication record."

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. Is there any -- is there any discussion? Is there any discussion? Seeing no discussion, all those favor

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will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Are there -- 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 Maloney, do you wish to proceed on Senate Bill 2768? Madam Secretary, he indicates he wishes to proceed. Please read the bill.

SECRETARY HAWKER:

Senate Bill 2768.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Maloney.

SENATOR MALONEY:

Thank you, Mr. President. Given the fact that influenza and pneumonia are one of the leading causes of death among people sixty-five years of age and older and the Center of Disease Control recommends that all persons sixty-five and older receive influenza vaccines, this bill will make available to residents of assisted living facilities who are sixty-five and older influenza and pneumonia vaccination. It does not mandate that residents take the vaccinations, only that they be offered. There is no cost to the State or the assisted living centers since Medicare covers one hundred percent of the charge. Be happy to...(microphone malfunction)...questions.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

Thank you, Mr. President. Just very briefly, this bill did pass out of committee unanimously in Health and Human Services, and it is our understanding that Medicare will cover these vaccinations and there's no cost to the General Revenue Fund. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

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Thank you, Senator. The question is, shall Senate Bill 2768 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 Ayes, 0 voting Nay, and 0 voting Present. Senate Bill 2768, having received the constitutional majority, is declared passed. Continuing on Senate Bills 3rd Reading, Senate Bill 2769. Senator del Valle. Do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 2769.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator -- Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. Current law requires all high school students to take the Prairie State Achievement Exam, but we've discovered that sometimes juniors - and it's at that year that the students must take the exam - because they don't have enough credits, they're kept from taking the exam and then end up graduating not having taken the exam and therefore not included in the test data and not assessed. So, what this bill does is that it requires every student, prior to graduating, requires them to have taken the Prairie State Achievement Exam. In effect, what we're doing is, I think, closing a -- a loophole to make sure that every student is assessed.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much, Senator del Valle. Is there any discussion? Seeing no discussion, the gentleman -- the question is, shall Senate Bill 2769 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. Senate Bill 2769, having received the constitutional majority, is declared passed. Senator Dillard, on 2777. Senator Kirk Dillard, do you wish to proceed, sir? No. Out of the record. Senator Dillard,

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on -- no, sir. He wishes -- Senator Dillard, 2784. No, sir. Senator Dillard, on 2785. Senator Dillard, on 2786. Out of the record. Senator Hunter, Mattie Hunter, on 2788. She wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 2788.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hunter.

SENATOR HUNTER:

Thank you, Mr. -- Mr. President. 2788 amends the Illinois Public Aid Code. It prohibits the Department of Public Aid from imposing rules for prior approval based on a preferred drug list for drugs and their therapies that treat such chronic respiratory diseases such as asthma. According to the Chicago Tribune, Chicago has the unwanted distinction of being the nation's asthma capital. The death rate from asthma is the highest in the nation. In 2000, that rate was four deaths per one hundred thousand people, compared to the U.S. -- to the overall U.S. rate of 1.6 per one hundred thousand people. The hospitalization rate for asthma was 30.6 per one hundred thousand, nearly twice the national average of 16.7. The proponents of this bill are the Chicago Asthma Consortium, the American Lung Association of Illinois and Iowa, Chicago Public Schools, Cook County Physicians. This bill passed the committee with a unanimous vote, and I, once again, urge you to vote for it again. Thank you, Mr...

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR LAUZEN:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR LAUZEN:

Could you share with the Senate the -- according to our analysis, it says that opponents to the bill are Illinois Retail Merchants Association and the Department of Public Aid. Is that

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accurate information, and why are these opponents opposed to the bill?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hunter.

SENATOR HUNTER:

The analysis, Senator, is accurate. The Illinois Department of Public Aid feels that it will cost between two and five million dollars, additional dollars, to serve this particular population. And I feel that with the increase of hospitalizations because people cannot get this drug in the evenings and on weekends and they wind up going into the emergency rooms, and the cost for a hospital stay is thirty-three hundred dollars per person and there has been over seventy thousand asthma-related visits to the emergency department, there was nineteen thousand asthma-related hospitalizations in Chicago - so, they're spending the money anyway.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Then the other half of the question was Illinois Retail Merchants Association. I would think that they'd be in favor because it'd be more prescription medication.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hunter.

SENATOR HUNTER:

I have no idea why they are against this legislation. They've not communicated this with me.

PRESIDING OFFICER: (SENATOR DeLEO)

Seeing no further discussion, Senator Hunter, to close. Senator Hunter, to close.

SENATOR HUNTER:

I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much, Senator. The question is, shall Senate Bill 2788 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

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are 55 Ayes, 1 voting Nay, 0 voting Present. Senate Bill 2788, having received the constitutional majority, is declared passed. Ladies and Gentlemen, so far this afternoon, this evening, today, the entire day, we have heard a hundred and seventy bills. We have a hundred and forty-five left and we have forty-one on recall. So, we -- please, we have to -- excuse me, not on recall. We've -- we've passed over that we could go back to. We still have a hundred and forty-five more bills left this evening. Let's please try and expedite the passage so everybody has a chance to present their bills on a deadline week. It's fair to the other Members that are waiting to get their bills called. So, please, please, let's try and limit our debate. Going back to -- Senate Bills 3rd Reading, on page 22 of the Calendar, Senate Bill 2794. Senator del Valle, do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 2794.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. This bill is a shell bill. We're in discussions with the Department of Public Health to establish a statewide asthma management plan that is responsive to the -- to the needs of areas in the State where there's a high incidence of asthma, and we haven't come up with a final agreement yet. I'd like to move this over to the House so that we could continue to work on this.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Thank you, Senator. Seeing no discussion, the question is, shall Senate Bill 2794 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 49 Ayes, 6 Nays, 0 voting Present. Senate Bill 2794, having received the constitutional majority, is declared passed. Continuing on Senate Bills 3rd Reading.



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Senate Bill 2799. Senator Hendon. Senator Hendon, do you wish to proceed? Madam Secretary, he indicates he wishes to proceed. Please read the bill.

SECRETARY HAWKER:

Senate Bill 2799.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon.

SENATOR HENDON:

Thank -- thank you, Mr. President. This is a decoy vehicle bill. I mean, this is a -- yes, a decoy vehicle bill, not a regular vehicle bill. We want to take abandoned and unused State Trooper cars and put 'em in high-crime areas, in drug-infested areas and get creative in our way that we go about fighting crime, and I'd urge an Aye vote. I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much, Senator. Any discussion? Seeing no discussion, the question is, shall -- Senate Bill 2799 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 44 Ayes -- Ayes, 11 Nays, and 0 voting Present. Senate Bill 2799, having received the constitutional majority, is declared passed. President Emil Jones, on Senate Bill 2801, sir. Do you wish to proceed? Senator Jones. Out of the record. Senate Bill 2807. Senator Peterson. Do you wish to proceed, sir? Indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill -- pardon me, 2807.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President, Members of the Senate. Senate Bill 2807 basically allows evidence to be presented to the

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Property Tax Appeals Board at the State level if it was not introduced at the local level. Currently, if something new comes up after you've had your hearing at the county level, you cannot bring it before the State Appeals Board. This would allow the new evidence to be presented. I ask for your support of Senate Bill 2807.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Seeing no discussion, the question is, shall Senate Bill 2807 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 Nays, 1 voting Present. Senate Bill 2807, having received the constitutional majority, is declared passed. Senator Brady, on Senate Bill 2820, sir. Do you wish to proceed? Madam Secretary, he indicates he wishes to proceed. Please read the bill.

SECRETARY HAWKER:

Senate Bill 2820.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Brady.

SENATOR BRADY:

Thank you, Mr. President. This bill establishes a code for contract performance between a builder and a buyer in an area of the State that doesn't have an existing city or a county code. It requires code requirements so that the buyer can be protected on both pre-sold homes and speculative homes. I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much, Senator. Seeing no discussion, the question is, shall Senate Bill 2820 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 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 2820, having received the constitutional majority, is declared passed. Senate -- Senator Todd Sieben, on

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Senate Bill 2839. Do you wish to proceed? Madam Secretary, he indicates he wishes to proceed. Please read the bill.

SECRETARY HAWKER:

Senate Bill 2839.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President. This legislation allows for the conveyance of a parcel of land from the City of Dixon to the Lee County Industrial (Development) Association. There's no opposition. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much, Senator. Is there any discussion? Seeing no discussion, the question is, shall Senate Bill 2839 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, 1 voting Nay, 0 voting Present. Senate Bill 2839, having received the constitutional majority, is declared passed. Continuing on Senate Bills 3rd Reading, page 22, near the bottom of the page. Senator Halvorson, on Senate Bill 2844. Do you wish to proceed, ma'am? She indicates she wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 2844.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President. I do wish to proceed. Senate Bill 2844 requires the Department of Veterans' Affairs to -- establish an advisory council for each Illinois veterans home. We changed this a couple times. We'll probably see it back. We want to continue talking, but I think what will end up, instead of one advisory council for each Illinois veterans home, I think

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what we're -- the direction we're moving in is to have just one advisory committee with representatives from each one. So, we want to move it out of here to keep the conversation going over in the House. We'll probably see it back.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR SODEN:

Will the sponsor answer questions?

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR SODEN:

I notice in here you have makeup of the committee. Veteran homes, who would that be? Would that be the director, a representative of veterans organization, or who would that be?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

Currently, there are four veterans homes - Anna, LaSalle, Manteno and Quincy. It would be advisory committees for those veteran homes.

PRESIDING OFFICER: (SENATOR DeLEO)

Any further discussion? Seeing no further discussion -- I'm sorry. Senator Soden.

SENATOR SODEN:

No, that's all right. Go ahead.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Senator Halvorson, to close.

SENATOR HALVORSON:

I just appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. The question is, shall Senate Bill 2844 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 Ayes, 0 Nays, 0 voting Present. Senate Bill 2844, having received the constitutional majority, is declared passed. On the bottom of

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page 22, Senator Larry Walsh, do you wish to proceed, sir?  
Indicates yes. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 2845.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 2845, as amended, expands the duties of the Center for Minority Health Services in the Department of Public Health to include the promotion of the awareness of the incidence of Alzheimer's disease and related dementia among minority populations and the promotion and assistance of the creation of prevention and treatment programs and services pertaining to this health problem. Regional Alzheimer's Disease Centers are permitted to receive funding under the Excellence in Academic Medicine Act. We have three different Alzheimer's Disease Centers throughout the State. All three of these are supportive of this piece of information -- or, of this piece of legislation. We held two different meetings late last spring here in -- in Springfield, and then we held one in Chicago during the summer, and they were very well attended. And we listened to people that come to talk about this dreaded disease. Actually, people that have the disease were there, and families came to touch and give us information. So, I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

Senator Walsh, I -- I recall when this bill passed through committee, and I'm certainly in support of the legislation. It

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creates a new fund, the Alzheimer's Disease Center Fund. Is that correct?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Walsh.

SENATOR WALSH:

That's correct.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Walk through, for me, where the money's going to come from to land into that fund and then pay for these...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Walsh.

SENATOR WALSH:

Senator, we -- we still have some work to do on this bill. It's going to be amended in the House. We tried to -- tried to get the language completely done before moving it over. We would like to move it over to the House to continue on that. The -- Public Health and -- and Department of Health is working on -- on trying to come up with the solutions for the funding. There is so many dollars out there that -- that these Disease Centers had at their disposal before. The money that we received turned in to close to thirty million dollars, I think it was, that -- that they had from these three different -- three different Disease Centers, and it is important we are trying to be able to continue the work that they have been doing.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Senator Walsh, I -- and I -- I didn't understand. I mean, is it contemplated right now in your legislation as drafted where the money to put into this new fund comes from? And is it a GRF transfer or -- I mean, are you saying you -- you still don't know as yet?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Walsh.

SENATOR WALSH:

Still -- we're still working on trying to find -- find the source of revenue for this.

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PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Thank you, Senator Walsh. The last question is, as I look at the legislation, again the new fund that we're creating is not exempt from the eight-percent chargeback. So, all the monies that we're working so hard to find and put into this fund, eight percent of those are going to be zapped into the General Revenue Fund. So I hope that if the -- when the bill goes over to the House and the work goes on, as you've referenced, that we can also work on exempting this fund so that we don't see all this money that goes to such an important purpose be pulled off somewhere else. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR HUNTER:

I'd like to speak to the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, ma'am.

SENATOR HUNTER:

I sat on the task force and I attended both of the meetings, I'd like to say, and also, I also would like to say how important this bill really is. I have since -- sat in -- or, actually chaired two additional meetings with witnesses, family members and victims themselves of Alzheimer's disease where the groups actually reached out to me and asked if I would work with them further because this bill means so much to them. Most of their family members not only were in the late stages of -- of the disease, but they have now begun seeing early stages amongst themselves and other family members. So, we're really talking about some major prevention efforts here. So, I ask for an Aye vote on this bill, please.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much, Senator, for your comment. Senator Walsh, to close, sir. Okay. The question is, shall Senate Bill 2845 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

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56 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 2845, having received the constitutional majority, is declared passed. Ladies and Gentlemen, continuing on Senate Bills 3rd Reading, on the top of page 23, Senate Bill 2847. Senator Trotter. Senator Donne Trotter, you wish to proceed, sir? Madam Secretary, he indicates yes. Please read the bill.

SECRETARY HAWKER:

Senate Bill 2847.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. This deals with prior authorization and insulin. It prohibits the Department of Public Aid from creating any formulary limits on or restricting by any prior authorization requirement any insulin prescription drug as prescribed and deemed medically necessary for the treatment of diabetes. DPA must make all exemptions and exclusions from such limitations and from previous approval requirements designated in this Act to all agencies, departments and programs under its control.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RISINGER:

Will the Senator yield?

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RISINGER:

Yes. This came through the State Operations Committee, passed unanimously, but there is a cost to this bill. Senator, Department of Public Aid has put a cost on it at -- at what level?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

From my understanding, yes, they did put a cost on it, but it wasn't the cost of the drug itself. What they're saying is



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because they've made certain sweetheart deals with other companies, that they will not get the same rebate back from these companies with this having the prior authorization list. What's sort of hypocritical about that is, in last year alone, there's been ten thousand three hundred and eighty-one requests for other diabetes drugs, and of those, nine thousand seven hundred and eighty-nine, or ninety-five percent of 'em, have been approved. So, it's -- there's really no -- no rational reason other than they're getting these rebates or they're assuming they'll get some rebates from other companies by excluding others.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Risinger.

SENATOR RISINGER:

What did Public Aid think it was going to cost them?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

See if I can find that number. They're saying 4.2 million.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Risinger.

SENATOR RISINGER:

And where would that money come from, Senator?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

Again, this is -- and I hate to say a "make-believe" number, 'cause they certainly aren't talking about simply another 4.2 million dollars loss of drugs if they'll be used. This is what they're assuming they may get from rebates. And based on those assumptions, again, why are we playing with the health of individuals who need to have their diabetic drug matched with their problem and not with some assumed rebates that they may get from other drug companies?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Risinger.

SENATOR RISINGER:

So, Public Aid won't be asking for another 4.2 million dollars.

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PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

This doesn't necessarily preclude them from asking, but I don't believe that that 4.2 billion -- million dollars would be for this program. This will not be the reason why they'll be asking for the money.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Risinger.

SENATOR RISINGER:

Thank you, Senator.

PRESIDING OFFICER: (SENATOR DeLEO)

Any further discussion? Any -- Senator Rauschenberger, for what purpose, sir?

SENATOR RAUSCHENBERGER:

I just wanted to rise and -- and tell the sponsor what a good job he's doing with this bill. A lot of drugs that we have on prior authorization are drugs that are used intermittently to deal with conditions. It's one thing to put antihistamines on prior authorization and force people to try less expensive drugs before they try more expensive. In the case of insulin, all of the -- users of insulin take insulin every single day of their lives, many times five and six injections a day. For the most part, they manage their own medication. For the State to try to use insulin to save money on prior authorization doesn't make sense. Senator Trotter's directly on point with this bill. We're not really saving any money, I think, if the Department of Public Aid took a harder look. I just wanted to compliment the Senator on the bill, and -- and even though I'm a real fiscal hawk, I think you're right on target on this one. Nice job.

PRESIDING OFFICER: (SENATOR DeLEO)

Seeing no further discussion, the question is, shall Senate Bill 2847 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 54 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 2847, having received the constitutional majority, is declared passed. Senator Welch, on the Order of 3rd Reading is Senate Bill 2861.

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Do you wish to proceed, sir? Indicates -- Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 2861.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This bill requires that the newly established Illinois Finance Authority must maintain the bond...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Welch.

SENATOR WELCH:

Must maintain the bond funding levels for the programs and functions that were under the control of the Illinois Farm Development Act and the Rural Bond Bank Act for at least at the levels at which they were funded before last year's bonding authority consolidation.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR ROSKAM:

To support the bill and urge its passage.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Any further discussion? Seeing no further discussion, the question is, shall Senate Bill 2861 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, 0 voting Nay, 0 voting Present. Senate Bill 2861, having received the constitutional majority, is declared passed. Senator Cronin, on Senate Bill 2867. Do you wish to proceed, sir? Senator Dan Cronin. Out of the -- out of the record. We'll come back to it. Senate Bill -- Senator Sandoval, on Senate Bill 2878. On the Order of 3rd Reading, sir. Do you wish to proceed? Senator Sandoval indicates he wishes to proceed. Madam Secretary, please read the bill.

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SECRETARY HAWKER:

Senate Bill 2878.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Senor Presidente? and Members of the Senate. Senate Bill 2878 amends the Illinois Human Rights Act to grant the Attorney General standing to file civil actions under the Human Rights Act directly to the circuit court. As a result, the Attorney General has standing to enforce the Act directly. A complaint could immediately be filed in the circuit court and relief could be obtained more expeditiously. This is particularly important in the situation where we could be seeking to enjoin -- a particularly egregious pattern or practice of discrimination. I ask a favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR ROSKAM:

Question the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR ROSKAM:

Senator, you referenced pattern and practice a couple minutes ago, but the bill doesn't say anything about pattern and practice. Isn't that right?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sandoval.

SENATOR SANDOVAL:

Just human rights violations, Senator Roskam.

SENATOR ROSKAM:

So, in fact, the Attorney General would have the ability -- even though the fact sheets say pattern and practice human rights violations, the Attorney General would have the ability, if this were enacted, to -- to be involved in anything, and it wouldn't just be limited to pattern and practice. I think that's a concern. I don't think that's what the -- that's what

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you as a sponsor intend to do, but that's what the language of the bill says. Let me ask you another question. If somebody has, let's say a -- a normal situation under the Illinois Human Rights Act, there's a time period. There's a statute of limitations where you have to bring a complaint. If someone doesn't bring a complaint within that time period, then the Illinois Supreme -- or, the -- the Illinois Attorney General could reach back and say, "Well, that was part of a larger pattern and practice. Even though it happened three years ago, we're going to bring in that to our case." Isn't that right?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sandoval.

SENATOR SANDOVAL:

Senator Roskam, there's only a two-year statute that the -- allows the Attorney General to bring a action against -- a complaint.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

We don't have a lot of time, Senator. Trust me, that's -- it's inaccurate. So, here -- here's one of the weaknesses of the bill. Let me just speak to the bill, since we don't have a lot of time. This is a massive expansion of power for the Illinois Attorney General. When I -- when I asked the question of the Attorney General's staff, I said, "Now, under this proposal, someone would be able to have a -- a case going in the Illinois Human Rights Commission pending, and at the same time, if the Attorney General chose, they would be able to pick up that same pattern, that same case, and you would be going -- down two parallel tracks." We don't do that in Illinois law. And when I asked the question of the Attorney General's staff, they said, "Oh, hang on. You know what? Here's where -- here's where that is. Or, here's where it says that you can't do that." And I was standing there, and there's no answer. It -- it -- even those these people mean well, this bill is very poorly crafted. It's very poorly thought out. I think we should vote No. The notion of expansion of class action litigation for the State of Illinois, which is now a national joke in some counties and finds itself on the editorial pages of the Wall Street Journal

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because we have become a class action magnet, I think this is exactly the opposite direction that we need to go. We have -- adequate remedies under federal law, in terms of class actions. We have Equal Employment Opportunity Commission. We have Human Rights Act. I just don't think this bill is well crafted. I know the sponsor's worked on it. He's tried to make some amendments, but it is not soup yet. This needs to stay on the stove. We need to turn up the heat on this thing before it's ready. This is not ready. Please vote No.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR LINK:

I'd like to move for the previous question.

PRESIDING OFFICER: (SENATOR DeLEO)

Gentleman moves the previous question. We have one, two, three more speakers. Senator Dillard, for what purpose do you rise, sir?

SENATOR DILLARD:

To speak to the bill, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR DILLARD:

Thank you very much. This is what I call an Eliot Spitzer special. Eliot Spitzer is the activist Attorney General of the State of New York, and this bill really makes major changes in the Illinois Human Rights Act. I want to point out the Illinois Chamber of Commerce is vehemently opposed to this bill. And for my colleagues on this side of the aisle, don't be confused that we voted Yes on a Floor amendment in committee the other day, because we voted Yes because it just made a terrible bill a little less stinky. This bill is a huge change in the Human Rights Act, and we're moving away from an administrative process to one that bypasses the administrative process and let's the Attorney General sue in someone's name directly to court. The federal courts clearly have ways to handle the kinds of grievances that the Attorney General might want to bring, and the EEOC also obviously has adequate remedies to do this. A small business in the State can get financially crushed by the Attorney General's Office, and a small business can be

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exonerated but yet be financially ruined by the resources of the State of Illinois against it. Let me just close by saying the Chamber of Commerce in the State characterizes this bill as another message that Illinois is more interested in the expansion of litigation rather than the expansion of jobs. And I agree with them, and this is a bill that ought to get a resounding No vote at this time.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

Senator, this has -- this has been talked about, as -- as I've heard the discussion on this bill, as being a case where the Attorney General's Office can bring a class action on behalf of a group of individuals for violation of the Human Rights Act. Are you waving at me, Mr. President?

PRESIDING OFFICER: (SENATOR DeLEO)

Absolutely not.

SENATOR RIGHTER:

All right. Thank you. Is -- but that's not the case, is it? I don't see any reference to the fact that a -- the Attorney General's Office would have to have a class certified in order to go forward. That's correct, isn't it?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sandoval.

SENATOR SANDOVAL:

That's correct.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

So -- so, under this bill, you -- you can have a situation where the Attorney General is going after a -- an -- an employer or whoever it might be for a violation of the Human Rights Act on behalf of one or two people.

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PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sandoval.

SENATOR SANDOVAL:

But it's -- it's the right of the Attorney General to decide whether or not to take up the case on a case-by-case basis.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Well, I appreciate that, Senator, and I guess that leads to my next question is, why is it that you are allowing the government, on behalf of maybe a single person, to circumvent the administrative process when you won't allow that private citizen themselves to do that? I mean, right now, if you feel aggrieved under the Illinois Human Rights Act, you've got to go before the administrative bodies. But if the Attorney General wants to take the case for you, they don't have to work their way through the administrative hearing process. They can go directly to court. Why wouldn't you open the same door for a private citizen, as a taxpayer, as you are for the government?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sandoval.

SENATOR SANDOVAL:

We already allow the government to take action in the Consumer Fraud and Deceptive Practices Act, Senator Righter.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Well, I -- I appreciate that, Senator, but that's not what we're talking about here. We're talking about the Human Rights Act, and under the Human Rights Act, private citizens are required - and correct me if I'm wrong - to go through an administrative process. But now you're saying that you're not going to let private citizens do that, but you're going to let the government to do that. So, you're not going to allow individuals to try to redress their own grievances in court, but you're going to allow the government to do it. I mean, is that right?

PRESIDING OFFICER: (SENATOR DeLEO)



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Senator Sandoval.

SENATOR SANDOVAL:

Senator Righter, this is in response to the huge backlog that we have of human rights complaints in State government. Are you protecting this Soviet-style bureaucracy, big government, and that these human rights actions should be -- should be filed for years upon years? Are you protecting this type of government for all the residents of Illinois?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Senator, let me suggest to you that if you want to release the backlog, then let the private citizens go to court, rather than saying the Attorney General is going to -- what you're suggesting is the Attorney General's going to pick through every one of these cases that's now pending in the administrative process and pick and choose which one they want to advocate on behalf of and which ones they don't. If you want to release the backlog, then let 'em all go to court, Senator, and -- and -- and seek redress for themselves.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senators. Senator Geo-Karis, for what purpose do you rise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, we have enough litigation going on. There are means, as my colleagues have spoken before, Senator Roskam and Senator Righter. And let me tell you something: What you're doing is increasing litigation, increasing more litigation, and you have a small company that will fight, fine. But after they exhaust all their means fighting, even if they win, they lose in the long run and probably lose their business 'cause it's very expensive to litigate. What -- when you talk about Soviet style, you're presenting a Soviet-style bill, not us. Real Soviet. Have the government do everything. And who pays for it? The taxpayer. Well, I'm sick and tired of paying for some of these goofy bills, and, I hate to tell you, this is a terrible bill. You want to make points, fine, but you're doing -- creating more litigation. And believe me, there's going to be plenty of

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litigation on this, and you're going to discourage business from coming into Illinois and opening up plants. And if I were business, I wouldn't come into Illinois with bills like this. And I urge everyone to vote No, for heaven sakes.

PRESIDING OFFICER: (SENATOR DeLEO)

Seeing no further discussion, the previous question has been moved. The question is, shall Senate Bill 2878 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, take the record. On that question, there are 29 Ayes, 26 Nays, 1 voting Present, 3 not voting. Senate Bill 2878, having not received the required constitutional majority, is declared failed. Senator Sandoval.

SENATOR SANDOVAL:

Mr. President, I'd like to request Postponed Consideration on this bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Gentleman has request Postponed Consideration. That's -- the bill will be placed on the Order of Postponed Consideration. Continuing on Senate Bills 3rd Reading, in the middle of page 23, Senator Maloney, on Senate Bill 2879. Do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 2879.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Maloney.

SENATOR MALONEY:

Thank you. Thank you, Mr. President. We are all familiar with the 2002 outbreak of the West Nile virus. Illinois led the nation both in cases and in deaths. The district that I represent was the epicenter, so to speak, for this outbreak. This bill would simply require that the Mosquito Abatement Districts, when conducting surveillance, if they discover positive pool with mosquitoes, must notify the local health departments within twenty-four hours. This would require

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accountability. It would create a consistent mechanism, an early warning system, if you will, with the underlying being -- underlying theme being the protection of the public health. I would be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Seeing no discussion, Senator Maloney asks -- the question is, shall Senate Bill 2879 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 Nays, 0 voting Present. Senate Bill 2879, having received the constitutional majority, is declared passed. Senator Martinez, on Senate Bill 2880. Madam -- do you wish to proceed? Excuse -- I'm sorry. Leader Watson, for what purpose do you rise?

SENATOR WATSON:

Just a point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Yes, sir. Please state your point.

SENATOR WATSON:

I'd like to just tell everybody on this side of the aisle that we have food in my office if you -- if you would wish. It's being provided by the Pork Producers and by Citizens for Watson. And by the way, the staff is invited, and when -- at 8 o'clock, we're going to open it up for the Democrat staff. Since the Democrat staff was not given the food -- given food by their Leader, Democrat staff will now be welcome to come into my office at 8 o'clock and help themselves to -- to Saputo's and whatever's left over of the Pork Producers fine product.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Leader Watson. Thank you very much. Thank you very much, Leader Watson. I haven't eaten. Which side am I on? Senator Martinez, do you wish to proceed on 2880, ma'am? Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 2880.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR DeLEO)

Senator Martinez, please.

SENATOR MARTINEZ:

Thank you, Mr. President. Senate Bill 2880 is the -- it's a new Act, the Comprehensive Housing, Health, and Supportive Services for Older Adults Act. It establishes a framework for the -- reconfiguration of the -- Illinois' elder care system by addressing critical access service areas, our nursing home conversion program and the coordination of services by various entities. This is actually a work in progress. We have a whole lot of people working on this bill - the ARRP, the Alzheimer's Association, the Illinois Health Care Association and many, many other groups - just making -- making sure that our elderly get the very best. So, we are still continuing to work on this, and we are going to continue to work it over in the House also. So I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

Thank you, Mr. President. Just very briefly. The bill passed unanimously out of committee. The sponsor mentioned that it is a work in progress, and that is true. She's been very accommodating to all the parties, and we look forward to that kind of progress in the House as well. I would urge an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you for your comments, Senator. Okay. The question is, shall Senate Bill 2880 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 Ayes, 0 Nays, 0 voting Present. Senate Bill 2880, having received the constitutional majority is declared passed. Senator Munoz, on Senate Bill 2887. That is on Order of 3rd Reading. Do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

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Senate Bill 2887.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Munoz.

SENATOR MUNOZ:

Thank you, Mr. President, Members of the Senate. Senate Bill 2887 increases continuing education for real estate brokers, including an additional six hours of coursework on broker management. If real estate brokers do not wish to engage in the additional coursework, they convert back to a salesperson. Eliminates the grandfather clause. Requires all people to obtain continuing education. The grandfather clause exempted people from holding a license for fifteen years as of January 1, 2002, from obtaining the continuing education. It also defines "exclusive brokerage agreement." Specifies that a broker will provide the minimum services to the client. Deletes the previous exemption for people taking pre-licensure courses, such as courses toward a bachelor's degree. New broker licensees must complete the six-hour broker management course within eighty days of initial licensure. I know of no opposition. I'll attempt to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR LAUZEN:

A question for the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR LAUZEN:

I'm sorry, Senator. I didn't follow what you were saying about the grandfather clause. I've had several realtors from back home call and -- and complain that after thirty years of being in this business, that now they're going to have to go back to school after having spent a lifetime of experience here.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Munoz.

SENATOR MUNOZ:

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Yes, Senator. That question was brought up as well in committee. Basically, for -- the grandfather clause exempted people holding a license for fifteen years or more as of January 1st, 2002, from obtaining continuing education.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lauzen.

SENATOR LAUZEN:

So, to clarify, there is a grandfather clause. Have you amended this bill from its original form somehow?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Munoz.

SENATOR MUNOZ:

It removes the grandfather clause.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lauzen.

SENATOR LAUZEN:

I do apologize, but I have gotten so many calls on this bill. It removes the grandfather clause, so that means that people -- I -- I thought that at first you said that anybody over fifteen years is grandfathered in. But now I understand you to say that that's been removed. I'm not sure which one it is.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Munoz.

SENATOR MUNOZ:

Senator, eliminates the grandfather clause, and it -- I'm sorry. Eliminates the grandfather clause and requires all people to obtain the continuing education. The grandfather clause exempted people holding a license for fifteen years as of January 1, 2002, and does no..

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Thank you, Senator. Senator Lauzen.

SENATOR LAUZEN:

Okay. Then, to the bill. I -- I -- thank you very much..

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR LAUZEN:

...for the clarification, Senator. I would just advise a No vote. If you have, you know, working relationships with

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constituents who have been in the business for more than fifteen years, I think you're going to have a lot of angry realtors calling your office if this passes.

PRESIDING OFFICER: (SENATOR DeLEO)

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. Senator Garrett.

SENATOR GARRETT:

I just have a question. This bill has the support of the Illinois Realtors Association, and they're giving this support even though the realtors apparently area calling and saying that they're in opposition to it?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Munoz.

SENATOR MUNOZ:

It is the Realtors bill. There's no calls that we have gotten. There -- that's the first I've heard of it, from Senator Lauzen.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The question is, shall Senate Bill 2887 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 44 Ayes, 9 voting Nay, 0 voting Present. Senate Bill 2887, having received the constitutional majority, is declared passed. Senator Munoz, on Senate Bill 2892. On the Order of 3rd Reading, sir, do you wish to proceed? He indicates yes. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 2892.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Munoz, on 2892, sir.

SENATOR MUNOZ:

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Thank you, Mr. President and Members of the Senate. Senate Bill 2892 is designed to bring Illinois Tax Code in line with the federal IRS Code relative to provisions dealing with real estate mortgage investment conduits. The Department of Revenue says that this is -- obscure issue has caused a glitch in the Code, and this legislation will correct that glitch. This legislation was passed unanimously in Revenue Committee yesterday, but as of this morning, Department of Revenue have shown some opposition to it, as well as the Governor's Office. Although I do not agree with those concerns, I have agreed to work with the Department of Revenue, as well as the Governor's Office, for further negotiations that all parties try to agree. But because the problem that we're having with the deadline for 3rd Readings, they would have no opposition as of now for me to pass the bill, if we were to pass it out of the Senate to go to the House. I have agreed with them. I will not seek a sponsor to move the legislation forward in the House if I can get it passed here out of the Senate so the bill doesn't die here with the deadline.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. To the bill. I'd like to compliment the sponsor. It's a lot better talking in favor of a bill than opposed to a bill. I appreciate that -- and for folks on this side of the aisle, this is a clarification and making the Illinois Code consistent with the IRS, and it basically allows taxpayers when they have losses, that they're deductible against gains, which is just good old-fashioned common sense. So, I appreciate the clarification, Senator.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much, Senator. Okay. The question is, shall Senate Bill 2892 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 52 Ayes, 3 voting Nay, 1 voting Present. Senate Bill 2892, having received the constitutional majority, is declared passed. Senator Garrett. Senator Garrett, on



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Senate Bill 2901. The bill is on the Order of 3rd Reading. Do you wish to proceed, ma'am? She indicates she wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 2901.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Garrett.

SENATOR GARRETT:

Yes, Mr. President. Thank you. This is a bill that has come together quite nicely. We have support from the Attorney General's Office, the Treasurer's Office, Public Interest Research Group, and the Illinois Retail Merchants Association, Illinois Bankers Association are neutral. Basically, what this bill does, it speaks to the gift card issue. It eliminates expiration dates and dormancy fees from gift cards. It asks for full disclosure on all taxes and charges associated with gift cards. It exempts retailers from the Unclaimed Property Act if gift cards have no purchase -- post-purchase fees, penalties or expiration date. And it says that gift cards that include any fees, penalties or expiration date must fully disclose those fees, penalties and expiration notice on the gift card. Also, they must comply with the Unclaimed Property Act and remit unused funds to the State. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much, Senator. Is there any discussion? Seeing no discussion, the question is, shall Senate Bill 2901 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, 2 Nays, 0 voting Present. Senate Bill 2901, having received the constitutional majority, is declared passed. Senator Garrett, on the Order of 3rd Reading, is Senate Bill 2902. Do you wish -- it's out of the record. Senator Haine, on Senate Bill 2908. This bill is on the Order of 3rd Reading. Do you wish to

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

SECRETARY HAWKER:

Senate Bill 2908.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I wish to ask the indulgence of the Senate on this. I went before the Financial Institutions Committee with this bill with -- which is an initiative of the Office of Banks and Real Estate. There were negotiations. It passed out of committee unanimously with my promise to come back with an agreed amendment. There were still some unresolved differences with the mortgage bankers. I don't know what happened. I -- there's some miscommunication. The amendment was filed late, beyond our deadline, just a couple of days ago. So, I would ask the indulgence of the Senate to pass this out as is - and the amendment has been filed; it's in Rules - have it go to the House and adopt the amendment there. There is no opposition. Everyone is agreed at this point. And, again, I apologize to the committee. I explained it to the Chairlady, and would ask that this go in the form of a bill to be amended in the House, consistent with the amendment filed in Rules.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RUTHERFORD:

Mr. President, I -- I'm going to stand in support of this, but with respect, Senator, I mean, you did make it to the Members of the committee, and being the Republican Spokesperson on that committee or any other Members of the Republican Party has not been aware of that except through staff. So, to that -- yes. So, to that extent, Senator, I do stand in support of it 'cause it was an agreement you did make. The content of the underlying amendment, which is still in Rules, we've looked at and does meet the commitment that you made. Respect that you

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did not meet the deadline and that you will do that in the -- in the -- in the Chambers. But with -- if we could perhaps communicate between us so we know what's going on here on the Floor. So, I do stand in support of you doing this and amending it in the House.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR HAINE:

Thank you very much, Senator Rutherford. And I apologize again, on behalf of the Office of Banks and Real Estate, and it won't happen again, I'm sure. Thank you, Mr. President. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Okay. The question is, shall Senate Bill 2908 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 -- 54 Ayes, 0 Nay, 0 voting Present. Senate Bill 2908, having received the constitutional majority, is declared passed. Senator del Valle, on Senate Bill 2918, on the Order of 3rd Reading. Do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 2918.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. This bill does three things. It raises the compulsory school attendance age from sixteen to seventeen. It establishes procedures for dealing with truants in districts that do not have truant officers and those procedures are handled by way of the regional superintendent of schools or a designee. And then it establishes a graduation incentive program that would make it possible to provide activities that will keep students enrolled in classes, through community colleges or through training programs, and then,

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therefore, work towards graduation. I'll be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much, Senator del Valle. Is there any discussion? Seeing no discussion, the question is shall Senate Bill 2918 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 48 Ayes, 5 Nays, 1 voting Present. Senate Bill 2818 {sic}(2918), having received the constitutional majority, is declared passed. Senator Sandoval, on Senate Bill 2919. On -- it's on the Order of 3rd Reading. Do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 2919.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Senor Presidente? and Members of the Senate. Senate Bill 2919 is called the New Americans Initiative Act of 2004. It's a vehicle bill which may be used at some point to sponsor the community outreach and education of over three hundred eighty thousand legal residents. This bill potentially will provide outreach and education to make three hundred eighty thousand legal residents full Americans in the United States of America. I ask your favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR GEO-KARIS:

Will he yield?

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, ma'am?

SENATOR GEO-KARIS:

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If they're legal, they would get their rights anyway. So why do we need the bill?

PRESIDING OFFICER: (SENATOR DeLEO)

Question of the sponsor. Senator Sandoval.

SENATOR SANDOVAL:

Today, Senator Geo-Karis, my wife is a legal resident. Marina Sandoval of Mexico is a legal residence {sic} of this country, but she does not have the privilege of voting for elected officials of this great State of Illinois. Some day she desires to be able to vote, just like you and I, in this great country.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Could you explain yourself? What does the bill really do?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sandoval.

SENATOR SANDOVAL:

It's a vehicle bill, Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I don't want to hear about a vehicle. I want to know what the heck it actually does.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sandoval.

SENATOR SANDOVAL:

It can potentially -- Senator Geo-Karis, it can potentially legalize, or become full Americans, three hundred eighty thousand legal residents in the great State of Illinois.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, anyone who's here legal can potentially become a citizen under the present federal laws. I don't see where this bill's going to make a difference. They still have to follow the law. So, I don't see the purpose for this bill.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR ROSKAM:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR ROSKAM:

Senator, by what authority do -- does the State have to make determinations of United States citizenship?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sandoval.

SENATOR SANDOVAL:

It's -- it's teaching legal residents, law-abiding citizens who -- who provide to the economy of the State of Illinois, people who pay taxes, people who support and pay our salaries, an opportunity to educate them so that they can pass the citizenship class provided by the United States federal government.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

Okay. I think what you're doing is you are over answering questions, with all due respect, and you are -- you are -- you're putting so much red meat phrases out there, at a very late night -- in the evening. The code words that you're sending say, "Don't pass this bill." I understand that you're passionate about these issues, but I'm telling you the -- you know, the sort of -- dismissive towards Senator Geo-Karis, it's not good. And -- and -- and I'm -- I'm just suggesting that if -- if there is an education plan that you have for it, say, "Hey, what I'm doing is, I'm going to do this with the bill and it's not together yet." But you are -- you're -- you're just -- you're -- you're -- you're creating an environment that it makes it real easy to vote against this bill because you're -- you're using code words that are very confusing, and nobody understands what you're talking about. It's late. We've gone through a hundred and seventy or a hundred and eighty bills. And I don't want to waste anymore time but -- but, you know, when Senator Geo-Karis asks you a question, God bless her -- she's -- she's -

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- she's in my fourth-grade State of Illinois book, for crying out loud. She was -- literally, she's in my fourth-grade State of Illinois book, and she deserves the respect of the -- the -- the senior person of -- of the institution. So, when she's sincerely asking you a question, please sincerely answer her question, and we can just sort of lower this wattage all the way around.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Sandoval.

SENATOR SANDOVAL:

My dear colleague, Senator Roskam, I am about as sincere as they come from the southwest side of Chicago. I am being very sincere when I responded to my respected colleague, Senator Geokaris, by explaining to this great Body that the New Americans Initiative Act is potential legislation that will provide community outreach and education for over three hundred eighty thousand legal residents so that they could become full Americans in the United States of America. That is what I previously stated, and that is the truth.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RAUSCHENBERGER:

Well, just to comment on the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the -- to the bill, sir.

SENATOR RAUSCHENBERGER:

To the bill. I think the sponsor's passionate. I would remind the sponsor that the Democrats control this Chamber. They control the House. Why don't you simply get an extended deadline on this? This is an issue that's very sensitive and important to all of us. I represent a lot of new Americans in my district as well. But -- but, you know, talking about an Act that's not written, with no dimension and no appropriation, you know, it -- it tries the patience of the poor Minority over here to continue to pass shell bills based on, you know -- I don't know where you're headed. I -- I would -- I would suggest that you ask your Senate President for an extended deadline. It

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leaves this bill in Calendar position. When you have substantive language, we can address it. It's just a thought.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RONEN:

Thank you, Mr. President. Not to prolong the discussion, I rise in support of this bill. I think the Senator's made a very clear statement about the -- what the purpose of this bill will be. We've passed shell bills before. We're going to be working with the House. This is an important issue. It's going to be providing outreach and services to help people follow the rules and meet the requirements to become U.S. citizens, a goal that we -- I know we all share on both sides of the aisle. So, I'd urge all of us to vote Aye.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. Senator Sandoval, to close.

SENATOR SANDOVAL:

I ask a favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. Okay. Ladies and Gentlemen, the question is, shall Senate Bill 2919 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 32 Ayes, 17 Nays, 3 voting Present. Senate Bill 2919, having received the constitutional majority, is declared passed. Ladies and Gentlemen, at this time, with leave of the Body, we're moving to page 2 of the Calendar. Page 2. The top of page 2. 2nd Readings. Let me notify the Body for an announcement. This is the last and final time that 2nd Readings we'll -- we'll be going through for this deadline week. This will be the last. We're going through 2nd Readings and we'll complete our evening. So, let's try and move these. If anybody has Floor amendments on bills, please be prepared and please be ready. At this time, on Senate Bills 2nd Reading, top of page 2, Senator Sieben. 2098. Out of the record. Senator Denny Jacobs, on Senate Bill 2144. Out of the record. Senator John Jones, on 2153. Senator John Jones, on -- out of the record. Senator Brady, on 2184, sir. Senator Brady, on 2384?



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Out. Senator Petka, on Senate Bill 2188. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 2188.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

Has there been any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Petka, to the amendment, sir.

SENATOR PETKA:

Thank you, Mr. President, Members of the Senate. Floor Amendment No. 2 represented language that was requested by the Illinois State Police in the administration of this Act. It also provides for a fee increase in connection with the licensing procedures that were authorized under this Act, and I would urge its adoption.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Petka moves the adoption of Amendment No. 2 to Senate Bill 2188. 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 further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Senator Harmon, on 2198. Senator Don Harmon. Out of the record. Senator Harmon, on Senate Bill 2200. Out of the record Senator Obama, on 2269, sir. 2269. Out of the record. Senator Haine, on 2271. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 2271.

(Secretary reads title of bill)

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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?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Senator del Valle. Out of the record. Senator Trotter. 2366. Senator Donne Trotter. Out of the record. Senate -- Senator Walsh, on 2416, sir. Out of the record. Senator Terry Link, on 2553, sir. Out of the record. Senator Kirk Dillard, on 2607. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 2607.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Judiciary adopted Committee Amendment No. 2.

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. 2610. Senator Obama. There's a -- we've been notified there's been a fiscal note filed, sir. Continuing on Senate Bills 2nd Reading, on the top of page 3. Senator Harmon, on 2612, sir. Out of the record. Senator Haine, on 2614, sir. Senator Haine, on 2614. Out of the record. Senator Pat Welch, on 2619, sir. Out of the record. Senator Schoenberg, on 2724, sir. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 2724.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

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Has there been any Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Senator Crotty, on 2791, ma'am. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 2791.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Judiciary adopted Committee Amendments 1 and 2.

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 Hendon, on 2800. Senator Rickey Hendon, on Senate Bill 2800. Out of the record. Senator Collins, on 2806. Senator Collins, on 2806. Senator Winkel, on 2858. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 2858.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

Has there been any Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Senator Burzynski, on 2863. Out of the record. Senator Burzynski on 2864, sir. Out of the record. Senator Munoz, on 2890. Out of the record. Senator Martinez, on 2895. Out of the record. Senator Risinger, on 2904. Out of the record. Senator Terry Link, on 2905, sir. Out of the

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record. Senator Maloney, on 2907. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 2907.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

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 Senate Bills 2nd Reading on the top of page 4. On the top of page 4, Senator John Cullerton, on Senate Bill 2921. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 2921.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Senator Halvorson, on 2937. Out of the record. Senator Harmon, on 3108, sir. Out of the record. Senator Hunter, Mattie Hunter, on 3148. Out of the record. Senator Silverstein, on 3174. Madam Secretary -- Senator Silverstein, I'm sorry, on 3166. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 3166.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Senator Silverstein, on 3174. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 3174.

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(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Leave of the Body, we'll skip 3175. Senator Syverson, on 3310. Messages from the House.

SECRETARY HAWKER:

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

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

House Bills 3989, 4022, 4176, 4263, 4266, 4310, 4452, 4560, 4610, 6574, 6740, 6841.

All passed the House, March 25, 2004.

PRESIDING OFFICER: (SENATOR DeLEO)

Committee Reports.

SECRETARY HAWKER:

The following correction was made on the report from the Senate Rules Committee, which on March 25, 2004, referred House Bill -- pardon me, House Bill 383 to the Committee on Insurance and Pensions, but which should have referred House Bill 393 to the Committee on Insurance and Pensions.

PRESIDING OFFICER: (SENATOR DeLEO)

Ladies and Gentlemen, that completes our substance agenda for today. The Senate will stay open -- the -- the -- I'm sorry. Madam Secretary. President Jones, for what purpose do you rise, sir?

SENATOR E. JONES:

Yeah. Thank you, Mr. President. We worked ten hours today and -- just like the House, but we -- there will be a bill in to provide overtime pay for legislators. But we worked today so that we would not have to be in so long tomorrow. So when we adjourn today, I know we'll be coming back at 9 a.m. tomorrow to go back to 3rd Reading. But we did accomplish quite a bit today, and we want to thank the Minority Leader for providing food for all of us. And tomorrow when we come in -- and Ira Silverstein equally as well. But when we come in tomorrow, we'll

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go back to 3rd Reading, and hopefully if we work diligently, we'll be out of here at a reasonable time.

PRESIDING OFFICER: (SENATOR DeLEO)

Ladies and Gentlemen, that completes the business of the day. There being no further business to come before the Senate, the Senate stands adjourned until the hour of 9 a.m. on Friday, March 26th, the year 2004. The Senate stands adjourned.