

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

177th Legislative Day

11/19/2008

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PRESIDING OFFICER: (SENATOR LINK)

The regular Session of the 95th General Assembly will please come to order. Will the Members please be at their desk? Will our guests in the galleries please rise? The invocation today will be given by Bishop G.E. Livingston, Life Changers Church of Decatur, Decatur, Illinois.

BISHOP G.E. LIVINGSTON:

(Prayer by Bishop G.E. Livingston)

PRESIDING OFFICER: (SENATOR LINK)

Please remain standing for the Pledge Allegiance. Senator Maloney.

SENATOR MALONEY:

(Pledge of Allegiance, led by Senator Maloney)

PRESIDING OFFICER: (SENATOR LINK)

Madam Secretary, Reading and Approval of the Journal.

SECRETARY SHIPLEY:

Senate Journals of November 13th and 14th, 2008.

PRESIDING OFFICER: (SENATOR LINK)

Senator Hunter.

SENATOR HUNTER:

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

PRESIDING OFFICER: (SENATOR LINK)

Senator Hunter moves to approve the Journal just read by the Secretary. There being no objection, so ordered. Will all Members at the sound of my voice please come to the Floor? We will be going to final action. All Members at the sound of my voice, please come to the Floor immediately. We will be going

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to final action. Madam Secretary, Resolutions.

SECRETARY SHIPLEY:

Senate Resolution 924, offered by Senator Haine and all Members.

Senate Resolution 925, offered by Senator Koehler and all Members.

And Senate Resolutions 926 through 928, offered by Senator Forby and all Members.

They're all death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

Madam Secretary, Consent Calendar.

SECRETARY SHIPLEY:

And Senate Resolution 929, offered by Senator Hendon. It is substantive.

PRESIDING OFFICER: (SENATOR LINK)

Madam Secretary, Introduction of Bills.

SECRETARY SHIPLEY:

Senate Bill 3076, offered by Senator Althoff.

(Secretary reads title of bill)

And Senate Bill 3077, offered by Senator Trotter.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR LINK)

Craig Cheatham of Channel 4 seeks permission to film proceedings. Seeing no objection, permission is granted. Blake Wood of WCIA seeks permission to videotape proceedings. Seeing no objection, permission is granted. The -- the Associated Press requests permission to take photos. Seeing no objection, permission is granted. Will all Members at the sound of my

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voice please come to the Floor for final action? All Members at the sound of my voice, please come to the Floor for final action. Now on the -- now on the motions of -- Secretary's Desk, Concurrence of Senate Bills. Page 6 of your Calendar. Senate Bill 1415. Senator Clayborne. Senate Bill... Out of the record. Senate Bill 2860. Senate Bill 2860. Senator Hunter. Madam Secretary, on the Order of Concurrence -- Madam Secretary, please read the motion.

SECRETARY SHIPLEY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 2860.

Filed by Senator Mattie Hunter.

PRESIDING OFFICER: (SENATOR LINK)

Could we keep the noise down a little bit? Cut the conversations down, please. People, please. Thank you. Senator Hunter, to explain your motion.

SENATOR HUNTER:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 2860, House Amendment 1 basically amends the Mercury-added Production {sic} (Product) Prohibition Act -- Prohibition Act, focusing on cosmetics, toiletries, or fragrances. And basically, what this amendment does, it deletes and -- it deletes all and becomes the bill. And the amendment retains the bill, rather. And -- and this amendment adds language to amend the Lead Poisoning Prevention Act to require warning labels on certain children's products containing lead be placed on all toys. This Chamber passed this bill earlier this year 57 to 0. The proponents of this bill is the Illinois EPA and the Office of the Illinois Attorney General. And I'll take

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questions.

PRESIDING OFFICER: (SENATOR LINK)

Senator Frerichs, for what purpose do you rise?

SENATOR FRERICHS:

A question of the speaker, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

She indicates she will yield.

SENATOR FRERICHS:

Yes. I have been contacted by a constituent, a manufacturer of a remote-control helicopter, who he -- tells me there is a component part, there is a pivot screw -- a pinion screw that has to be milled inside this helicopter. It is not accessible to children. It's a product that is for -- rated for kids fourteen and up. Can't get inside. The only way to be able to mill that -- that gear inside is by having a small amount of lead inside. Do you believe a product like that would be covered by this or would there have to be a warning?

PRESIDING OFFICER: (SENATOR LINK)

Senator Hunter.

SENATOR HUNTER:

It's exempted. This bill focuses on children twelve and under, Senator, not above twelve. And you indicated fourteen years old -- children, right?

PRESIDING OFFICER: (SENATOR LINK)

Senator Frerichs.

SENATOR FRERICHS:

My constituent indicated to me that it's rated for kids fourteen and up, but that it was tested, I believe, for eight and up. So it might apply for that reason. But there is some

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question as to whether or not -- it being a component part and electronic -- and a piece of electronics whether it'd be covered by this bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Hunter.

SENATOR HUNTER:

They're not covered under this legislation - electronics, Senator. They're exempt from this bill. You're welcome.

PRESIDING OFFICER: (SENATOR LINK)

Senator Pankau.

SENATOR PANKAU:

Thank you, Mr. President. To the -- to the sponsor.

PRESIDING OFFICER: (SENATOR LINK)

She indicates she will yield.

SENATOR PANKAU:

Senator, could you bring us up to date as to what the federal government has done this year as far as lead in toys and where -- where that all sits on a federal level?

PRESIDING OFFICER: (SENATOR LINK)

Senator Hunter.

SENATOR HUNTER:

Yes. Thank you, Senator. The federal bill has no labeling requirements whatsoever. It basically sets limits on the amount of lead in children's products, but it does not focus anything dealing with labeling.

PRESIDING OFFICER: (SENATOR LINK)

Senator Pankau.

SENATOR PANKAU:

And -- and so your bill would add this additional component

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of the labeling portion of it, equal to -- I mean, the same labeling that the federal government would require if it required a label? The same standards?

PRESIDING OFFICER: (SENATOR LINK)

Senator Hunter.

SENATOR HUNTER:

Yes, Senator. This is basically a disclosure bill to parents and grandparents and other persons who would purchase toys for their children and grandchildren.

PRESIDING OFFICER: (SENATOR LINK)

Senator Pankau.

SENATOR PANKAU:

And I would like the -- I'd like to thank the sponsor. She pulled this out of -- she did not call it last week when she could have called it so that -- there were some questions that a couple of us had concerning the bill. And I thank you very much for doing that. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

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

PRESIDING OFFICER: (SENATOR LINK)

Sponsor indicates she will yield.

SENATOR LUECHTEFELD:

Senator, a -- a number of -- of small stores that sell toys have contacted me in my district and -- and they basically said, you know, the federal government has come along and -- and -- and made changes that almost mirror what you -- you're wanting

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to do. And they feel that this just adds -- adds an extra burden, especially for the small stores. And I guess I would ask you, would there be any chance of maybe trying to simply amend this to go along with what the feds do? Wouldn't that work, if we would just simply mirror what the -- the federal government has done since your bill passed?

PRESIDING OFFICER: (SENATOR LINK)

Senator Hunter.

SENATOR HUNTER:

No, Senator. I cannot amend it because the feds does not preempt this bill. I don't -- I don't understand why small toy companies are -- are so concerned and so afraid of this bill. Basically all it is doing is disclosing to you, myself and other persons who would purchase toys. Wouldn't you all want to know the lead content level in toys that your children and your grandchildren are -- are -- are playing with? And these kids are putting these -- putting these in their -- different items, such as -- as this, in their mouth. They're swallowing it and they're contaminating their bodies. There's a child in Decatur that actually died on something just like this, you know, because -- and it's filled with lead. And we must protect our children and we must protect our children now.

PRESIDING OFFICER: (SENATOR LINK)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

But, Senator, wouldn't the federal law get rid of that toy you just -- you just held up?

PRESIDING OFFICER: (SENATOR LINK)

Senator Hunter.

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SENATOR HUNTER:

No, they would not. No, they would not. No, they would not.

PRESIDING OFFICER: (SENATOR LINK)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Certainly, Senator, no one in this room wants to do anything that would hurt kids. I guess -- I -- I guess my concern is that these people in the small stores claim that there will be a lot more work for them to do as far as labeling is concerned. And -- and I -- and I -- and I do question, don't -- I can't hardly believe that the feds don't require that. This -- the federal -- law does not require labeling? I think it does, Senator.

PRESIDING OFFICER: (SENATOR LINK)

Senator Hunter.

SENATOR HUNTER:

The only thing that the -- the only thing that the feds were really concerned about is -- well, the -- the fed bill has no labeling requirements. That's our bill. Okay? The feds, they basically wanted to regulate the lead -- the level of lead in toys. So -- so one bill is a regulation and the other one is a disclosure bill. And so, yes, it may cost a few extra dollars to put a label on toys.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR LINK)

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Sponsor indicates she will.

SENATOR RIGHTER:

Thank you, Mr. President. Senator Hunter, I just want to follow up just briefly on the conversation that you were having with Senator Luechtefeld. Now, it is my understanding that this language passed the House, I think, about 105 to 1. But since that -- since the House passed it then, the United States Congress then passed its legislation and the rules are being promulgated on that federal legislation. But the core of that - - of that federal legislation - and correct me if I'm wrong, Senator - is that any toy that is found to have a lead concentration of ninety parts per million or more won't be labeled - it'll just be outright banned. Is that your understanding of what the federal law will require?

PRESIDING OFFICER: (SENATOR LINK)

Senator Hunter.

SENATOR HUNTER:

Yes. That's correct.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

SENATOR RIGHTER:

Based on that, Senator Hunter, and -- and I hope what is the recognition that a -- a comprehensive federal regulatory scheme on these issues, particularly when we talk about issues of interstate commerce, and not all the toys that are sold in Illinois are manufactured in Illinois, what do you see as significant about the difference between forty and ninety that leads you to believe that we need to move forward with our own labeling requirement?

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PRESIDING OFFICER: (SENATOR LINK)

Senator Hunter.

SENATOR HUNTER:

The difference, in my opinion, Senator, is disclosure. It is not being disclosed what the content levels are, nor -- and - - and it would be disclosed if there was a label placed on the toys. The federal -- federal government is basically, Senator, regulating. They are not disclosing. They're not concerned with disclosing.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

SENATOR RIGHTER:

Thank you, Senator Hunter. And I -- and I do, I -- I appreciate that. I also think we should recognize sometimes, though, the chaos that can be created by putting labels on things that, quite frankly, say scary things and the problems that can cause for maybe toys that wouldn't fall under that mantra or for retailers or manufacturers who say, you know what, we're just not going to sell toys at all that have these labels and the effect that'll have. But I want to ask another question, Senator, and that is, specifically tell me what you know about the difference between the level set in your legislation, which is forty parts per million, and what is set forth in the federal legislation, which is ninety parts per million. I mean, what's the critical distinction between those two?

PRESIDING OFFICER: (SENATOR LINK)

Senator Hunter.

SENATOR HUNTER:

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I don't have that answer for you, Senator.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

SENATOR RIGHTER:

...the bill, if I might, Mr. President. Thank you. Ladies and Gentlemen of the Senate, I don't believe there is anyone in this Chamber, nor anyone in the House Chamber, who would disagree with the notion that the toys that we put on the shelves for families to buy should be safe. Now, we need to dig a little deeper into the issue than just that. As we talked about, the House of Representatives passed this language before the United States Congress and the President acted. And right now we have in place in the United States a federal law that says if there is any toy that has greater than ninety parts per million in lead that we will simply not allow it to be sold. Now, I appreciate Senator Hunter, her honesty in answering these questions, but I think that the approach to say, if it is unsafe, we will not allow it to be sold, is better than to say, you know, if we think it might be unsafe, we're going to slap this label on it and kind of let the parents figure it out. I think that the federal model is clearly better. Having said that, I know that Senator Hunter and the people she has worked with on this have worked very hard. They've listened to the arguments on both sides. What I hope happens -- since this labeling requirement in Senator Hunter's bill does not start until January of 2010, that gives us over thirteen months to find out what the Congress is going to do with their rule implementation. And hopefully, in the end, we'll have a cohesive system here in Illinois and across the country that

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best provides for the safety of the children and clarity for the parents. Based on that, Senator Hunter, I'm going to support your legislation because I think you are moving in the right direction, but hope that in the next thirteen months we can revisit some of these details. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

Senator Harmon.

SENATOR HARMON:

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

PRESIDING OFFICER: (SENATOR LINK)

The sponsor indicates she will yield.

SENATOR HARMON:

Thank you, Mr. President. Senator, I just wanted to follow up with a couple of questions, because there was -- some of the questions raised, about the federal legislation in particular, I want to make sure that we all have straight answers. As I understand it, the -- from -- from the earlier comments, the federal standard is ninety parts per million and the standard in -- in our bill is forty parts per million. My understanding also is that comes from the recommendation of the American Academy of Pediatrics. Is that correct?

PRESIDING OFFICER: (SENATOR LINK)

Senator Hunter.

SENATOR HUNTER:

That's true.

PRESIDING OFFICER: (SENATOR LINK)

Senator Harmon.

SENATOR HARMON:

Thank you. And to -- to the interplay of our State

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legislation and the federal legislation, it's my understanding that the lower limit will be enforced in Illinois. We are not preempted by the federal law. And as you have said, I -- very clearly, but I want to make sure folks understand it, the key difference is that we are imposing a labeling requirement here to disclose to parents with small children, like me, that a product we may be buying and our children may be putting in their mouths could be dangerous. Is that a fair summary?

PRESIDING OFFICER: (SENATOR LINK)

Senator Hunter.

SENATOR HUNTER:

You are correct, Senator.

PRESIDING OFFICER: (SENATOR LINK)

Senator Harmon.

SENATOR HARMON:

Then -- then, to the bill, Mr. President: I appreciate the -- the Senator's hard work. Thank you for clarifying those couple of questions for me. And I urge all of us to vote Aye.

PRESIDING OFFICER: (SENATOR LINK)

Senator Frerichs, for a second time.

SENATOR FRERICHS:

Thank you, Mr. President. I realize that I should have asked my question previously. I have one further question of the -- of the sponsor. There is language in this bill about painted toys. Is it your understanding that the painted toys is referring to the actual paint around -- or all components? Once again, my concern is this particular manufacturer in my district who is -- who sells -- labeling or putting a warning on there will prohibit him from selling at Walmart and Target and would

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be a big hindrance on his ability to market. Whereas, we think that one little part that has lead inside it is not really the danger, but perhaps the -- the paint is. Do you have an understanding of whether it applies to every part of that toy or just the exterior paint?

PRESIDING OFFICER: (SENATOR LINK)

The sponsor indicates she will yield. Senator Hunter.

SENATOR HUNTER:

It is my understanding it is the paint that has the lead in it.

PRESIDING OFFICER: (SENATOR LINK)

Senator Hunter, to close.

SENATOR HUNTER:

Thank you, Mr. President. Ladies and Gentlemen of this Body, this bill would require manufacturers and importers to include a warning label - simply a warning label - on three categories of children's products if they contain more than forty parts per million in lead, which is the level recommended by the American Academy of Pediatrics. This bill needs to pass because we need to do something -- we need to do everything we can to reduce the number of children impacted by lead poisoning. Since 1998, over one hundred and fifty-seven million units of children's jewelry and toys have been recalled because of excess lead levels. The toy industry staunchly opposes this bill and has done their best to try to confuse the issue and distract you from this task at hand. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR LINK)

This is final action. The question is, shall the Senate concur on House Amendment 1 to Senate Bill 2860. All those in

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favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 48 Ayes, no Nays, none voting Present. The Senate concurs on House Amendment 1 to Senate Bill 2860 -- having received the required constitutional majority, is declared passed. Catie Sheehan of WICS seeks permission to videotape. Seeing no objection, permission is granted. The Rules Committee will meet immediately in the President's Anteroom. Rules Committee will meet immediately in the President's Anteroom. Senator Martinez in the Chair.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR MARTINEZ)

Senator Link back in the Chair.

PRESIDING OFFICER: (SENATOR LINK)

Senator Wilhelmi, for what purpose do you rise?

SENATOR WILHELMI:

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

PRESIDING OFFICER: (SENATOR LINK)

State your point.

SENATOR WILHELMI:

Thank you. Ladies and Gentlemen of the Senate, I'm very happy to have two friends and guests here with us in Springfield. In the President's Gallery, we have Bret and Sharon Mitchell. Bret is an architect back in Joliet, and he happens to be spending his birthday with us today. So I'd like to give him a warm Springfield welcome, along with his wife,

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Brenda {sic}.

PRESIDING OFFICER: (SENATOR LINK)

Will the Senate please give 'em a warm welcome? And happy birthday. Senator Hultgren, for what purpose do you rise?

SENATOR HULTGREN:

Point of personal privilege, please.

PRESIDING OFFICER: (SENATOR LINK)

State your point.

SENATOR HULTGREN:

Thanks, Mr. President. I'm pleased to have a Page with me today. He traveled a long ways, came all the way from just outside of Boulder, Colorado, to be a Page here today. Nick Gazit is a fifth grader out there in Colorado. And I'm very honored to have him helping me today. And also his mom and aunt are up in the President's Gallery, just above the President's seat there. So I'd ask for a warm welcome from my colleagues here in the Senate.

PRESIDING OFFICER: (SENATOR LINK)

Will the Illinois Senate please welcome our guests from Colorado? Madam Secretary, Committee Reports.

SECRETARY SHIPLEY:

Senator Hendon, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to Executive Committee - House Bill -- 4758, House Bill 5898 and Senate Bill 2241; refer to Financial Institutions Committee - Floor Amendment No. 4 to House Bill 2973; refer to Judiciary-Criminal Law Committee - Committee Amendment No. 1 to House Bill 5032 and Committee Amendment No. 1 to House -- House Bill 4613; refer to Pensions and Investments Committee - House Bill 2047;

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refer to Revenue Committee - House Bill 5730; and Be Approved for Consideration - Senate Bill 2520, 2558, House Bill 5151, House Bill 29 and House Bill 4890.

Senator Rickey Hendon, Chairman. November 19th, 2008.

And a second Rules Report.

Senator Hendon, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to Appropriations III Committee - Floor Amendment No. 2 to House Bill 5151; refer to Education Committee - Floor Amendment No. 1 to House Bill 4890; refer to Executive Committee - Floor Amendment No. 5 to House Bill 29 and Committee Amendment No. 2 to House Bill 4758; refer to Pensions and Investments Committee - a Motion to Concur with House Amendments 1 and 3 and 4 to Senate Bill 2520; refer to State Government and Veterans Affairs - a Motion to Concur with House Amendment No. 1 to Senate Bill 2558.

Senator Rickey Hendon, Chairman. November 19th, 2008.

PRESIDING OFFICER: (SENATOR LINK)

Senator -- Senator Sullivan, for what purpose do you rise?

SENATOR SULLIVAN:

Mr. President, Ladies and Gentlemen of the Senate, I move to waive all posting requirements so that House Bill 4758 can be heard in the Senate Committee on -- Executive Committee on November 19th, 2008.

PRESIDING OFFICER: (SENATOR LINK)

Senator Sullivan moves to waive all posting requirements so that House Bill 4758 can be heard in Senate Committee of -- on Executive on November 19th, 2008. All in favor, say Aye. Opposed, Nay. The Ayes have it. The motion is approved.

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Senator Raoul, for what purpose do you rise?

SENATOR RAOUL:

Mr. President, I rise to -- move to waive all posting requirements so that House Bill 2047 can be heard in the Senate Committee on Pensions and Investment on November 19th, 2008.

PRESIDING OFFICER: (SENATOR LINK)

Senator Raoul moves to waive all posting requirements so that House Bill 2047 can be heard in Senate Committee on Pensions and Investment on November 19th, 2008. All in favor, say Aye. Opposed, Nay. The Ayes have it, and the motion is approved. Senator Noland, for what purpose do you rise?

SENATOR NOLAND:

Thank you, Mr. Chairman. A little rookie mistake there. Please forgive me. Asking that House Bill -- that the posting requirements be waived so that House Bill 5730 could be heard in the Revenue Committee here this afternoon. All right. Thank you, Mr. Chairman, for the opportunity to state the date that this would be heard, which would be November 19th, year 2008.

PRESIDING OFFICER: (SENATOR LINK)

Senator Noland moves to waive all posting requirements on House Bill 5730 -- can be heard in the Senate Committee on Revenue on November 19th, 2008. Senator Righter, for what purpose do you rise?

SENATOR RIGHTER:

Thank you, Mr. President. Inquiry of the Chair. It was our...

PRESIDING OFFICER: (SENATOR LINK)

State your inquiry.

SENATOR RIGHTER:

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Thank you. It was our understanding that we did have an agreement with regards to the horseracing legislation that was the first bill on which we waived the posting requirements. I am unaware -- we are unaware of an agreement to waive the posting requirements for either of the bill that Senator Raoul referred to or Senator Noland referred to. And obviously this is not aimed at their legislation, nor the sponsors at all. We're just not familiar with there -- that there is some agreement on those latter two bills. Do you have contrary information, Mr. President?

PRESIDING OFFICER: (SENATOR LINK)

The only thing I could say, Senator Righter, I -- I know of no agreement whatsoever. But if you want a roll call on this particular one - we already passed the last one - we'll be more than happy to have a roll call, or if you just want to do on a voice. ...Righter.

SENATOR RIGHTER:

Well, thank you, Mr. President. And I don't think that our side of the aisle wishes to voice a substantive objection. We just hope that -- I know we're in a rush here and we're trying to get everything done really fast so we can all go to dinner, but if we can just make sure that both sides are informed when we want to do things like that, I think you'd make everything go a little easier. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

To continue on, all those in favor, say Aye. Opposed, Nay. The Ayes have it. And the motion is adopted. I'm going to state this once - committee times. A reminder: Education and Licensed Activity is at 1 p.m. At 2 p.m. is Judiciary-Civil

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Law. At 2:30 is Judiciary-Criminal Law and Transportation. New committees: 3 p.m. - Pension and Investments in Room 400. At 3:30, Environment and Energy in 212. At 4 p.m., Executive in 212, Revenue in 400, and State Government in 409. At 4:45 -- or, at 4:30 is Appropriations III in 212 and Financial Institutions in 400. At 4:45 is Education at -- in Room 212. And at 9 a.m. tomorrow is Executive Appointments in 212. I hope everybody got that. Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

Yes. For a -- a personal privilege.

PRESIDING OFFICER: (SENATOR LINK)

...your point.

SENATOR DEMUZIO:

Yes. In the President's Gallery today, we have a -- students from SIUE that are visiting for the first time here. They're a political science class. Their instructor is Carly Hayden Foster. And I would like to have all of you give our students a nice warm welcome. Would you stand, please?

PRESIDING OFFICER: (SENATOR LINK)

Will the Senate please welcome our guests? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. Inquiry of the Chair.

PRESIDING OFFICER: (SENATOR LINK)

State your inquiry.

SENATOR BURZYNSKI:

Thank you. Mr. President, when you were reading the committee meeting notices, I noticed that at 1 o'clock there's

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an Education Committee, and at 4:45 I believe you read Education again. But yet, I -- I didn't know whether that was an error. Because I'm looking here at the Rules Committee Report and I didn't see a bill reported out to Education on the Rules Committee Report, so I didn't know that there would be a need for an additional posting.

PRESIDING OFFICER: (SENATOR LINK)

There's a Floor amendment that came out assigned to Education Committee. You might be looking at the first report. There's two reports, Senator Burzynski. Senator Risinger.

SENATOR RISINGER:

Thank you, Mr. President. The Senate Republicans would like to have a fifteen-minute caucus in Leader Watson's Office prior to going to committees.

PRESIDING OFFICER: (SENATOR LINK)

That will be in order immediately upon recess. The Senate will stand in recess to the call of the Chair. After committees, the Senate will reconvene for further Floor action. The Senate stands in recess to the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR LINK)

...Secretary, Messages.

SECRETARY SHIPLEY:

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

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

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Senate Bill 620

Together with the following amendments which are attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Amendment No. 2 to Senate Bill 620 and House Amendment No. 5 to Senate Bill 620.

We've received like Messages on Senate Bill 934, with House Amendments 1, 2 and 3; Senate Bill 1511, with House Amendments 1 and 3; Senate Bill 1529, with House Amendments 1 and 3; Senate Bill 2454 -- I'm sorry, 2452, with House Amendment No. 1; Senate Bill 2562, with House Amendments 1 and 3; and Senate Bill 2824, with House Amendment No. 2.

All passed the House, as amended, November 19th, 2008. Mark Mahoney, Clerk of the House.

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

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to concur with the Senate in the adoption of their amendment to a bill of the following title, to wit:

House Bill 4249

Which amendments are as follows:

Senate Amendment No. 2 to House Bill 4249 and Senate Amendment No. 3 to House Bill 4249.

Nonconcurrent in by the House, November 19th, 2008. Mark Mahoney, Clerk of the House.

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

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to concur with the

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Senate in the adoption of their amendment to a bill of the following title, to wit:

House Bill 4374

Which amendment is as follows:

Senate Amendment No. 1 to House Bill 4374.

Nonconcurrent in -- in -- in by the House, November 19th, 2008.
Mark Mahoney, Clerk of the House.

PRESIDING OFFICER: (SENATOR LINK)

Will all Senators at the sound of my voice please come to the Floor for immediate action. All Senators at the sound of my voice, please come to the Floor immediately for immediate Floor action. Thank you. Madam Secretary, Messages. Madam Secretary, Committee Reports.

SECRETARY SHIPLEY:

Senator Lightford, Chairperson of the Committee on Education, reports Senate Joint Resolution 109 Be Adopted; and Senate Resolution 923 Be Adopted; and Senate Amendment No. 1 to House Bill 4890 recommend Do Adopt.

Senator Delgado, Chairperson of the Committee on Licensed Activities, reports House Bill 4845 Do Pass.

Senator Cullerton, Co-Chairperson, and Senator Dillard, Co-Chairperson of the Committee on Judiciary-Civil Law, reports House Bill 4119 Do Pass.

Senator Munoz, Chairperson of the Committee on Transportation, reports House Bill 4861 Do Pass.

Senator Wilhelmi, Chairperson of the Committee on Judiciary-Criminal Law, reports House Bills 4613 and 5032 Do Pass, as Amended.

Senator Raoul, Chairperson of the Committee on Pensions and

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Investments, reports House Bill 2047 Do Pass; and a Motion to Concur with House Amendments 1, 3 and 4 to Senate Bill 2520 recommend Do Adopt.

Senator Clayborne, Chairperson of the Committee on Environment and Energy, reports a Motion to Concur with House Amendments 2, 4 and 5 to Senate Bill 1987 recommend Do Adopt.

Senator Silverstein, Chairperson of the Committee on Executive, reports House Bill 4758 Do Pass, as Amended; and Senate Amendment No. 5 to House Bill 29 recommend Do Adopt.

Senator Harmon, Chairperson of the Committee on Revenue, reports House Bill 5730 Do Pass.

Senator Demuzio, Chairperson of the Committee on State Government and Veterans Affairs, reports a Motion to Concur with House Amendment No. 1 to Senate Bill 2558 recommend Do Adopt.

And Senator Hunter, Chairperson of the Committee on Appropriations III, reports Senate Amendment No. 2 to House Bill 5151 recommend Do Adopt.

PRESIDING OFFICER: (SENATOR LINK)

Senator DeLeo in the Chair.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, we're going to Senate Calendar, Supplemental Calendar No. 1. It's been copied and distributed on all Members' desks. We're going to -- in the middle of Supplemental Calendar No. 1 is House Bills -- House Bills 2nd Reading. House Bills 2nd Reading. House Bill 2047. Senator Link, do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, read the gentleman's bill.

SECRETARY SHIPLEY:

House Bill 2047.

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(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. House Bill 4119. Senator Frerichs. Gentleman indicates he wishes to proceed. Madam Secretary, read the gentleman's bill.

SECRETARY SHIPLEY:

House Bill 4119.

(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 Link in the Chair.

PRESIDING OFFICER: (SENATOR LINK)

House Bill 4613. Senator Martinez. Senator Martinez. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

House Bill -- 4613.

(Secretary reads title of bill)

The Committee on Judiciary-Criminal Law adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR LINK)

Have there been any other Floor -- have there been any Floor amendments approved for consideration?

SECRETARY SHIPLEY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. House Bill 4758. Senator Sullivan. Madam

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Secretary, please read the bill.

SECRETARY SHIPLEY:

House Bill 4758.

(Secretary reads title of bill)

The Committee on Executive adopted Committee Amendment No. 2
{sic} (1 & 2).

PRESIDING OFFICER: (SENATOR LINK)

Have there been any Floor amendments approved for
consideration?

SECRETARY SHIPLEY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. With leave of the Body, we'll come back to
House Bill 4845. House Bill 4861. Senator Maloney. Madam
Secretary, please read the bill.

SECRETARY SHIPLEY:

House Bill 4861.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR LINK)

Have there been any Floor amendments for -- approved for
consideration?

SECRETARY SHIPLEY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. House Bill 5032. Senator Raoul. With leave
of the Body, we'll come back to House Bill 5032. House Bill
5730. Senator Noland. Madam Secretary, please read the bill.

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SECRETARY SHIPLEY:

House Bill 5730.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR LINK)

Have there been any -- any Floor amendments approved for consideration?

SECRETARY SHIPLEY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. President Jones, for what reason do you request...

SENATOR E. JONES:

Yes. Thank you, Mr. President. Just for a point of information for the Members. It is our intent to conclude our business tomorrow and adjourn Session until January. So whatever arrangements Members have to make, they should go right ahead. But it's our intent to conclude business for this portion of the Session tomorrow.

PRESIDING OFFICER: (SENATOR LINK)

With leave of the Body, we'll go back to House Bill 4845. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

House Bill 4845.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR LINK)

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Have there been any Floor amendments approved for consideration?

SECRETARY SHIPLEY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. House Bill 5032. Senator Raoul. Madam Secretary, please read the bill.

SECRETARY SHIPLEY:

House Bill 5032.

(Secretary reads title of bill)

The Committee on Judiciary-Criminal Law adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR LINK)

Have there been any Floor amendments approved for consideration?

SECRETARY SHIPLEY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. There being no further business to come before the Senate, the Senate stands adjourned until the hour of 10 a.m. on Thursday, November 20th, 2008. The Senate stands adjourned.