

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

| | | |
|--------|----------------|-----|
| HB0185 | First Reading | 2 |
| HB1338 | First Reading | 2 |
| HB2202 | First Reading | 2 |
| HB2257 | First Reading | 2 |
| HB2486 | First Reading | 2 |
| HB2660 | Postponed | 58 |
| | Consideration | |
| HB3231 | First Reading | 2 |
| SB0908 | Third Reading | 3 |
| SB0915 | Third Reading | 10 |
| SB0974 | Vote Intention | 15 |
| SB0974 | Third Reading | 13 |
| SB0977 | Third Reading | 14 |
| SB1003 | Third Reading | 15 |
| SB1035 | Third Reading | 18 |
| SB1045 | Third Reading | 33 |
| SB1045 | Out Of Record | 34 |
| SB1049 | Third Reading | 34 |
| SB1053 | Third Reading | 44 |
| SB1054 | Recalled | 45 |
| SB1054 | Third Reading | 46 |
| SB1056 | Third Reading | 46 |
| SB1064 | Third Reading | 47 |
| SB1067 | Third Reading | 48 |
| SB1069 | Third Reading | 49 |
| SB1070 | Out Of Record | 58 |
| SB1070 | Third Reading | 51 |
| SB1073 | Third Reading | 63 |
| SB1074 | Third Reading | 65 |
| SB1079 | Third Reading | 67 |
| SB1081 | Third Reading | 69 |
| SB1095 | Third Reading | 73 |
| SB1098 | Third Reading | 74 |
| SB1102 | Third Reading | 75 |
| SB1105 | Third Reading | 75 |
| SB1108 | Third Reading | 88 |
| SB1109 | Third Reading | 90 |
| SB1122 | Third Reading | 96 |
| SB1126 | Third Reading | 97 |
| SB1127 | Third Reading | 97 |
| SB1150 | Third Reading | 98 |
| SB1190 | Third Reading | 99 |
| SB1193 | Third Reading | 104 |
| SB1198 | Third Reading | 106 |
| SB1200 | Third Reading | 132 |
| SB1207 | Third Reading | 109 |
| SB1331 | Out Of Record | 110 |
| SB1331 | Third Reading | 110 |
| SB1332 | Third Reading | 110 |
| SB1335 | Third Reading | 111 |
| SB1360 | Third Reading | 112 |
| SB1379 | Third Reading | 116 |
| SB1380 | Third Reading | 117 |
| SB1402 | Third Reading | 122 |
| SB1404 | Third Reading | 125 |
| SB1414 | Third Reading | 126 |
| SB1414 | Out Of Record | 129 |

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

| | | |
|--------------------------------------|--------------------|-----|
| SB1416 | Third Reading | 129 |
| SB1417 | Third Reading | 134 |
| SB1417 | Out Of Record | 137 |
| SB1440 | Third Reading | 137 |
| SB1441 | Third Reading | 138 |
| SB1474 | Third Reading | 139 |
| SB1474 | Out Of Record | 142 |
| SB1497 | Third Reading | 142 |
| SB1506 | Out Of Record | 144 |
| SB1506 | Third Reading | 143 |
| SB1510 | Third Reading | 144 |
| SB1510 | Out Of Record | 146 |
| SR0110 | Resolution Offered | 1 |
| SR0111 | Resolution Offered | 1 |
| SR0112 | Resolution Offered | 146 |
| SR0113 | Resolution Offered | 146 |
| SJR0030 | Resolution Offered | 147 |
| SJR0030 | Adopted | 147 |
| | | |
| Senate to Order-Senator DeLeo | | 1 |
| Prayer-The Reverend Donald Pritchard | | 1 |
| Pledge of Allegiance | | 1 |
| Journals-Postponed | | 1 |
| Messages from the House | | 2 |
| Message for the Governor | | 2 |
| Messages from the President | | 42 |
| Message from the President | | 146 |
| Resolutions Consent Calendar-Adopted | | 146 |
| Adjournment | | 148 |

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

PRESIDING OFFICER: (SENATOR DeLEO)

The regular Session of the 93rd General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the gallery please rise? The invocation today will be given by Reverend Donald Pritchard of Zion Lutheran Church, Pleasant Plains, Illinois. Reverend Pritchard.

THE REVEREND DONALD PRITCHARD:

(Prayer by The Reverend Donald Pritchard)

PRESIDING OFFICER: (SENATOR DeLEO)

Please remain standing for the Pledge of Allegiance. Senator Link, to lead us in the Pledge.

SENATOR LINK:

(Pledge of Allegiance, led by Senator Link)

PRESIDING OFFICER: (SENATOR DeLEO)

Please be seated. The Reading and Approval of the Journal. Senator Woolard.

SENATOR WOOLARD:

Mr. President, I move that the reading and approval of the Journals of Tuesday, March 25th; Wednesday, March 26th; Thursday, March 27th; Wednesday, April 2nd; and Thursday, April 3rd, in the year 2003, be postponed, pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Woolard moves to postpone the reading and approval of the Journal, pending the arrival of the printed transcripts. There being no objection, so ordered. Like to make an announcement. All Members please come to the Floor. We'll be immediately going to 3rd Readings. Final passage. We will be going to 3rd Readings. Final passage. Would all Members please come to the Floor? Thank you. WICS-Channel 20, in Springfield, seeks leave to photograph and videotape the proceedings. Is there any objection? Leave is granted. Madam Secretary, Resolutions.

SECRETARY HAWKER:

Senate Resolution 110, offered by Senator Emil Jones and all Member.

And Senate Resolution 111, offered by Senator Harmon and all Members.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

They're both death resolutions.

PRESIDING OFFICER: (SENATOR DeLEO)

Resolutions Consent Calendar. Madam Secretary, Messages from the House.

SECRETARY HAWKER:

A Message from the House by Mr. Rossi, 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 185, 220, 1442, 2105, 2257, 2374, 2526, 2574, 2873, 3003, 3452, 3636.

Passed the House, April 3rd, 2003.

I have a like Message with respect to House Bills 216, 1338, 2202, 2207, 2330, 2481, 2607, 2608, 2839, 2971, 2981, 3057, 3677.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, House Bills 1st Reading.

SECRETARY HAWKER:

House Bill 185, offered by Senator Shadid.

(Secretary reads title of bill)

House Bill 1338, offered by Senator Clayborne.

(Secretary reads title of bill)

House Bill 2202, offered by Senator Garrett.

(Secretary reads title of bill)

House Bill 2257, offered by Senator Demuzio.

(Secretary reads title of bill)

House Bill 2486, offered by Senator Schoenberg.

(Secretary reads title of bill)

And House Bill -- pardon me, 3231, offered by Senator Munoz.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, are there any further Messages?

SECRETARY HAWKER:

Yes. A Message for the Governor by Joseph B. Handley, Deputy Chief of Staff for Legislative Affairs, April 4th, 2003.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

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

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

Rod Blagojevich, Governor.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Senate Bills 3rd Reading. We're going to start where we left off late last night. Let's go to page 11 of the Calendar. Senate Bill 908. Senator Jacobs. Senator Denny Jacobs. Senator Jacobs, could you just hold one moment, please? Senator John Jones, for what purpose do you rise, sir?

SENATOR J. JONES:

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

PRESIDING OFFICER: (SENATOR DeLEO)

State your point.

SENATOR J. JONES:

Thank you very much. Up above me here in the President's Gallery, today we have the Salem High School Public Policy High School Initiatives Group with us today. So I would like everyone to welcome Salem High School, from Marion County, Illinois.

PRESIDING OFFICER: (SENATOR DeLEO)

Will our guests in the galleries please rise? Welcome to Springfield. Okay. Senate Bills 3rd Reading. Bottom of page 11. Senate Bill 908. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 908.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 908 deals with a -- what they call a health flex plan. The purpose of this bill when it was first introduced was to allow companies that currently can not afford

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

to have insurance policies to offer insurance policies without all of the mandates included. Since that time we have amended the bill to where -- all mandates are still included with the exception of in vitro -- fertilization, and that - we have a commitment from the sponsors - will be removed in the House. So, the bill will come back to us just dealing with copay and -- copay and -- and deductibles. It's -- it's a good bill. I don't know of any opposition to it and especially beings we've taken out the in vitro mandate and all other mandates. So, that's all it deals with at this time. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR BRADY:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he will, sir.

SENATOR BRADY:

Senator Jacobs, you -- you just went through something. To clarify, the bill as originally induced {sic} was supposed to provide small businesses with an opportunity to write a cafeteria plan that was affordable, that they could continue to provide health insurance for their employees. In committee, you amended it. That really took those waivers out, so to speak, with the exception of in vitro fertilization, but it -- it required providing it, but it allowed the employer to -- to only optionally provide it at the cost to the employee. Is that not what we passed out of committee?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs.

SENATOR JACOBS:

Yes, that's true, Senator.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Brady.

SENATOR BRADY:

As the bill is now, it simply eliminates the mandate of in vitro fertilization. What you just said though was that there's an agreement in the House that they're going to eliminate that as well?

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs.

SENATOR JACOBS:

There's an agreement of the sponsors that they will remove in vitro in the House, yes, and it will deal strictly with copays and -- and deductibles.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Brady.

SENATOR BRADY:

Who are the sponsors? You and Senator Sieben or -- 'cause there are no House sponsors.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs.

SENATOR JACOBS:

No. In this case, it's the Chamber of Commerce and -- and the groups that brought the bill to me. They have agreed to remove in vitro over in the House and have it deal just with future mandates and with the -- the -- copay and deductibles.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Brady.

SENATOR BRADY:

Senator Jacobs, I'm -- I'm sorry to belabor this, but I really don't understand. What's the intention for this piece of legislation? What's our goal here?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs.

SENATOR JACOBS:

Our -- our goal is to be able to provide employees -- or, employers an opportunity to provide their employees an insurance policy that very well may be less and cover some of the -- the things that we had talked about originally, that would allow them the opportunity to provide insurance at a more reasonable cost in order to be able to provide insurance, which now they can't afford. They feel that -- with the discussions, that if they include future mandates so it's a futuristic issue, that's another issue.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Brady.

SENATOR BRADY:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

So if I understand this, our -- our hope is to return it more back to its original state, prior to the amendment?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs.

SENATOR JACOBS:

No. This is -- and -- and this is all agreed to by the parties involved.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Brady.

SENATOR BRADY:

To the bill. Ladies and Gentlemen, I'm going to vote for this piece of legislation 'cause I trust the sponsor, but it's not at all what I had hoped for. What I had hoped for was a piece of legislation that would have helped employers provide affordable health insurance to their employees, meeting the demands of the uninsured in Illinois. I'm going to work with the sponsor. I see no reason to oppose this legislation. I simply hope that we can work and -- and provide some relief so that people who are uninsured can seek insurance and have it in the State of Illinois.

PRESIDING OFFICER: (SENATOR DeLEO)

Let me remind the Membership, this is Friday, deadline day. We will be using the timer for debate. There are seven people seeking recognition on our first bill. Let me please remind you. This is Friday, deadline. Senator Wojcik, what purpose do you rise, ma'am?

SENATOR WOJCIK:

Thank you, Mr. President. Obviously, this is a very important bill to me. I legislated in vitro fertilization some twelve-odd years ago that covers eight tries in the insurance plan. It works. There are women out there today that've -- have children because of the in vitro fertilization and I resent the fact that it's trying to be taken out again. I love the sponsor dearly and I'm not talking against you, but this is a fantastic program and it helps women who cannot have children. I happen to have been one of those and I'm fortunate to have two lovely children right now. And I'm telling you, it breaks my heart to see that it's trying to be taken out of this bill. So I would just ask for a No vote on this.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Carol Ronen, what... I'm -- I'm sorry. Senator Jacobs, to respond.

SENATOR JACOBS:

Let me respond to that, Senator. And -- and not only -- not only were you involved with that but so was John Cullerton. Senator Cullerton. And Senator Cullerton raised the question in committee. The -- the sponsors of the bill heard him and at that point they said the -- the only reason in vitro was still in there at that point was because it was one of the few quantifiable issues that they could -- could come up with a dollar amount on. Now, what they have agreed to do though - and maybe you didn't hear me in my original statement - they will remove the issue of in -- in vitro fertilization. It will not be in the bill. It will be covered just as it is now. There will be no change when it comes to in vitro.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Wojcik, for the second time.

SENATOR WOJCIK:

Thank you. Thank you for the second time. I think you saw my little Irish dander get up here. I thank you for that. No, I did not hear that. I was waiting to get these illustrious ancient elevator up here and I heard in vitro fertilization. And it's a very, very dear subject to me and I thank you for keeping it in. I thank you from my heart. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Wojcik. Senator Carol Ronen, what purpose do you rise, ma'am?

SENATOR RONEN:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DeLEO)

He indicates he will.

SENATOR RONEN:

Senator Jacobs, just a couple questions about what this bill does. Am -- am I correct in understanding that this eliminates certain mandates that were part of insurance coverage before? I -- I see you wanting to answer before I continue. Go ahead.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

Senator Jacobs.

SENATOR JACOBS:

And the answer to that is, as I tried to indicate early on and evidently I didn't explain it properly, it did that whenever the bill first came forward. Those have all been removed, or the only one that still is to be removed is in vitro, which will be removed. At the request of the sponsors and at the request of those bringing forth the bill, that will be removed in the House, and all mandates that are currently in place will be covered.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Carol Ronen.

SENATOR RONEN:

So -- thank you. I -- I appreciate that, Senator. So how is this bill -- what -- what does this bill then do? I mean, how are we increasing competition and lowering costs?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs.

SENATOR JACOBS:

Well, first of all, I think Senator Brady hit it on the head. Our original intent was to be able to say, hey, you know, you -- to have some form of insurance is better than to have no insurance. Excuse me. And then when we got into the bill, we found out that that created some other problems. So all it deals with now is -- is copays and deductibles. They can offer to -- to their employees a -- a insurance program that may increase the -- the copay or increase the deductibles. But that has to be offered to them and -- and it has to be stated that this is the way it is.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Ronen.

SENATOR RONEN:

So, if I understand it, it's allowing them to increase copays and deductibles where they didn't have that flexibility before? Is that correct?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs.

SENATOR JACOBS:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

That's my understanding, and -- and it's only for -- again, it's intended to bring more people into the insurance pool and that's its only intent.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sieben, what purpose you rise?

SENATOR SIEBEN:

Thank you very much, Mr. President. I rise in support of Senator Jacobs' bill. I signed on originally as a cosponsor of this bill because of the original intent. I think Senator Brady made that clear, that we were looking for a way to find an insurance policy that would expand coverage through small employers that found it too costly to offer coverage, and we tried to address that by allowing more flexibility to the employer, the owner of the insurance policy, in terms of what mandates they would cover so there was a lot of flexibility. In fact, I think our analysis refers to this as a health flex plan. Senator Jacobs' explanation, I think, has raised some concern about what direction we're going now with this legislation, but I would still support it. I have tremendous respect for the sponsor's integrity and what he's trying to do -- working with the insurance industry providers to -- to meet a need in -- in the -- for uninsured people today. So I would ask for an Aye vote at this time. Obviously, if there's going to be an amendment put on in the House, the bill will have to come back. So I think we're still in a work in process, and I would encourage an Aye vote at this time.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR GEO-KARIS:

Question for the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield.

SENATOR GEO-KARIS:

I have a letter in my hands from the Mental Health Association of Illinois opposing this bill because it would eliminate from the Illinois Insurance Code all the mandates and -- that have been set forth in Public Act 92-185. So have you made your peace with the Mental Health Association of Illinois?

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs.

SENATOR JACOBS:

Adeline, just with you, yes, we have made our peace.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

So that the very things they said that were not originally covered in this bill are now being covered? I mean, you're -- you're still going to have some help for -- for, well -- organ transplants, mammographies, postpartum care, blood transfusions, treatments of the victims of sexual assault? All that stuff is still going to take place? Or are all these things going to be eliminated?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs.

SENATOR JACOBS:

Just for you, Adeline, yes.

PRESIDING OFFICER: (SENATOR DeLEO)

Seeing no further discussion, Senator Jacobs, to close. Oh, I'm sorry. Senator Geo-Karis.

SENATOR GEO-KARIS:

I have great faith in the sponsor, and because I have faith in the sponsor, I'll go along with you. But I hope you're right in what you assured me.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs, to close, sir. The question is, shall Senate Bill 908 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 54 Ayes, 0 Nays, 0 -- 3 voting Present. Senate Bill 908, having received the constitutional majority, is declared passed. Senate Bill 915. Senator Demuzio. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 915.

(Secretary reads title of bill)

3rd Reading of the bill.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a very simple bill. It creates the State Employee Leave Sharing Act. And what it says is, is that the Department of Central Management Services must adopt rules to allow an employee of a State agency to share -- to share unused sick, vacation or personal time with that employee's spouse if that spouse, whether employed by the same agency or another State agency, is, number one, eligible for sick, vacation or personal time and, two, has used all of the sick and vacation or personal time available to him or her. This means that if you had a female employee and that female employee, for example, or male employee, for that matter, had used up all of their sick or vacation or personal time and they had a spouse that also worked for a State agency, that that person would be entitled to draw down from that account. It requires Central Management Services to keep track of -- of the time. Person must be sick and I think the total cost, I think, according to a fiscal note, was twenty-two thousand. Passed here unanimously last year. It was held on 2nd Reading in the -- in the House. I don't know of any opposition. I'll be happy to answer questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Risinger, what purpose do you rise?

SENATOR RISINGER:

Will the Senator yield?

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield, sir.

SENATOR RISINGER:

Senator, during the years that I worked in the Department of Transportation, my experience has been whenever you -- whenever you give a law or a benefit to one group of people that you don't to other people, then -- then soon they'll -- the other group will come and ask for -- for something, saying that you're discriminating against them. In this particular case, it's good for the people that have a spouse that work for the -- for the State. But what about the people that don't have a spouse that work for the State? Will they not be coming back

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

and asking for some kind of benefit that's comparable to this benefit for them?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Demuzio.

SENATOR DEMUZIO:

If that would happen, I would be opposed to that. The problem I think you have at the moment now is that we hear so much of this payment for unused time and vacation pay and what have you. It just seems to me that this might help to alleviate the State burden, at least at some point, and afford these -- these individuals the opportunity to -- to start beginning to use what they already accumulated. Under the illustration that you would use, I would be opposed to that. This is only a -- a group that works for the same particular employer and has the same accumulation of sick and -- and -- same benefit schedule. And that's all it is, and I would be opposed to any -- anything other than that.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Risinger.

SENATOR RISINGER:

So, in this particular case, they would have to work for the same agency or just within the -- the State of Illinois?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Demuzio.

SENATOR DEMUZIO:

No. They would have to work for the State, but they would have the same benefit schedule from these agencies.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator -- Senator Risinger.

SENATOR RISINGER:

Thank you, Senator.

PRESIDING OFFICER: (SENATOR DeLEO)

Seeing no further discussion, Senator Demuzio, to close. Senator Demuzio asks for a favorable roll call. The question is, shall Senate Bill 915 pass. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 56 Ayes, 1 voting Nay, 0 voting Present. Senate Bill

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

915, having received the constitutional majority, is declared passed. Senator Demuzio, what purpose do you rise?

SENATOR DEMUZIO:

Point of personal privilege. I -- I knew of no...

PRESIDING OFFICER: (SENATOR DeLEO)

State your point.

SENATOR DEMUZIO:

I knew of no opposition on that last bill. I had no idea that one of the Members were going to vote No. I'm sorry. Thank you. I -- I didn't want to misrepresent it to anyone.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you for your remarks, sir. Senator Burzynski, what purpose do you rise, sir?

SENATOR BURZYNSKI:

Thank you. I'm not going to ask the record to reflect something different. But mistakes do get made, Senator.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. On -- on page 12 of the Calendar, Senate Bills 3rd Reading. Senate Bill 941. Senator Woolard. Senator Woolard, on 941. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 941.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Out of the record. With leave of the Body, Senate Bill 973, we'll come back to. Senate Bill 974. Senator Wendell Jones. Senator Wendell Jones, on 974. Senator Jones. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 974.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Mr. President. This bill simply annexes some land to the Metropolitan Water Reclamation District in...

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

Excuse me, Senator -- Senator. Gentlemen, could -- could we have the speaker -- thank you very much. Senator Wendell Jones, would you proceed on Senate Bill 974?

SENATOR W. JONES:

Thank you. I'll stand up for this bill now. Thank you. This bill simply annexes parcels in Cook County to the Metropolitan Water Reclamation District. Came out of committee unanimously. I'd appreciate a favorable roll call. I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR LAUZEN:

Just a question for the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield, sir.

SENATOR LAUZEN:

Senator Jones, is there any quick-take provision in this bill?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jones.

SENATOR W. JONES:

No. This is not a quick-take, Senator. This is simply an annexation to properties that are not currently attached to the Metropolitan Water Reclamation District.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR W. JONES:

I'd appreciate a favorable roll call. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

The question is, shall Senate Bill 974 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 57 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 974, having received the constitutional majority, is declared passed. On the bottom of page 12, Senate Bill 977. Senator Shadid. On Senate Bill 977, sir. Madam Secretary, read the bill.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

SECRETARY HAWKER:

Senate Bill 977.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Shadid.

SENATOR SHADID:

Thank you, Mr. President. Senate Bill 977, as amended, simply permits the Secretary of State to issues Illinois Professional Golfers Association (Foundation) Junior Golf special license plates. This is permissive only.

PRESIDING OFFICER: (SENATOR DeLEO)

Seeing no discussion, Senator Shadid, to close, sir.

SENATOR SHADID:

Thank you for all the support.

PRESIDING OFFICER: (SENATOR DeLEO)

The question is, shall Senate -- Senate Bill 977 pass. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 53 voting Aye, 3 voting Nay, 0 voting Present. Senate Bill 977, having received the constitutional majority, is declared passed. Senator Meeks, what purpose do you rise, sir?

SENATOR MEEKS:

I wanted to be recorded as an Aye vote on the -- 974. My light didn't come on.

PRESIDING OFFICER: (SENATOR DeLEO)

The record will so reflect your intention, sir. Page 13. Senate Bill 3rd Readings. Senate Bill 1001. Senator Clayborne. Senator James Clayborne. On Senate Bill 1001, sir. Out of the record. Senate Bill 1003. Senator Link. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1003.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

SENATOR LINK:

Thank you, Mr. President. This is an environmental protection bill to provide the Illinois EPA shall not issue permits for development of -- construction or operation of a -- of a site or facility, within a one-mile Area of Concern, for thermal treatment plant of a -- sludge, unless the applicant of such permit submits proof of local siting approval pursuant to Section 39.2 of the EPA Act. I'll be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is -- any discussion? Senator Roskam, what purpose you rise?

SENATOR ROSKAM:

To speak to the bill, Mr. President. I rise in support of it. It passed unanimously out of the Executive Committee and I urge its passage.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR GEO-KARIS:

First of all, I rise -- Mr. President and Ladies and Gentlemen of the Senate, I rise in opposition to this bill. Unfortunately, the North Shore Sanitary District peaked the vanity of the City Council of Waukegan and they were probably a little out of sorts. And I can't help but feel that this bill is a bit -- a bill to be vindictive against the North Shore Sanitary District, that has a big job to do to carry -- taking care of all the waste. And I think still we should allow the Illinois EPA to have its authority. I don't think it should be diminished, and I speak against this bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator, for your remarks. Seeing no further discussion, Senator Link, to close, sir.

SENATOR LINK:

Just to the previous speaker. There's no vindictiveness about this bill..

PRESIDING OFFICER: (SENATOR DeLEO)

Senator -- Senator Link, one moment, sir. A late light came on and I -- Senator Petka, what purpose do you rise, sir?

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

SENATOR PETKA:

Like to address the bill, please.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR PETKA:

Unfortunately, our Minority Spokesman got his signals crossed. This bill did not come out without opposition. In fact, the vote in -- in the Executive Committee was 8 to 5. There were 5 No votes, and I would just urge our -- our side of the aisle to respect the wishes of Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you for your remarks. Seeing no further discussion, Senator Link, to close for the second time.

SENATOR LINK:

Well, Senator Petka, who I -- I -- I never disagree with, I -- I have to have you look at that. I think the bill was 13 to nothing on that and -- on this amendment of this bill, and that's Senate Bill 1003, and was 13 to nothing with you voting Yes on the bill. But this bill is an environmental protection bill. It's of great concern with the redevelopment of the Waukegan Harbor, which is great concern. Our local Congressman, Congressman Kirk, who is very concerned about this -- it's a bill that is of great concern about the emission of mercury into our -- probably greatest resource of Illinois, Lake Michigan. I -- I urge its strong support and I would look for 59 Aye votes on this bill of great concern. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam, Senator Link closed, sir. Out of respect, please.

SENATOR ROSKAM:

Mr. Speaker -- or, Mr. President, I'm just asking maybe -- would the sponsor be willing to pull the bill out of the record, ask leave of the Body to return to it? There's some confusion on this side just based on how it came out and we can come back to it in two minutes.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'd like a roll call. The question is, shall Senate Bill 1003 pass. All those in favor will vote Aye. All those opposed, vote Nay. The voting is open. Have all

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 34 Ayes, 20 voting No, 3 voting Present. Senate Bill 1003, having received the constitutional majority, is declared passed. Senate Bill 1031. Senator Meeks. Senator James Meeks. Out of the record. Senate Bill 1035. Senator Collins. Senator Collins, on... Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1035.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. Chairman.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator, could you hold on one... Ladies and Gentlemen, could we give the speaker your courtesies. Ladies and Gentlemen. Senator Collins.

SENATOR COLLINS:

Thank you, Mr. Chairman and Ladies and Gentlemen of the Senate. Senate Bill 1035 embodies an agreement between various groups interested in extending the statute of limitations on criminal and civil proceedings for sexual assault crimes committed against persons under the age of eighteen. I'm open for any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

I'd like to answer the -- ask the sponsor a few questions, Mr. President, if I...

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

Thank you. Senator Collins, can you -- can you walk me through a little bit, who brought this to you and -- and what the concern was? I mean, was there a specific group or entity that came to you and -- and asked you to do this or a specific

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

situation in your district that -- that asked -- that caused you to bring this to the Body?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Collins.

SENATOR COLLINS:

I came into the Senate -- this was one of the campaign promises that I ran on and I came in the Senate with the idea for this legislation. And in this -- and at the time when the legislation was put on notice, I did have various groups coming to me, mainly victims of sexual abuse coming to share their experiences, and asking me to go forward and providing me with more documented evidence of why it was necessary to go forward with the legislation at this particular time.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Is this bill targeted toward individuals or organizations?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Collins.

SENATOR COLLINS:

It's targeted towards sexual predators. Individuals that create -- that commit these crimes, they might be in the environment of coaching, they might be in the classroom, they might be in the churches. So it's more going after the -- the perpetrator. No organization or church would be liable if they had prior knowledge of -- if they didn't have prior -- no church is liable, I'm sorry, if they didn't have knowledge of an individual employed by them was guilty of these crimes.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Thank you, Senator, and that's kind of what I'm driving at here. I mean, there is a -- a theory in civil law with regards to agency. If someone is working on your behalf, then theoretically if they do something wrong, if they are your agent or they appear to be to the -- the other person your agent, you can be held legally liable also. And so my question to you is, can someone sue a defendant -- a person under the accountability

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

or the agency theory under this bill, or is that specifically prohibited?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Collins, one moment please. Senator Jacobs, what purpose do you rise, sir?

SENATOR JACOBS:

Move the previous question.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs moves the previous question. There are five people -- six people seeking recognition. Senator Collins.

SENATOR COLLINS:

There is no published opinion in Illinois that has ever held an institution liable for child abuse -- sexual -- child sexual abuse that did not know of the abuse. So I would leave it to the Judiciary. You being a lawyer, you would know that -- I'm sure the judges -- it would be very hard to hold any institution liable, without the prior knowledge.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Last question, very brief. Senator, I appreciate that the Judiciary hasn't done something like that. But my question for you, since you're carrying the bill and we're the ones responsible on passing it, is whether or not it's your intent to allow, through this bill, suits based on an -- an agency theory or whether -- whether that will not be allowed under this legislation? Just strictly agency theory, if they don't -- they're not aware of it.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Collins.

SENATOR COLLINS:

The only thing that this bill does is extend the statute of limitations. So, no, we do not attempt to give it agency, if that's the legal term.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Dillard, what purpose do you rise, sir?

SENATOR DILLARD:

Would the sponsor yield for three questions?

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

She indicates she'll yield for questions.

SENATOR DILLARD:

Senator Collins, current law imposes a two-year-from-the-discovery statute of limitations on civil cases for personal injury based on childhood sexual abuse. Is that right?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Collins.

SENATOR COLLINS:

That's the current law, civil.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Dillard.

SENATOR DILLARD:

This bill effectively eliminates the civil statute of limitations. Isn't that right?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Collins.

SENATOR COLLINS:

No, what it does on the civil side, it's now ten years after the age of eighteen, where previously it was two years of age of eighteen or five years after the date of discovery.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Dillard.

SENATOR DILLARD:

Well, I think discovery is qualified by knowledge, so I guess my question -- my next question to you is, you know, when knowledge of abuse explicitly does not constitute discovery, when -- when does this end?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Collins.

SENATOR COLLINS:

The discovery rule is nothing new and there's two criteria in order to -- for the discovery rule two criteria have to be met: One is the knowledge, but also understanding the damage. This has been on the books already. In 1990, it was codified from common law and we all -- we already see the discovery rule used in cases of tobacco suits, asbestos suits, medical injury and automobile accidents. So this is nothing new; it's already been on the books.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

Senator Dillard.

SENATOR DILLARD:

Can you explain for me and the record, what's the difference between understanding the damage and knowledge?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Collins.

SENATOR COLLINS:

Just because you have knowledge of being sexually abused -- based on new evidence by psychotherapists and psychiatrists, they're finding that because of the latent aftereffect of the heinous crime of sexual molestation, that people can't really come to grips of knowing the injury. For an example, you might know that you were sexually abused and later suffer the psychotic reaction to it and then you're able to make the causal connection. So that's how you tie in the causal with the knowledge. For instance, a child might be molested continuously and then they discover later that they have AIDS. So that's one example where the causal connection and the knowledge goes together.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Dillard.

SENATOR DILLARD:

Very quickly, to the bill, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill.

SENATOR DILLARD:

You know, unfortunately twenty- or thirty-year-old cases have evidentiary problems and there will be isolated problems with false accusation based upon recovered memories. But expanding the criminal statute of limitations is one thing where, Senator Haine and Senator Petka can tell you, you have a beyond-a-reasonable-doubt burden of proof at trial and bad cases with that high standard would probably go away. But now we're talking about civil proceedings where only a preponderance or a lower burden of proof is going to be required and bad cases are much more likely to prevail sometimes decades down the road. And I really commend the sponsor for trying to work on this, but I'm not sure this bill today is ready to go and I'd urge a No or Present vote. Thank you.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Obama, what purpose do you arise, sir?

SENATOR OBAMA:

Thank you, Mr. President. Just to comment on the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR OBAMA:

You know, as an -- as an attorney, and I -- and I think many of the attorneys who are on the Judiciary Committee, when I first looked at this bill, I think that we're all concerned about extending or suspending the statute of limitations. You know, I think that the statute of limitations serves an important function: It provides some certainty and finality in the administration of the law. And as a consequence, you know, it's a -- it's a deeply embedded part of the Anglo-American legal tradition. And so I was hesitant, and I told Senator Collins that I was hesitant, to support the original bill which had a completely open-ended statute of limitations, something that we currently restrict to a very narrow category of crimes, such as murder. Senator Collins amended the bill to essentially double the statute of limitations and it speaks to a basic concern that I think we're all familiar with in the child abuse literature, and that is, is that persons who may have been abused at the age of eight or nine or ten may not have recognized the nature of that abuse, may not understand it, may not fully appreciate the criminality of it, and may actually, throughout their adult lives, have to struggle and grapple with it before they can effectively recognize that a crime has been committed against them. Now, my impression is, is that this bill has been crafted in such a way where it retains the statute of limitations; it recognizes that there is a tolling provision that will allow victims of child abuse to recognize their victim status and not have the statute of limitations toll unnecessarily because they've hit the age of twenty-eight and have not fully internalized the crime that's been committed to them. I must just point out that those who are showing concerns about the statute of limitations in this particular case, having served on the Judiciary Committee for the last six years, I can say that typically, at least, when it comes to most criminal

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

cases, we have been fairly cavalier about extending statutes of limitation. When it comes to drug crimes, when it comes to violent crimes, on a whole host of crimes that have come up, we generally have not been uncomfortable with extending statutes of limitations. We also haven't been uncomfortable when we -- with respect to sexual predators, in restricting their behavior in all manners, making sure that they can't even enter parks within several feet of children. We monitor them, we track them.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Obama, could you kindly -- kindly bring your remarks...

SENATOR OBAMA:

I'll be finished.

PRESIDING OFFICER: (SENATOR DeLEO)

The timer's...

SENATOR OBAMA:

I -- I don't think I've -- I've exceeded five minutes, sir, and I'm just trying to help...

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you so much, Senator.

SENATOR OBAMA:

Okay.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Obama, to close.

SENATOR OBAMA:

I would suggest, at least for those on the other side of the aisle that are concerned about this bill, that this is a well-structured bill that simply tolls the statute of limitations in a relatively limited way to deal with a problem that repeatedly, in the Judiciary, I have heard the other side of the aisle express deep concerns about and have shown not a great deal of restraint with respect to trying to put the hammer down on sexual predators. As a consequence, I would want to make sure that we're consistent and, in fact, support this bill. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much for your remarks. Senator Geo-Karis, what purpose do you rise?

SENATOR GEO-KARIS:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

Mr. President, Ladies and Gentlemen of the Senate, I'm not going to take five minutes. I'm going to take one minute to tell you why I support this bill. First of all...

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill.

SENATOR GEO-KARIS:

To this bill: It contains three proposals that impact the areas of Illinois law relating to child sexual abuse. The first part adjusts who is mandated to report cases of child abuse and neglect from the Abused and Neglected Child Reporting Act. The second extends the time period for criminal prosecution of child molesters, and the third part clarifies limitations on civil claims by victims of childhood sexual abuse. If we don't start looking into these things now and protect our people, our young people who later -- have been very poorly used by different sections -- I think it's time that we wake up, that this is a good bill. It was well-crafted, well-structured, and I support and I urge everyone to support this bill if you're interested in really stopping this horrible type of child abuse.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. The gentleman from Madison County, Senator Haine, what purpose do you rise, sir?

SENATOR HAINE:

Mr. President, to speak to the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR HAINE:

I want to clarify. Thank you, Mr. President and Ladies and Gentlemen of the Senate. I wish to clarify my Yes vote in committee. I supported this bill in committee to move it to the Floor, among other things, because of my great esteem and respect for the sponsor, Senator Collins. I had fourteen years as State's Attorney of Madison County and we dealt with these issues. Madison County is an urban county. We established a child abuse protocol, one of the first in the State. We established a child abuse advocacy center. We had a rape crisis team; two of my lawyers were on the Senate Floor two weeks ago, two young women who are highly skilled in this area. So, therefore, I speak from these fourteen years of experience in

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

dealing with victims and the issues in bringing wrongdoers to justice. This bill, Mr. President, does a disservice, first of all, to victims. There is a reason in the law for statutes of limitation. They encourage prompt reporting and investigation. Now, there's been some -- view that there's a reason for non-reporting. Those reasons for non-reporting have to be discussed, in another piece of legislation perhaps, and in a general effort of the law enforcement community to overcome intimidation, trickery, whatever. Creating a twenty-year statute of -- of limitations for criminal offenses and an open-ended, vague statute of limitations for civil offenses does not solve the problem for the victim. The victim has the impression under this legislation that her crimes or his crimes may be prosecutable when, in reality, they will not be because of the inability of the authorities or the triers of fact to have sufficient evidence upon which to craft a remedy or a sanction to the wrongdoer. Therefore, we increase the heartache and the frustration twenty years hence. Secondly, Mr. President, this proposed legislation is a disservice to State's attorneys and to police officers. The State's attorneys are the last ones in the system to give the bad news twenty years hence that we do not have sufficient evidence. I don't know whether there's anyone here who's told a victim we cannot proceed. It is a searing experience for a victim, as well as for the officer or the lawyer who must look them in the eye and say, "We cannot proceed; we do not have sufficient evidence to bring your abuser to justice." This bill is a tremendous burden on those officers. Last of all, Mr. President, this bill strikes at the heart of the -- of what Justice Cardozo called one of the hallmarks of the law and that is finality. We must have a system that encourages prompt, prompt reporting of claims. If this bill had in -- in it sufficient supports for these victims, I would support it. But I must say it's a deficient bill and it gives false hope; it creates burdens on the criminal justice system to no avail. And I would ask for a No vote and I would also ask that we go back to the drawing board to craft something that encourages and supports victims in bringing to the administration of justice claims of abuse. Thank you, Mr. President.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Collins, to respond.

SENATOR COLLINS:

Thank you. With all due respect, Senator Haine, I prefer to take the victims' testimony on this, as far as how it further victimizes them. The victims are the strongest proponents of this legislation, and I think it's an insult for you to stand up and try to take a position on their behalf. You need to talk to the victims. The victims are pushing forward on this. And as far as -- I think all victims need the right or the privilege to have their case heard in court. I think you're talking about conjecture of what possibly might happen and how it might impose on prosecutors, but I think the victims deserves their -- deserve their day in court. As far as -- Senator Dillard, I want to get back to you. According to the FBI, these cases are no more prone to frivolous claims than any other claims, when you said that this would open up the door to a lot of frivolous claims or extra claims based on the expanding of statute of limitations. And I feel that our children -- are we lawyers only here? All the lawyers, for the most part, have been the objectors. But are we lawyers or are we legislators who come here to be public servants? This is a crisis in our communities. It's unfortunate that our children don't vote; if they could vote, maybe you would open up to hear what they have to say. And I'm proud to stand here and support legislation that is -- will -- that is committed to protecting the integrity, the safety, the physical and psychological well-being of our children, and I'm ashamed of my colleagues who have not -- who are -- who are feeling that they are closing the door on the victims that have already -- this is a further victimization of them. They've already endured the sexual molestation, and here, again, they have to hear why -- or the -- the negatives of why we can't go forth. And this is not my closing statement, by the way, but I just wanted to respond to Senator Haine.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you for your remarks, Senator. Senator Roskam, what purpose do you rise, sir?

SENATOR ROSKAM:

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

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

PRESIDING OFFICER: (SENATOR DeLEO)

She indicates she will, sir.

SENATOR ROSKAM:

Well, Senator, I hope you're not ashamed at people that want to ask questions. I know this is a heartfelt issue and -- wow, I mean, you know, reasonable people can differ and I hope that you don't interpret comments or observations or concerns about your bill as something to be ashamed of, and I know you really, way down in your heart, didn't mean that. Let me point out a couple of things that -- well, she nodded. Okay, whatever. You mentioned medical malpractice cases, Senator, as an area where you didn't believe that there was a statute of limitations. The medical malpractice statute says that the statute of limitations runs two years from the date that someone knew or should have known about the medical malpractice, but then there's another portion to that and it says but in no instance more than four years from the date of the actual event. So to use that as a comparison, I think we need to take that off the table. To use the automobile accident reference that you mentioned, you were misinformed about that. That's not true; there's a two-year statute of limitations. But here's ultimately, I think, the concern that -- sometimes being a lawyer, as we both know, can be unpopular. I mean there's times when attorneys are -- are pointing things out to you, not to be mean-spirited, not to be unkind, not to be unjust, but to try and create an environment, Senator, where the best thing happens for all, and it's not something that we're ashamed of; in fact, it's something that we've taken an oath to do. So the concern that some of us have, and I think Senator Dillard raised this and some of the other Senators, and Senator Haine was very eloquent, and Senator Obama tried to come to your defense but sort of skirted around the issue, and that is this notion of the fact that, under your bill, there's no statute of limitations on the civil side. Now here's -- and this is what I mean. Senator Dillard pointed out that maybe that works in a criminal side because there's an incredibly high standard of proof. It's got to be proof beyond a reasonable doubt, and as he said, maybe bad cases would go away because the State is unwilling to bring those cases because they can't prove proof beyond a reasonable

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

doubt, so you can have your way by extending into perpetuity the statute of limitations and also protect the innocent. But the problem on the civil side, Senator, is that under the bill, there is no time at which the clock starts ticking with any certainty under your bill. In fact, your bill explicitly says that knowledge is not discovery for purposes of this bill. So, although I asked you to yield to a question, I won't ask you a question, but I would urge you to reconsider your characterization of questions, even from your colleagues on your side of the aisle, as something that we're to be ashamed of. I mean, on the contrary, I think that people that are asking this are not standing up to defend abusers, they're not standing up to -- to defend people that have violated the trust, they're not standing up to do anything shameful at all. But what they are doing -- Senator Haine in particular is standing up, kind of courageously, and he's saying there's a problem with this and I think that there's a better way to do this. And I think that there -- you can create an environment, like Senator Cullerton did on the death penalty bill, where, a very contentious bill, he worked incredibly hard and got a unanimous bill on a very, very tough issue. He got the ACLU and the State's attorneys to come together. So, don't misinterpret questions, don't misinterpret No votes. They're not aimed at your character; they're aimed at upholding our oath. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Woolard, what purpose do you rise, sir?

SENATOR WOOLARD:

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

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill?

SENATOR WOOLARD:

To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR WOOLARD:

You know, I think that everyone who has spoken has probably an interest and an education that is specific to the courts and an understanding that many of us, such as myself, don't have.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

But I can -- I can tell you that I was elected to represent the interest of those people that live in my area, and in doing so, sometimes we prejudice ourselves by whom we come in contact with and who we talk to. I can honestly say, and, Senator Collins, I think I probably indicated this to you early on in the process, that I was opposed to this bill because that's the version that I had heard to begin with, and then, all of a sudden, I had the exposure and the opportunity to meet one of the victims, someone that had been perpetrated against. And that young lady told a story that I had never really given any thought to and the story was that the statute of limitations that is there now cuts off at a certain date and, when it cuts off, that means that she doesn't have the ability to pursue something after that. And she shared with me something that -- you know, I don't have any sisters that were violated. I don't have any family members that were violated. I don't have any close friends that, at least, have shared their story with me that were violated in any way. But she shared with me something that the understanding of knowing that you have been perpetrated, that there has been something happen in your life that wasn't exactly as it should have been, is not the easiest thing to recognize at times. She convinced me without question -- she convinced me without question that when she was twenty-eight year old, she still was not aware, she still was not aware that this event had taken place and was needing action. But after the statute of limitations left, she identified the need to proceed with some kind of remedy to this situation, but the remedy had left, it was gone. Then I had another person and, you know, you might say, "Well, this guy is the wishy-washiest person in the world." I had another person come into my office and share the concern that they have for their church and the well-being of these organizations or groups that might be subjected to change in this law, that might make someone defend themselves in a way that might be less than what we would want or maybe not what we're trying to accomplish, and I was convinced that there was merit and there was legitimacy to this end. And I'm here to tell you that I -- I'm standing believing that we have a responsibility to protect those innocent members of organizations, that we have a responsibility to make sure that

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

our churches and -- and those people are not subjected to frivolous suits that can't be and might be something that will be very difficult for them to defend, but that's not the greater need that we have to -- to deal with at this time. I think, without question, the greater need is to make sure that we take and protect those people who have been violated. We have a responsibility to stand with them and by them and for them. As a Member of this Body without the education that some others have, without the degree that says that I'm an attorney, I'm standing up saying that I believe that the greater good is going to come about by us fighting for and with victims than it is to being protectors of my church, of my organization, of my concern for our losses, and I stand in support but certainly hope that we continue to look at ways to make this even better to protect all of those who might be violated in the future.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Yeah, I'd just like to remind the Members, the previous question has been moved. Senate -- President Jones and then Senator Collins, to close. President Jones.

SENATOR E. JONES:

Yeah. Thank you, Mr. President. I hadn't planned on really speaking, but listening to the debate on this issue, the issue is what -- what is our obligation as -- as a Body here? And talking about the statute of limitation, the -- the mental and the psychological scars that young people grow up with, they suppress them for many, many years, and to use the legal term, when it's a moral issue that we should be dealing with here. And I appreciate the remarks of my colleague, Senator -- Senator Larry Woolard. We should look at the moral issue as relate to protecting our young people, placing us in position whereby they have rights. And many go through life for many, many years with those scars suppressed and we should not be in here posing a statute of limitation on when they can bring this information forward or bring charges. We should stand strong as a Body and not talk about what is legally right lest to do what is morally right for the young people in this society. And all pedophiles - this will send a strong message that we in Illinois will not stand for it, that everyone has rights and young, innocent

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

children who have been abused should be protected. And I'm a Catholic; I understand the Catholic Conference. The church should be out front on this issue; it shouldn't remain silent. Too many people have been hurt. The church should be in the forefront of this issue. We should give it a resounding Yes, that we do not want this to continue to happen to our young people. They have a right, and we are their guardians. And as their guardians, we should do the moral thing that is right for all children in the State of Illinois, and we should protect them. But let's not play this legal game. Legally right, but morally wrong. We should all give this bill a resounding green light.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Collins, to close.

SENATOR COLLINS:

Thanks to all my colleagues, especially President Jones and Senator Woolard. I would just like to say in -- in -- in talking about -- I just -- you know, the legal profession has never been on the vanguard of social and -- and political good policy change in America. Personally, as an African-American, I can speak to say that for so long in this country, segregation was legal, but was it moral? It took a prophetic voice to raise the issue of what do we need to stand for as an nation? What does our Constitution and democracy demand of us? And I see the same case here. I'm not getting my direction from the legal authorities; I'm getting my direction from a -- internal moral compass, because I know abusers don't stop and speaking out can only protect our children. This legislation seeks to give voice to the victims of childhood sexual abuse and it is neither a political nor partisan issue - it is a moral issue. Failure to pass this legislation would have moral implications, because in many ways, it will diminish what it means to live in a civilized and compassionate society, a society committed to protecting the innocence of our children, the most vulnerable. The true measure of a great society is how we treat the least of these, our young and our elders. For the thousands of nameless, faceless children who endured the pain and trauma of sexual abuse, I urge an affirmative vote. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

Okay, the question is, shall Senate Bill 1035 pass. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 45 Ayes, 9 voting Nay, 3 voting Present. Senate Bill 1035, having received the constitutional majority, is declared passed. WAND Television seeks leave to photograph and videotape the -- proceedings. Is there any objection? Leave is granted. On the bottom of page 13 on Senate Bills 3rd Reading, Senate Bill 1036. Senator Collins, would you want to proceed with 1036? Out of the record. Senate Bill 1037. Senator Trotter. Senator Trotter, on 1037? Out of the record. Senate Bill 1045. Senator Schoenberg. Senator Schoenberg, on 1035. Madam Secretary, read the bill. 1045. Excuse me, 1045.

SECRETARY HAWKER:

Senate Bill 1045.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'm pleased to tell you that there is an agreement that has been reached relative to the -- I'm pleased to tell you that there's an agreement that has been reached relative to how we disburse funds for local public health grants. The -- the -- there is an -- amendment that is forthcoming which, due to time considerations, will be presented in the House, but there is indeed an agreement as far as what variables are taken into account for the distribution of State funds for local public health grants. There is no opposition to this issue, as of now, and I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Demuzio, what purpose you rise?

SENATOR DEMUZIO:

I would ask the gentleman to take this bill out of the record until this forthcoming amendment is forthcoming. And it

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

seems to me that at that particular time, we'll be able to debate this thing.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg.

SENATOR SCHOENBERG:

If, in fact, there's an opportunity to dispose of the legislation, I'm happy to do that. My understanding was today was the deadline and I would certainly wish to honor your request and I'll do so at this time. Could you please take this out of the record then?

PRESIDING OFFICER: (SENATOR DeLEO)

Senate Bill 1045, out of the record. Thank you, sir. On the page 14 of the Calendar. Senate Bills 3rd Reading. Senate Bill 1049. Senator Walsh. Larry Walsh. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1049.

(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 1049, as amended, what we are trying to do is to -- on the tax caps -- in regards to tax caps, our school districts -- our school districts are forced into making decisions of using money that is levied for -- for the education of our children to transfer over and to pay mandated deductions such as the Illinois Municipal Retirement Fund, Medicare and -- and FICA coverage. I have school districts in my district, and I'm sure that every Senator here has school districts in their district, that are facing financial difficulties, the number of schools that are on the Financial Watch right now. So what I am asking here is that under our tax cap program, which I stand here in full support of and think that they have done a good job, that we look at changing this one issue in regards to allowing our school districts to exceed the tax cap to be able to levy the maximum for these coverages. I'd be willing to -- answer any questions.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RADOGNO:

...the bill. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill.

SENATOR RADOGNO:

Imagine that. This is another tax cap exception and I want to say something to the Body that I've said several times to the folks on our side and probably to different groups and to many of you as well. I do not think the tax cap is perfect and I don't think any of us believe that. We keep dealing with exceptions on a case-by-case basis. And, you know, this particular bill applies to school districts and we know full well it won't be long before we see municipalities and fire protection districts and libraries and parks come in because they have the same problem. It seems to me that a much better approach to this whole issue would be to have some comprehensive hearings on the tax cap, let all the different taxing districts talk to us about what their concerns are and then do one comprehensive amendment to address all of these concerns and then leave the whole issue alone for some time. It seems like we're either, you know, absolutely opposed to any exceptions or we're going to pick the thing to death and it just doesn't seem like a good public policy approach. So I've said this before. It hasn't happened. Now that there's some different folks in -- in Leadership maybe we can have those hearings and I would love to participate in them. The tax cap has been here for ten years. It -- it's time we took a look at it rather than nitpick the thing to death. And so, I know we're dealing shortly with the exception for special rec districts, which I do think is something that deserves consideration, so I'm really torn as to whether to keep voting Yes on exceptions or to take a comprehensive look. So I would just ask the Body to maybe consider that approach rather than continuing to vote individually on exceptions.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

Thank you, Senator. Senator Jacobs, what purpose do you rise, sir?

SENATOR JACOBS:

Move the previous question.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs moves the previous question. Prior to the motion of Senator Jacobs, there are three Members seeking recognition. Senator Lauzen, what purpose you rise, sir?

SENATOR LAUZEN:

Thank you, Mr. President. A question for sponsor and then to the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield, sir.

SENATOR LAUZEN:

Senator Walsh, can you tell us what the impact -- the additional cost will be for a person who owns a two-hundred-thousand-dollar home?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Walsh.

SENATOR WALSH:

Senator Lauzen, on the basis that every district would be the same -- or, would be different, I'm sorry, on the basis that every district would be different, I -- I don't have -- I don't have an idea on -- on what that would be. My answer -- my answer would be no.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lauzen.

SENATOR LAUZEN:

Your answer would be no -- oh, don't know?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Walsh.

SENATOR WALSH:

My answer is, no, I don't have that information.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lauzen.

SENATOR LAUZEN:

You're proposing that we pass a bill that has substantial ramifications and we don't even know even an estimate. May I

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

ask you for an estimate -- respectfully, may I ask you for an estimate before we take this step forward?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Walsh.

SENATOR WALSH:

In all due respect, Senator Lauzen, because of the complexity of each school district being different - some school districts may not even have to -- to use this issue - I do not have an answer for you in regards to what it would cost a two-hundred-thousand-dollar home, on what the increase this would -- would cause.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lauzen.

SENATOR LAUZEN:

Mr. President, then to the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR LAUZEN:

First of all, I have enormous respect and affection for the sponsor, but I respectfully submit that we should all be No votes on this. And it -- the obvious reason for the No vote is, why should we pass this burden onto the property taxpayers without even knowing what the cost is? This is like the old Chinese torture of death by a thousand small cuts. As Senator Radogno has mentioned, in the last three weeks we've passed Cook County Park District, a hundred-million-dollar bond offering where they have the power to go out; MWRD, another ten billion; special recreation park districts, that one's moving; public building commission, we've passed that; health and life safety, Senate Bill 22, we've passed that. So, all these piling on. You know that back home what people are the most upset about is their property tax bill. If you vote for this today, when they had when these organizations have the privilege and right to go to the voters and ask for their permission before they spend the money -- spend their money, what you're doing is you're voting against the property taxpayer. So I would just urge an -- a No vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cronin, what purpose you rise?

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

SENATOR CRONIN:

To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR CRONIN:

I rise in opposition to this bill, and I have respect for the sponsor and I want to commend some of the other speakers. Let me just offer this, if I may, pretty simply. The tax cap was a hallmark achievement, I believe, for this Body. As you all know, the Republicans take credit for it. It didn't take long, once the power shifted to a majority of Democrats, to have the tax cap rendered more and more meaningless. Now, I just caution my -- my friends on the other side of the aisle. I don't know if you want to take responsibility for abolishing the tax cap. Not only have we passed -- have you passed, with your Yes votes, exceptions to the tax caps that include park districts, special recreation districts, building commissions, pensions -- I got to tell you the tax cap is a very popular policy. It has worked and nobody can argue with the logic and the wisdom that if you want to raise property taxes for many wonderful causes, all you got to do is ask the property taxpayer. That's all you got to do. Please, consider what you're doing here. Do you want to take responsibility for killing the tax cap? Please vote No.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam, what purpose do you rise?

SENATOR ROSKAM:

Will the sponsor yield, Mr. President?

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield, sir.

SENATOR ROSKAM:

Senator Walsh if this bill passes, are property taxes in the affected areas going to go up or are they going to go down?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Walsh.

SENATOR WALSH:

Senator Roskam, without having the opportunity to actually look at someone's tax bill -- I know where you're going with this question, and I cannot answer that truthfully but I know

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

the answer that you're looking for, that undoubtedly, if we are asking that -- that the rate -- the rate because of the tax cap has shrunk, and for some of our schools that are in a double whammy situation, like the school district that I'm talking about, they have shrunk considerably. I am not asking -- I am not asking one iota to do away with the tax caps at all. I've been in township government for thirty years and have -- have worked with the tax caps without any problems in our township. But I honestly believe -- and as Senator Radogno just said, I concur with her one hundred percent and would be willing to stand shoulder-to-shoulder with her in regards to addressing the -- the differences, the -- the -- the inequities of what come out of the tax cap that we in the collar counties never had the opportunity to debate whether we wanted tax caps or not. Other counties that are voting to use the tax caps now have the opportunity to debate the pros and cons, to talk about the issues, what it's going to do to the governmental bodies out there and hear, yes or no, what it means, good or bad. To your answer, I would probably say that the miniscule that we're talking about, as far as the rate goes of those four items, that the amount of increase on a property tax bill would probably be miniscule.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

To the bill, Mr. President and Ladies and Gentlemen of the Senate. Senator Walsh put it well when he acknowledged that taxes are going to go up. There's no doubt about it. And we don't get it both ways in this Chamber. We don't get to say, "We support the tax cap, except." We don't get to do that. We either support the tax cap or we push the tax cap under the bus. We -- the tax cap -- look at it as a water balloon that's full of water and you either say, "I want to support the integrity of that water balloon," but you don't get to say, "I want to put a little, tiny pin prick in that water balloon," and then -- but -- "But with that exception of that little, tiny pin prick, I support the whole thing." Because the cumulative effect, as you know, is the complete erosion of the tax cap. I urge a No vote. There is no way to interpret this -- a Yes vote on this bill

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

other than an increased burden on tax -- property taxpayers.
Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR WALSH:

Thank you, Mr. President, and thank my colleagues for the questions. I concur with -- with the discussion that has just taken place. As we look across the State of Illinois and we look at the number of school districts that are -- facing financial problems, when I look at this Body that just in the last ten years has been -- under the other Party's control, when I look at the fact that we had individual issues of school districts that have come to us and had problems that we spent taxpayers' dollars, and the millions of dollars, in order to help individual schools out, then we are looking at a situation -- we're looking at a situation that -- that we -- I believe, that if we had the opportunity to work on the tax cap proposal as it was given to us ten years ago, that one of these situations such as this would be a issue that would be removed, that would be addressed. This is a situation that gives us the opportunity to maybe lighten the burden as easy as we possibly can, lighten the burden where many of our school districts could take money that now has to go for these mandated, mandated costs, mandated costs by the federal government that we have to spend and put money from education of our children that go to the Education Fund to help pay for this mandated cost. I ask that my colleagues give an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

The question is, shall Senate Bill 1049 pass. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 31 Ayes, 26 Nays, 1 voting Present. Having received the constitutional majority, is declared passed. Illinois Information Service -- Oh, I'm sorry. Senator Roskam, what purpose do you rise, sir?

SENATOR ROSKAM:

To request a verification on the last roll call.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

Okay. Senator Roskam has requested a verification. Will all Members be in their seats? ...Secretary, read the affirmative votes. And, Madam Secretary, just before you do that, Illinois Information Service seeks leave to photograph or videotape the proceedings. Is there any objection? Leave is granted. Madam Secretary.

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Senator Roskam, do you question the presence of any Member voting in the affirmative, sir?

SENATOR ROSKAM:

Senator Clayborne.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne. Is Senator James Clayborne in the Chamber? Yes, he is. He's in the phone booth. He's in the back of the Chamber, sir. Senator Roskam?

SENATOR ROSKAM:

No. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

No further questions. On a verified roll call, there are 31 Ayes, 26 Nays, 1 voting Present. Senate Bill 1049, having received the constitutional majority, is declared passed, on a verified roll call. President Jones, what purpose do you rise, sir?

SENATOR E. JONES:

Thank you, Mr. President. Purpose of an -- announcement.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement, sir.

SENATOR E. JONES:

It is the intent to go until approximately 4 p.m. today. And we've worked on many legislative matters this Session that heretofore have not been given the opportunity to be heard, so

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

as a -- as a result, we have somewhat of a backlog and so we will extend the deadline for bills being -- to be reported out of the Senate till Wednesday. That'd be April the 9th. But that doesn't mean that because you have a bill that you're not -- shouldn't try and move that bill. But there are still many key, important pieces of legislation as well as the workload, and rather than stay here until 12 o'clock tonight, I believe it's best that we get out of here around 4 o'clock, come back Tuesday and begin working on -- on the bills on 3rd Reading a and few that's left on 2nd. Also, there are certain categories of bills which I have already filed with the Secretary of the Senate that we're going to extend the deadline even beyond April the 9th so that we can continue to work on those legislative matters in a bipartisan manner and so we can work toward a swift adjournment on May 31st.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lauzen, what purpose do you rise, sir?

SENATOR LAUZEN:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

State your -- state your point, sir.

SENATOR LAUZEN:

Thank you. You know, I would like to introduce to the Senate some folks from back home, Kay and Mike Volkert, from Aurora, Illinois, and their daughter, Kathleen, who's a sophomore at West Aurora High School and is serving as a Page today, along with their friends, Lance and Carolyn DeVries, from Yorkville, Illinois, and their daughter, Jennifer, who's a seventh grader at Yorkville Middle School. I would like our guests to stand and I would ask the Senate to welcome them to Springfield.

PRESIDING OFFICER: (SENATOR DeLEO)

Will our guests in the gallery please rise? Welcome to Springfield. Madam Secretary, Messages.

SECRETARY HAWKER:

...Madam Secretary - Pursuant to the provisions of Senate Rule 2-10(e), I hereby establish May 31st, as -- 2003, as the 3rd Reading deadline for the following categories of Legislative Measures:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

Category - Senate bills previously exempted, pursuant to Rule 3-9(a)(ii) from the March 13, 2003, Senate committee deadline (Senate Bills 23, 1041, 1434, 1435, 1871, 1874, 1875 and 2001).

Sincerely, Emil Jones, Jr., Senate President.

I have a like Message from the Senate President.

Dear Madam Secretary - Pursuant to the provisions of Senate Rule 2-10(e), I hereby establish April 9, 2003, as the 3rd Reading deadline for the following categories of Legislative Measures:

The Category is all legislative bills on the April 4, 2003, Senate Calendar.

Sincerely, Emil E. -- Jones, Jr., Senate President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Senator Roskam, what purpose do you rise, sir?

SENATOR ROSKAM:

Inquiry of the Chair and of the Senate President.

PRESIDING OFFICER: (SENATOR DeLEO)

State your inquiry.

SENATOR ROSKAM:

Just following up. Mr. -- President Jones, the April 9th deadline, is that a firm deadline, Mr. President, on those bills? I understand there's sort of a two-tiered -- an April 9th deadline for some bills and then a further extension for others. Is April 9th going to be the last deadline extension for those bills that you're putting on that Calendar?

PRESIDING OFFICER: (SENATOR DeLEO)

President Jones.

SENATOR E. JONES:

As conditions might change, but it is the intent for the bills that's currently on the Calendar on 3rd Reading, April 9th is the deadline for bills being out of the Senate. Now, there are some bills still in subcommittee that we want to extend the deadline because there is work still being done on those bills and that will go beyond that particular date.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

Just so I'm clear, your current thinking, then, is the bills that are on -- on 3rd Reading now in our printed Calendar, you intend to extend the deadline on those bills to April 9th and then you're leaving an option for either a further extension or other bills that are in committee or subcommittee to be extended beyond that. Is that correct?

PRESIDING OFFICER: (SENATOR DeLEO)

President Jones.

SENATOR E. JONES:

It's more than just 3rd Reading. 2nd Reading, as well. But the other option is bills that are still being worked on by the committees and subcommittee, on a bipartisan manner, they will go beyond April 9th, as it has been the past practice. We're just following what was done the previous nine years.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon, what purpose do you rise, sir?

SENATOR HENDON:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

State your point.

SENATOR HENDON:

Thank you, Mr. President. I just rise to inform the Body or remind some that this is unfortunately the thirty-fifth anniversary of the assassination of Dr. Martin Luther King, Jr. Just wanted to bring that to the attention of the Body.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much, sir. Going back to Senate Bills 3rd Reading, page 14. Senate Bill 1053. Senator Cullerton. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1053.

(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 is an initiative of the Illinois Bankers Association. This bill identifies specific crimes against financial institutions

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

through the creation of the Illinois Financial Crime Law. The offenses that are involved, involving financial institutions, includes misappropriation of financial institutional property, commercial bribery involving a financial institution, financial institution fraud, loan fraud, concealment of collateral, financial institution robbery, and continuing financial crimes enterprises. These offenses are modeled very tightly after existing federal and State statutes. Know of no opposition. Be happy to answer any questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Seeing no discussion, Senator Cullerton, to close. The question, shall Senate Bill 1053 pass. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1053, having received the constitutional majority, is declared passed. Senate Bill 1054. Senator Dillard. Senator Dillard, on Senate Bill 1054, seeks leave of the Body to return Senate Bill 1054 to Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading, Senate Bill 1054. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Dillard, on the amendment.

SENATOR DILLARD:

Thank you. This is technical language suggested by the Farm Bureau and I'd move its adoption.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? All those in favor will say Aye. All those opposed, Nay. The Ayes have it, and the amendment is adopted. With leave of the Body, we'll go -- return this to 3rd Reading. Senate -- Senator Dillard, on Senate Bill 1054, as amended. Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. The Illinois FIRST program has caused an unusual increase in construction of and...

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

Senator Dillard, one moment, sir. Since we're going back to 3rd Reading, Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1054.

PRESIDING OFFICER: (SENATOR DeLEO)

Senate Bill 1054.

SECRETARY HAWKER:

Yes. Senate Bill 1054.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. Thanks for catching the 3rd Reading of the bill, Madam Secretary. The Illinois FIRST program has caused an unusual increase in the construction of and repair of roads in Illinois. Water and sewer public projects or utilities are moving, repairing and extending water and sewer lines underlying roadbeds with increasing frequency as a result. This bill clarifies existing statutes to reflect current industry practice regarding what consent has to be obtained from nearby private property owners when a water or a sewer utility engages in line maintenance or construction. It's been worked on a lot. We just amended it a second or two ago to take care of the Farm Bureau, and I know of no opposition.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much, Senator. The question is, shall Senate Bill 1054 pass. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 57 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1054, having received the constitutional majority, is declared passed. Senator Sullivan, on Senate Bill 1056. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1056.

(Secretary reads title of bill)

3rd Reading of the bill.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sullivan.

SENATOR D. SULLIVAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1056 is a clarification of the telecom rewrite we did two years ago. One of the first decisions we made was that we were not dealing with long distance or cellular and this takes them out of the digital divide discussion. It passed out of committee unanimously. There's no known opposition. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

The question is, shall Senate Bill 1056 pass. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 58 voting Aye, 0 voting Nay, and 0 voting Present. Senate Bill 1056, having received the required constitutional majority, is declared passed. Senate Bill 1060. Senator Garrett. Senate Bill -- out of the record. Senate Bill 1064. Senator Crotty. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1064.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Crotty.

SENATOR CROTTY:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1064 is the Community Benefits Act. This bill would require hospitals to develop a community benefits plan that sets out the hospital's mission statement and its plans and objectives for serving the community's health care needs. It also requires hospitals to file with the Attorney General their community benefits plan and audited financial statements and a report on the amount and the type of community benefits, including charity care. This applies to nonprofit hospitals with more than a hundred beds located in metropolitan areas, and corporations that own hospitals may file one community benefits report which meets the obligation of all its

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

hospitals. This bill is an agreed bill between AFSCME and the Hospital Association, and it came out of committee..

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

Briefly to the bill, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill.

SENATOR RIGHTER:

As the sponsor noted, this bill now is in agreed form. Most of the information that has to be produced here is already produced in one form or another and they're simply putting out in another venue. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. Senator Crotty, to close.

SENATOR CROTTY:

Thank you very much, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

The question is, shall Senate Bill 1064 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 55 Ayes, 2 Nays, 1 voting Present. Senate Bill 1064, having received the required constitutional majority, is declared passed. Senator Halvorson, on Senate Bill 1067. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1067.

(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 1067 makes the Illinois Act on Aging more consistent with the federal Older Americans Act, basically gives them the ability of the State Ombudsman to be independent, the State Ombudsman to broadly monitor and comment on laws, regulation and

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

government policies, as well as the Office of the State Long Term Care Ombudsman to identify and address problems on a statewide basis. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

Thank you, Mr. President. Very briefly. Appreciate the sponsor's hard work on this. This is an agreed bill. Came through Health and Human Services, and I would urge an Aye vote as well.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Risinger, what purpose?

SENATOR RISINGER:

Yeah. Just to the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill.

SENATOR RISINGER:

I just want -- I just want to stand and rise in support of the bill. I think it's a good bill and I appreciate the Senator bringing it forward.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. The question is, shall Senate Bill 1067 pass. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 58 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 1067, having received the constitutional majority, is declared passed. Senator Lauzen, on Senate Bill 1069. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1069.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As we watch the war coverage and see the courage and

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

sacrifice of our brothers and sisters, sons and daughters and our troops in the field, we ask ourselves, "How can we help?" Many Senators in this Chamber answered that question by their work and their vote for the Illinois Military Family Relief Fund. It's a voluntary checkoff on a personal tax return that will gather money up for the purposes of any of our troops who are facing financial problems back home so that they can stay focused on the enemy in front of them. The problem is that the checkoff does not appear on the tax return until the spring of 2004, and we need those funds now. So, what Senate Bill 1069 does, as -- as amended, is a transfer from the Communications Revolving Fund, three hundred thousand dollars to fund this right away. We had good news yesterday, that along with the breakthrough in Baghdad, Governor Blagojevich is going to be proposing in his budget five million dollars to go into that Fund, and I do hope that that goes through. But today we have before us a bill that can help fund the Illinois Military Family Relief Fund. I'd be happy to answer any questions. I would ask for your support for our troops in the field.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Seeing no discussion, Senator Lauzen, to close. I'm sorry. Senator Carol Ronen, what purpose do you rise?

SENATOR RONEN:

Just to -- to the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill.

SENATOR RONEN:

Thank you, Senator Lauzen, for mentioning. The Governor did have a press conference today and did announce a five-million-dollar program in this regard, and I think the way the Governor is going about it is a preferable way. This is a serious problem. You do address a serious concern, but I would -- I would say that the better way to address it is the way the Governor proposed addressing it in his -- in his press conference. So, I would ask all Members to vote No or Present.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lauzen, to close.

SENATOR LAUZEN:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

Actually -- actually, I -- you know, after ten years on the Senate Floor, I've got to tell you, there are some days that I think that I cannot be surprised. I think that I just heard the previous speaker say -- appeal -- make the appeal for a No or a Present vote. That absolutely shocks me. There's a lot of time between now and the action through the House that this can be set aside, as we agree on a budget. And I'll support a provision for five million dollars to go into the Fund. I think it's very good. But right now there's a three-hundred-thousand-dollar transfer that can go now. This is like supplies going to the field right now versus potentially five million dollars being in the budget. So, I would say that we have this in front of us now. Take the shot here. I urge a Yes vote.

PRESIDING OFFICER: (SENATOR DeLEO)

I'm sorry. Senator Woolard, I'm sorry I didn't see your light, but Senator Lauzen did close. For a very brief remark, sir.

SENATOR WOOLARD:

I -- I stand in support of this legislation and I just want to make sure that there's no confusion on our side of the aisle. This came out of our committee. It's a good bill. We should be in support. We should vote Yes.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The question is, shall Senate Bill 1069 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 57 Ayes, 0 voting No, 1 voting Present. Senate Bill 1069, having received the required constitutional majority, is declared -- declared passed. Senator Carol Ronen, on 1070. Senate Bill 1070. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1070.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Ronen.

SENATOR RONEN:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

Thank you, Mr. President. This is an agreed bill related to the graduate student bargaining rights. The Illinois Federation of Teachers and the University of Illinois have agreed to this language, and I would urge a favorable vote and I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Senator Wojcik, what purpose do you rise, ma'am?

SENATOR WOJCIK:

I'd just like to say that we've heard this bill in committee and it's agreed to and I think it's a fine bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Wendell Jones. Senator -- Senator Wendell Jones. Please stand up, sir.

SENATOR W. JONES:

Yes. Thank you very much, Mr. President. I have a question for the sponsor...

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates she'll yield.

SENATOR W. JONES:

Senator, would this unionize graduate students at our universities?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Ronen.

SENATOR RONEN:

No, it would not.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Wendell Jones.

SENATOR W. JONES:

What is the purpose of the bill then? Could you just give us a brief explanation?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Carol Ronen.

SENATOR RONEN:

Senator, let me just make clear that this excludes graduate students who are teaching assistants primarily performing duties that involve the delivery of supportive instruction and all other graduate students -- graduate students. It does include graduate assistants who are research assistants primarily

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

performing duties that involve research or assistants primarily performing duties that are pre-professional. This is something that the University supports. They have -- they are not opposed to it, and the Illinois Federation of Teachers. It's an agreement that they came to together, and I would just urge that we support their agreement.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Wendell Jones.

SENATOR W. JONES:

My question was, does it include graduate students and you said it included graduate assistants who are teaching. What is the distinction between a graduate student and a graduate student -- or, graduate assistant? I thought -- when I was a graduate student, a graduate student was a graduate student, and I think to unionize them would have been a bad idea and I think that's what this bill does, doesn't it?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Carol Ronen.

SENATOR RONEN:

Thank you. No, it doesn't. Let me try to be more clear. Graduate students who are teaching are the only ones who are covered by this. Graduate students who are going for their thesis or degree are not covered. It's only when they are teaching a course and become instructors.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Wendell Jones.

SENATOR W. JONES:

So, if you're a graduate student and you're teaching and you're employed by the university, then you are covered by this?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Ronen.

SENATOR RONEN:

If you are teaching, yes.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Wendell Jones.

SENATOR W. JONES:

Well, that's what a -- a graduate student who -- who is an assistant and becomes an employee of the university as a graduate assistant is not much different than the question I

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

asked a couple of minutes ago. So, I think this does cover -- a teaching graduate assistant who is an employee of the university becomes a member -- may, under this law, become a member of -- of the union.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Carol Ronen.

SENATOR RONEN:

Well, yes. Anyone who teaches is. A graduate student who is just a graduate student is not covered by this, and that was your -- your original question.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Wendell Jones.

SENATOR W. JONES:

Okay. Thank you very much for clarifying this. Just so the Body knows, if you're teaching at the university as a graduate student, you now become, under this bill, a member of the union. We've had this bill before. I believe we killed it in -- in Senate Rules four or five times. In my view, this would be a bad idea and I intend to vote No, and I hope this side of the -- of the Body does as well.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Burzynski, what purpose do you rise?

SENATOR BURZYNSKI:

Out of astonishment. For purposes of a question or two.

PRESIDING OFFICER: (SENATOR DeLEO)

The sponsor indicates she'll yield.

SENATOR BURZYNSKI:

What benefits are afforded graduate assistants now?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Ronen.

SENATOR RONEN:

I'm not -- when you say benefits, I'm not clear what you're asking, Senator.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Burzynski.

SENATOR BURZYNSKI:

Well, tuition waivers, anything else, health insurance through the school, fee waivers. What kinds of things do grad assistants have now?

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Ronen.

SENATOR RONEN:

I would -- I would think that's up to the individual university, with them. And let me just state here that this is - there might have been bills previously dealing with this issue but this is a bill that has been agreed to by the University of Illinois and the Illinois Federation of Teachers. This is not something that's out of the -- the purview of what they choose to do.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Burzynski.

SENATOR BURZYNSKI:

Well, I -- I always appreciate the University of Illinois and what it contributes to the State in many ways. This might not be one of those ways. What universities are covered under this bill?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Ronen.

SENATOR RONEN:

The three State universities: UIS, UI-Chicago and Champaign.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Burzynski.

SENATOR BURZYNSKI:

So, just U of I, the system.

PRESIDING OFFICER: (SENATOR DeLEO)

...that a question?

SENATOR BURZYNSKI:

Yes. Just the U of I system. I just -- clarification.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Ronen.

SENATOR RONEN:

Exactly.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Burzynski.

SENATOR BURZYNSKI:

To the bill. It just seems to me -- and I realize that maybe the University has signed off on this, but I also realize

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

they've been under a great deal of pressure over the last several years to do this, in particular for their grad assistants. And I guess, you know, what I'm going to suggest is that, you know, we are already providing for opportunities for them to receive education free, tuition free. We're providing them with other things along those lines. And in light of the budget, in light of the fact that the Governor's Office has indicated they want the University of Illinois to decrease its spending, it seems to me like perhaps we need to spend more time ensuring that professors are in those classrooms, perhaps, rather than grad assistants, in particular if they're going to be a part of the collective bargaining unit. I would urge a No vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. The Senate would like to welcome one of our constitutional officers, the Lieutenant Governor of the State of Illinois, Lieutenant Governor Pat Quinn. Also, the Senate would like to welcome the Speaker of the House, Speaker Michael Madigan. Senator Luechtefeld, what purpose do you rise, sir?

SENATOR LUECHTEFELD:

Thank you, Mr. President. For -- for -- for a question of the sponsor, please.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates she'll yield, sir.

SENATOR LUECHTEFELD:

Senator, did I hear you right that -- when you talked about agreed bill. The -- the -- the parties in that agreement are who?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Ronen.

SENATOR RONEN:

As I understand it, the University of Illinois and the Illinois Federation of Teachers.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

For instance, SIU is in my district. A graduate assistant at SIU would or would not be able -- would be involved in this?

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Ronen.

SENATOR RONEN:

Hello? Yes. All University of Illinois -- all that are part of the system are part of this.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Now, is it the -- University of Illinois system or all State universities? You know, when you talk about an agreed bill, was SIU in on these talks, was Western, Eastern?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Carol Ronen.

SENATOR RONEN:

My understanding is that we're only talking about the University of Illinois system and that's with whom the agreement was made. That was our understanding in committee.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Senator, then what you're -- are you saying -- are you saying and committing that -- for a fact that Eastern -- a graduate assistant at Eastern could not, then, join the union, a graduate assistant at SIU could not join the union?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Ronen.

SENATOR RONEN:

We're -- we're checking right here to further clarify. It's -- it's -- the information that I'm given here is that we're talking about University of Illinois. If you'll hold on for one sec, I'll ask them to re-clarify that for me.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Luechtefeld.

SENATOR RONEN:

Yeah...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Ronen.

SENATOR RONEN:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

Yeah. I mean, my understanding is we're just talking about the University of Illinois system. If -- if -- we can take this out of the record now and come back to this in a few minutes, and I'd be glad to review this...

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you.

SENATOR RONEN:

...review this...

PRESIDING OFFICER: (SENATOR DeLEO)

With leave of the Body, we'll take Senate Bill 1070 out of the record and we'll come back to it. Thank you very much. On page 37 of the Calendar is the Order of Postponed Consideration. On page 37 of the Calendar. As the bills on this Order have already been presented and debated on the Floor -- Ladies and Gentlemen, may I have your attention? These bills have already been debated and presented. Debate on each of these bills will be limited to one proponent and one opponent, each speaking to the bill. Madam Secretary, on House Bill 2660, read the bill.

SECRETARY HAWKER:

House Bill 2660.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jones, on House Bill 2660. Ladies and Gentlemen, can I have your attention? Will the Members please be in their seats? Will staff take their conferences off the Floor, please, to the rear of the Chamber? Ladies and Gentlemen, please be in your seats. President Jones, on House Bill 2660, sir.

SENATOR E. JONES:

Thank you, Mr. President. House Bill 2660, which was thoroughly debated a couple nights ago, is a proposal by the Governor to deal with the serious budget deficit we have in the State of Illinois. The Governor is asking for the authority to -- to increase our bonding authority by ten billion dollars. This -- ten billion dollars will allow us to take advantage of the very, very low interest rates we have in the nation, the lowest it's been in decades. It will allow us to keep our responsibility to the five pension systems and also allow us to deal with forty percent of the five-billion-dollar budget

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

deficit we face here in the State of Illinois. We made a commitment several years ago to fund the pension systems on -- on a forty-year plan. That plan is to the year 2045. We owe thirty-five billion dollars to our five State pension systems. The actuaries of these pension systems factored into that an eight-percent increase that we -- that's factored into the cost the State owes over the next several years. That is the amount of money the pension system would have earned had -- had we fully funded the systems. The Governor's proposal to sell bonds at a very low interest rate of five percent will allow us to put those dollars into the pension system. We will save anywhere from two to three percent. It will allow us to free up General Revenue dollars to the tune of 2.1 billion dollars. That 2.1 billion dollars is approximately forty percent of the budget deficit that we have. We will be able to fully fund the categoricals. We will not have to cut school aid. We will be able to pay our bills that take care of our elderly citizens in the nursing homes across the State of Illinois. It is a proposal that two wise persons from your side of the aisle had the courage, the courage to step forward and say it is the right thing to do. Today all of you have an opportunity to take advantage of this wonderful opportunity to solve this budgetary problem without raising taxes, without cutting needy programs, without extending beyond the hundred days that they are currently waiting for their payment, the payments we owe the nursing homes that take care of our elderly, and many, many other programs. It'll -- will allow us to move in the right direction as we begin to work on this budgetary process. This bill should have undivided support, bipartisan support from all Members of this Senate as we move to solve the problem that we find ourselves in. It's neither a Democrat problem; it's not a Republican problem. Revenues all across the country are dwindling. But this innovative approach to solve the problem should have bipartisan support. If we can sell those bonds, which we will, for five percent and we save on the investment that we are constantly losing, it's a good investment. It will cut down the future payments we owe the system five years from now. It will free up the General Revenue dollar. Now, there are those who say, "Well, I don't like the program." But they

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

haven't come up with an -- an alternative. You have an opportunity, as all of us, to have an alternative program if you don't think this will solve the problem. Maybe you want to eliminate those sales tax breaks that we gave businesses in the State of Illinois. Maybe you want to extend the deadline for payments we owe the nursing homes throughout the State of Illinois. Maybe you want to do all those things. Maybe you want to raise the taxes. Have the courage to -- to say so. Come in to this Senate Floor with a plan. If not, you should be a green light on this plan. It helps all Illinoisans, and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, President Jones. Leader Watson, what purpose do you rise, sir?

SENATOR WATSON:

Yes, thank you. Would -- would have been a wonderful opportunity if we would have had open and honest debate on this and not restricted it to just two speakers. Ten-billion-dollar program here is -- is a pretty extensive effort by the Governor and I think every opportunity, even though we had the bill discussed the other day, everybody should have the opportunity to talk about it again today. I -- first of all, I just want to express my appreciation to -- to the Governor and the Senate Caucus. We asked the Governor for weeks to make available to us the information, as far as a financial plan, the framework by which this budget was to be brought forth. And I'm a -- I'm disappointed, obviously, that it took until last night to get that done. Great deal of consternation on everybody's part to finally get to the point where we were able to review his blueprint, and we did this -- it was late last night. And -- and the Governor did provide us with all the information that we requested, and we got -- the questions that we asked and concerns that we brought forth and we were given, I think, really candid responses. And I have to tell you that John Filan, the Bureau of the Budget, and the other staff that were there was just very open and honest with us about their -- their blueprint, their framework, their direction that this Governor is giving as far as how we're going to move ahead with solving the budget problem. And we -- I really appreciate. And it was

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

about two and a half hours, is what we -- we spent with them, and as I said, we really appreciate the fact that they were very open. Now, my discussions with the Governor yesterday revolved around several things that were of concern of mine and I think most of us in this caucus here, was talking about some real basic questions, obviously, about the budget and the direction we're going. We talked about paying our bills on -- timely, and that's obviously a concern of -- of the Members on this side also. We talked about the State's job climate and the viability of this State as far as moving forward and being progressive and attracting industry and jobs, and we're also concerned about, obviously, that we don't have a negative impact on our agriculture community. And that's -- those were issues that we talked about, among others, and obviously, at that point in time -- and -- and my position, and I want to make it perfectly clear, was that all we were asking for, from our side, was the direction, the blueprint, the framework. And we said that we will then review that proposal, what information is given to us, and then decide how we want to progress from there. That was the commitment that I gave and I think there's some confusion about when we were supposed to be either supportive or reject. We wouldn't, obviously, have been supportive until after we see his framework. Now, we didn't see a budget. Now, that's -- the Governor's going to give us the budget next Wednesday. That's his day to do that. We didn't see a budget. But we did see a financial framework. Now, we had -- so I, personally, and I think those of us in the room, the rest of us, had some real concerns about where the Governor was headed with this particular budget, but that's his job. And we're going to see more about it next week, and there even may be revisions before next week. But now before us is not the budget. It's not the budget that's before us. We're talking about the ten-billion-dollar bonding plan. And each of you will make up your own mind as to how you want to vote on this particular issue, how it impacts your district, the people of the State of Illinois and you, personally, and how you feel about the philosophy of what we're about to do. And I've made no commitment. After the Governor gave us the information that we asked for, I've made no commitment on -- from this side of the aisle on either putting

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

votes on or taking votes off. People on this side of the aisle are open and free to vote as they wish. My concern and my attitude about this is that there are many people still undecided. And those of you that are going to vote for it, that -- that's fine. Those of you against it, okay. But for some of you that are undecided about this, I think that we need to all understand what -- this is a real risk we're taking. In some states, as we know, this hasn't necessarily worked out as well as what we hope it will work out here in Illinois. It's a real risky venture. And personally, I'm at the point right now that I'm not willing to take that risk and I'm not going to support House Bill 2660, but I am going to work with the Governor, as this Session progresses, in solving the budget concerns of the people of this State. That's my commitment to you. That's the commitment I'm making now to the Governor. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Watson. Seeing no further discussion, President Jones, to close.

SENATOR E. JONES:

Yeah. Thank you, Mr. President. I appreciate the remarks by the Minority Leader and I think we do recognize that next Wednesday, the Governor will give a Budget Address, but decisions have to be made. We, as leaders, have a responsibility. The market is ripe and prime for us to take advantage of this -- this opportunity that's presented to us. There are many groups across the State of Illinois that are in strong support of this concept: Illinois Chamber of Commerce, Illinois Manufacturers' Association, Illinois Retail Merchants, Illinois Federation of Teachers, Service Employees Union International, the Civic Federation, Illinois Petroleum Marketers, Taxpayer Federation, Chicagoland Chamber of Commerce, and many, many more. All these groups representing a cross section of the people of Illinois recognize that we must work together as a team. As a leader, it is our duty to do what is right. It's our duty to seize this opportunity and take advantage of the market wherein we can pay money into our pension system that will be reinvested, and just like refinancing a home, get it at a -- a very low cost. That's what it's all about, as we begin to fill this big hole that we find

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

ourselves in to deal with this big budget deficit that we -- we must come up with. If we don't do it now, and we wait till next week, we wait till next month, the window may close. Do I have a alternative plan in front of me? No, we do not have an alternative plan. I see on the Calendar there are some of those tax-exempts that we've given businesses over the year. Maybe you're wanting to push those through to help fill the hole. But we must act now. Every day we wait, we'll lose. Instead of owing thirty-five billion dollars, we will only owe twenty-five billion dollars if your affirmative vote is given to this piece of legislation. And twenty-five billion dollars in the out-years, our -- our obligation from the State will be less. And so, this legislation will give us 2.1 billion dollars that we can act on now. The vendors all across the State of Illinois have been calling, the nursing homes, "Where is my money?" We can no longer run the -- run the State off the back of those who provide the services to the needy. We must act and we must act now. I ask for an affirmative vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. The question is, shall House Bill 2660 pass. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 37 Ayes, 16 Nays, 5 voting Present. House Bill 2660, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, we're returning to page 14 on the Calendar. Senate Bills 3rd Reading. Senate Bill 1073. With leave of the Body, Senator Link, who is the chief cosponsor, will present Senate Bill 1073. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1073.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link.

SENATOR LINK:

First of all, it's a great honor to be presenting President DeLeo's bill. But this is a shell bill that's a work in progress

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

with the doctors and the dental hygienists. I would ask that we would continue on with this work in progress and would ask for a affirmative vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Being no discussion, the question is, shall -- Sorry. Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

What purpose do you rise, sir?

SENATOR ROSKAM:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DeLEO)

Indicates he will yield for a question, sir.

SENATOR ROSKAM:

Senator Link, is -- is this the -- the dentist versus hygienist bill? And it's a shell bill, as I understand it, and you're -- it's going out and negotiations are continuing. Is that it in a nutshell?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link.

SENATOR LINK:

That is it in a nutshell.

PRESIDING OFFICER: (SENATOR DeLEO)

The question is, shall... You're fast on the light. Senator Luechtefeld, what purpose you rise, sir?

SENATOR LUECHTEFELD:

Thank you, Mr. President. For purpose of a question.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield, sir.

SENATOR LUECHTEFELD:

And, Senator, it's just a real quick question. You -- you've been with this and you've maybe been in negotiations. Do you anticipate this will get solved this year or not? Is this one of those things we're going to put off again or what do you -- what do you -- what's your -- what's your feeling?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link.

SENATOR LINK:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

Well, I know with the great lead sponsor on this bill, I am sure that we will come to some resolution, and I -- I'm looking forward to this. That's why we're trying to continue on with this bill. We hope that this will come to a conclusion.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link, to close.

SENATOR LINK:

I -- I would just hope that we would affirmative vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The question is, shall Senate Bill 1073 pass. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 41 Ayes, 16 Nays, 1 voting Present. Senate Bill 1073, having received the required constitutional majority, is declared passed. Senate Bill 1074. Senator Demuzio. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1074.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This legislation will, in fact, enact a Professional Teacher Standard Board. Similar legislation had passed out of the House on three separate occasions over the last three years and has been stymied here in the -- in the Senate. What this bill would do would create a Professional Teacher Standards Board that would have all the powers and duties that are currently exercised by the State Board of Education and the Teacher Certification Board as they currently exist, those responsibilities with respect to administration and certification program approval process. It abolishes the current Teacher Certification Board. It authorizes the transfer of those individuals to this -- this new agency from the State Board of Education to the new Teacher Certification Board {sic}. It authorizes the Professional Teacher Standards Board to employ

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

an executive director. It does provide for a eleven-member Board in it's composition rather than a nineteen-member Board that's currently in existence. It does have an appeal process. It sets out the duties and the responsibilities for issuing of the certificates. And I would be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? I'm sorry. Senator Jacobs, what purpose do you rise, sir?

SENATOR JACOBS:

Move the previous question.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs moves the previous question. Prior to that motion, there are three Senators seeking recognition. Senator Wendell Jones, sir.

SENATOR W. JONES:

Yes, Mr. Speaker {sic}, I'd like to rise in support of this legislation. I think my experience in education would tell me that this -- this would improve the situation and I think it makes sense. I intend to support it. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President. I rise in opposition to this. I recognize that it has support and it's going to pass out of here, but I just wanted to offer a couple of remarks, if I may. This piece of legislation will abolish a -- a -- a nine-member Board and replace it with a eleven-member Board. It -- it takes people and puts them and creates a brand-new agency, and I think, philosophically, the -- the trouble that I have with this -- and I understand the teachers need -- as professionals, they want to be policed by -- by their own. I understand that. But this is public education. These are public dollars. We hold the Superintendent of Schools responsible for the performance of our educational system. We try to hold the school board, the Illinois State Board of Education, responsible. I don't know how you can hold these people responsible when there's a separate agency. I -- I hope it works. I -- I -- I -- I will do my level best, after this passes, to try to help it work, but I think, as a policy matter, as a financial matter, I -- I have

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

some serious questions about it. And for those reasons, I -- I will be voting No.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sieben.

SENATOR SIEBEN:

Well, thank you very much, Mr. President. My wife is a schoolteacher with a master's degree. She's a very responsible person. My daughter's a schoolteacher with a master's degree. She's a very responsible person. I think this issue is very important to professional teachers in this State, public schoolteachers who are very responsible people. I rise in support of the Senator's legislation, commend him for bringing it forward. A very important issue -- issue to the responsible and professional teachers throughout this State. I think the majority of those teachers will do the right thing -- relative to certification, and I believe we have not seen the best leadership from the State Board of Education on this issue. I believe it's time to transfer this responsibility to the teachers themselves, and I would urge all Members to vote Yes on this bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

...President and Ladies and Gentlemen of the Senate, I echo the comments made by Senator Sieben, and I support this bill and I urge my colleagues to support it also.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. The question is, shall Senate Bill 1074 pass. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, 3 voting Nay, 0 voting Present. Senate Bill 1074, received the -- the required constitutional majority, is declared passed. Senator Martinez, on Senate Bill 1079. Mr. Secretary, read the bill, sir.

ACTING SECRETARY HARRY:

Senate Bill 1079.

(Secretary reads title of bill)

3rd Reading of the bill.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Martinez.

SENATOR MARTINEZ:

Senate Bill -- Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1079 amends the Child Care Act to declare that licensed day care centers must adhere to the requirements of the Section of the Structural Pest Control Act pertaining to integrated pest management guidelines and written notification prior to the application of pesticides to day care centers. The intent of this bill is to make sure that licensed day care centers, similar to schools, give notice to the parents or guardians of children prior to the application of pesticides. Child care facilities and schools use toxic chemicals for pest and termite control in buildings, on lawns, trees and athletic fields and as wood preservation on treated lumber in playgrounds -- playground equipment. Pesticides not only kill the target pest but pose a serious threat to other organisms. Repeated exposure to such -- to small doses can be very harmful to humans, especially children. Some pesticides cause an additional threat because they are long-lasting in an indoor environment. The measure requires day care centers to adhere to the requirements of Section of Structural Pest Control pertaining to integrated pest management guidelines and written notification prior to the application of pesticides to day care property. Declares that notification required under -- Structural Pest Control Act may be given -- may not be given more than thirty days prior to the application of the pesticide. Mandates each licensed care center, subject to the notification requirements of the Structural Pest Control, to make sure that pesticides will not be applied when children are present at the facility. Toys and other items mouthed or handled by the children must be removed from the area prior to application of pesticides. Make it clear that children must not return to the treated area within two hours following the application of the pesticide or as specified on pesticide label, whatever time is greater. Amends...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton, what purpose do you rise, sir? I'm sorry, Senator Martinez.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

SENATOR CULLERTON:

Yes. Point of order.

PRESIDING OFFICER: (SENATOR DeLEO)

Yes, sir. State your point.

SENATOR CULLERTON:

We're supposed to debate the bills. We're not supposed to read the entire bill. This is -- I wasn't -- I wasn't here for her first bill, so I -- I'd like to make a -- make a comment here. This is -- you know, we -- we got a long weekend.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Martinez.

SENATOR MARTINEZ:

Okay.

PRESIDING OFFICER: (SENATOR DeLEO)

For a short explanation.

SENATOR MARTINEZ:

It's -- it's a great bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank -- all right. Senator Righter, what purpose do you rise, sir?

SENATOR RIGHTER:

Thank you, Mr. President. Just very briefly. This matter passed out of Health and Human Services unanimously. Appreciate very much the sponsor's work with the Members of the committee, and I would urge an Aye vote as well.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The question is, shall Senate Bill 1079 pass. All those in favor, Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 57 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1079, having received the required constitutional majority, is declared passed. Senate -- Senate Bill 1081. Senator Martinez, on a short explanation of the bill. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 1081.

(Secretary reads title of bill)

3rd Reading of the bill.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This, too, is a great bill. This is Senate Bill 1081 and it's a measure to address the growing problems of children being diagnosed with diabetes at a younger and younger age. The intent of the bill is to prevent diabetes in children by requiring DPH to define, by rule, who should be screened for diabetes. And I will -- I'm open for questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator -- Senator Roskam, what purpose do you rise?

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR ROSKAM:

Senator, how often do the screenings have to happen? Who would end up paying for the screenings? Is this a mandate on schools? Is it changing, you know, how physical exams are given in Illinois? Can you just give us some of those details?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Martinez.

SENATOR MARTINEZ:

First of all, it's not mandated. What we're doing is just making sure that these children are screened as part of the examination. It -- it's a -- almost like a red flag that goes up. Just to -- just to let you know that we have -- the Illinois Medical Society is in favor of this bill. We also have people at the Day Care Action Council of Illinois, the Illinois Environment Council, the chemical industrial -- industry.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

If it's not mandated, Senator, what -- what are we doing in your bill, if it's not a requirement?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Martinez.

SENATOR MARTINEZ:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

Can I just give you something real quick? The prevention of Type II diabetes in children requires the ability to -- to effectively identify those children at risk and encourage the parents to get the service the child -- the children need. The treatment of diabetes once -- once one becomes an adult places a tremendous financial pressure on our health care system. On an average, employers pay four thousand four hundred ten dollars for employees -- for employees' benefits who have diabetes than those who don't. Given the expensive medical cost of treating obesity-related disease, such as diabetes, attempting to screen at-risk children early will pay off in the future through reductions in private health insurance and Medicaid costs for medical treatment.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Syverson.

SENATOR SYVERSON:

Thank you. Question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR SYVERSON:

Senator, in -- in looking at the amendment, it talks something about what you had said, that it does a screening and does not require the testing. What's the difference between the screening and testing?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Martinez.

SENATOR MARTINEZ:

First of all, what -- when you -- when a doctor has a child come into the office, what we want to make sure happens with these children is early on, that if a family has a history of diabetes in their family, I think it's important that this is a red flag that goes up to the doctor so he can actually go ahead and -- and -- and ask the parents that they need to be tested for diabetes at an early age. The screening is something that is part of the -- of the form that will be there so at least -- it'd be a checkoff list for making sure that that is actually brought out, so just in case there is a history of diabetes in the family, it can be addressed at that point.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

Senator Syverson.

SENATOR SYVERSON:

And, Senator, I -- I support that. I think we -- we may have to, when it gets to the House, work on some definitions because in -- in checking, diabetic screening means -- diabetic screening means a urinalysis. Diabetic testing means blood work. And what you're talking about is a diabetic -- a questionnaire, not necessarily a screening. And so I think what we may want to do is -- because what this is really mandating is that we do a urinalysis testing on every child, which is not the intent that you discussed or that we support. So, I think what you are talking about is what we want to do, and maybe we can just clarify over there that instead of using the word screening, we just use the word -- it's part of the questions that are asked and if there's an at-risk, we would move forward with the -- with the testing. Is that...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Martinez.

SENATOR SYVERSON:

Is that -- okay with that?

SENATOR MARTINEZ:

Thank you, Senator. I did work with the Illinois Medical Society and, basically, this was the language that they thought was most appropriate for this. But more importantly is we're not mandating. All we're saying here is that a child at risk could be anyone who has a -- a family history of diabetes. Someone who lives in my community, the African-American community, the Hispanic community, there is a very large amount -- I mean, a growing amount of kids with diabetes early on, and what we're saying is a doctor -- when a child goes in for a physical examination, that's on the checklist and what occurs is, if that child has a family background where there is diabetes, then we can actually have that -- that child tested. I think it's important that if we can do this early on, it will avoid, you know, worse health problems later on.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Syverson.

SENATOR SYVERSON:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

Last and then I'll -- I'll -- I'll be quiet, then, on it. But on the amendment, though, it says - and I guess that's what we have to clarify - it says "shall". It doesn't say "may". It says "shall" do a screening. And if the definition of screening -- according to the doctors we've talked to, screening means doing a urinalysis. And all I'm saying is I support exactly what you're saying and I support what your intent is, is having it as a checklist. All I'm saying, we need to clarify that screening does not mean urinalysis; screening means asking the questions. And if there is a positive answer, then we go forward and do either the urinalysis or do the blood test. I think that's what you're intending to do. I just think this may force some doctors to do something that is not what your intent was. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. The question is, shall Senate Bill 1081 pass. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1081, having received the required constitutional majority, is declared passed. Senator Halvorson in the Chair.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senate Bill 1095. Senator Sullivan. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 1095.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sullivan.

SENATOR D. SULLIVAN:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 1095 came before us in the last Veto Session. We passed it unanimously. It just didn't have time to get up in the House in Veto Session. It deals with unclaimed property and provides that the Treasurer may keep all that information confidential, and it provides that deposits

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

exceeding two and a half million dollars be deposited in State pensions. It passed out of the Executive Committee unanimously. There's no known opposition. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1095 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Yeas, none voting Nay, none voting Present. Senate Bill 1095, having received the required constitutional majority, is declared passed. Senate Bill 1098. Senator Jacobs. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 1098.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 1098 defines -- redefines "wireless enhanced 9-1-1" and, as amended, requires the surcharge on prepaid wireless telephone services to be remitted based on the address of the point of purchase, the customer bill address or the location associated with the mobile telephone number. This bill was given to us by the Illinois Sheriffs' Association. It is backed by the Illinois Chapter of National Emergency Numbering Association, AT&T Wireless, Cingular Wireless, U.S. Cellular and Verizon. I ask for your support.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Sullivan.

SENATOR D. SULLIVAN:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This is a good bill. I ask our side of the aisle to vote Yes.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any other discussion? Seeing none, the question is, shall Senate Bill 1098 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish?

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Yeas, 1 voting Nay, 0 voting Present. Senate Bill 1098, having received the required constitutional majority, is declared passed. Senate Bill 1102. Senator Jacobs. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 1102.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jacobs.

SENATOR JACOBS:

Thank you. This is my other AT&T bill of the year. This bill clarifies that -- Senate Bill 1102 clarifies that upon adoption of an ordinance that authorizes the imposition, amendment or repeal of the Simplified Municipal Telecommunications Tax Act, and once a municipal clerk transmits the copy of the ordinance to the Department of Revenue, the Department of Revenue has ten days after receipt of the ordinance to grant certification. It also extends the window for grandfathering of apportionment methods from June 1, 2003, to June 1, 2004 -- January -- excuse -- June 1, 2003, to January 1, 2004, thereby protecting all alternative reasonable apportionment methods under January 1, 2004. I know of no opposition and ask for your support.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1102 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 57 Ayes, none voting Nay, none voting Present. Senate Bill 1102, having received the required constitutional majority, is declared passed. Senate Bill 1105. Senator Sandoval. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 1105.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Madam President and Members of the Senate. This Senate Bill 1105 basically creates a Cicero Audit Committee and provides for certain financial reports of the town of Cicero to be reviewed by this Committee. This Committee will be comprised of five members appointed by the Governor with consent -- advice and consent of the Senate. I ask for your favorable vote on this vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Wendell Jones.

SENATOR W. JONES:

Yes. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR W. JONES:

Senator, why are we picking out just one of our municipalities in Illinois to have an audit for them? Wouldn't it -- wouldn't it be discriminatory to just single out one?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sandoval.

SENATOR SANDOVAL:

Senator Jones, I'm glad you asked that question. With this bill, it is not only as we approach the new administration of a new beginning in the Town of Cicero with the election of President Ramiro Gonzalez, the first Hispanic President of the Town of Cicero, this bill will assist him and help his administration as it embarks on the new future of the Town of Cicero to break the eighty-year history of corruption that has been linked with the Town of Cicero and organized crime.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jones.

SENATOR W. JONES:

Well, when I was elected Mayor of Palatine, I would have considered it an affront if the State of Illinois selected my town to audit me with people that didn't live in my community and come into my community and audit me. This sets a precedent. If we pass this bill, it seems to me we're setting a precedent to come in and audit every, single community in the State of

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

Illinois. We had an election on Tuesday in -- in Cicero, a week ago Tuesday, and as you said, we elected good people to run the community. Let's give 'em a chance. They have auditors; they have accountants; they have, I'm sure, a business manager, a comptroller. I -- I don't understand why we would select out one individual community to have this apply to.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sandoval.

SENATOR SANDOVAL:

Senator Jones, this gets back to the heart of -- I remember when I first arrived to this great Chamber, the Senate, being reminded by Members of your side of the aisle and of my side of the aisle that we are called to represent not only the people of our communities, but also all the people of the State of Illinois. We are Senators for all the people of the State of Illinois. And as you well know the history of the Town of Cicero, it has had an awful experience. Eighty-five thousand inhabitants of the Town of Cicero have been saddled with -- with corruption after corruption after corruption. Just recently, the Town President, she is serving an eight-year sentence in federal prison for racketeering. We're talking about a town who has been saddled with issues, racial profiling. We're talking about a town that has one of the worst school systems in the State of Illinois. We're talking about a town who suffers from severe housing discrimination. We're talking about a town whose people -- who people have suffered for eighty years of -- of corrupt and negligible government. I ask why I ask -- I brought this bill, because I believe that those people deserve a voice. They deserve honest government, and I know that all Members of the State Senate represent all the people of the State of Illinois.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jones, since your time is up, please bring it to a close.

SENATOR W. JONES:

...you. Thank you. Yes, I can wrap it up, Madam President. Thank you. Many of the things that the Senator just mentioned are not, obviously, covered in this law. This only covers the financial aspect of it. Current law requires that each

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

municipality shall have their funds audited annually in accordance with generally accepted accounting standards. The audit shall contain a professional opinion of the accountant with respect -- with the account with respect to the financial statements. Does the State really want to be in the business of overseeing the finances of municipalities? I think this may set a bad precedent. The Illinois Municipal League opposes this bill. I think we need to take a real close look on it. On this side, we probably should vote No or Present. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam President. Move the previous question.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jacobs, prior to that motion, there's one, two, three, four, five, six lights. Thank you. Senator Roskam.

SENATOR ROSKAM:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR HALVORSON)

The sponsor's -- indicates he'll yield.

SENATOR ROSKAM:

Senator, what kind of authority in terms of investigative tools will this committee have? Do they have subpoena power?

PRESIDING OFFICER: (SENATOR HALVORSON)

...Sandoval.

SENATOR SANDOVAL:

Senator Roskam, this committee will not have subpoena power. It shall only serve as a oversight committee, audit of financial reports.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

SENATOR ROSKAM:

To whom will they issue the report, Senator?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator -- or, Sandoval. You guys sit to close together.

SENATOR SANDOVAL:

To the Governor.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

SENATOR ROSKAM:

Senator, what do you anticipate the -- the activity after the report? I mean, if there's some untoward -- finding, you're still dealing with elected officials. What authority would this commission have to do any remedial measures?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sandoval.

SENATOR SANDOVAL:

Report serves surely as an advisory report to the General Assembly, the Governor and the town officials of Cicero.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

SENATOR ROSKAM:

Be -- but beyond that, they don't have any authority? It's strictly reporting. They don't have any -- any ability to -- you're -- I mean, in other words, you're not suggesting that the duly elected officials of Cicero have their authority or their power undermined in any way as a result of this, are you?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sandoval.

SENATOR SANDOVAL:

Not at all.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

SENATOR ROSKAM:

Senator, one of the standards that you articulated in your response to Senator Jones was a city that has a history of corruption, really a rich history of corruption. You cited an eighty-year history. Is it your opinion that the -- that Cicero is the only city or municipality in the State of Illinois that has that type of history?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sandoval.

SENATOR SANDOVAL:

No.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

SENATOR ROSKAM:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

Well, it would seem logical then that your bill should include other cities and municipalities that have that kind of history, wouldn't you agree?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sandoval.

SENATOR SANDOVAL:

I represent the 12th District, Senator Roskam.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

SENATOR ROSKAM:

Well, Senator, you just told us a couple minutes ago that you represented all of the people of Illinois. So, wouldn't it make sense that your bill include cities that have the type of corruption that you've just told us exists in other cities around the State? Doesn't it make sense to have this type of authority to go in and audit the books and so forth of those cities as well?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sandoval.

SENATOR SANDOVAL:

Senator Roskam, are you saying that we should include some of the towns in your district?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

SENATOR ROSKAM:

Well, Senator, my towns don't have that type of corruption. I think the town that we're all talking about, as if -- as if nobody sort of "gets" the program, is the City of Chicago. The City of Chicago has a rich history, unfortunately, of the types of crimes and public corrupt officials that you have laid out as the standard. In your comments, you went back eighty years. So, my question is: If this is good for Cicero, is it good for the City of Chicago?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sandoval.

SENATOR SANDOVAL:

Senator Roskam, your question deserves no response.

PRESIDING OFFICER: (SENATOR HALVORSON)

All right. Senator Roskam. Finish -- can you...

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

SENATOR ROSKAM:

Well, sure. I mean, apparently you're not yielding for questions and that's fine, Senator. You can choose to do that if that's your approach to the Senate Floor. Madam President, I have an inquiry of the Chair. This bill preempts home rule. Can you tell me how many votes it requires for its passage?

PRESIDING OFFICER: (SENATOR HALVORSON)

Question is going to be answered shortly. The bill expressly -- expressly provides that home rule units may exercise and perform concurrently with the State any power or function of a home rule unit. Pursuant to Section 6(i), Article VII of the Illinois Constitution, the bill will require thirty votes for Senate passage. Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Madam Chairman. I -- I mean, President. I just wanted to say briefly that about thirteen or -- or more years ago, Senator Jones, the City of East St. Louis was audited. So, to say that this is unprecedented is not the case. I feel that the Senator feels there's a need in his area and obviously if there are other -- other municipalities that we believe need to -- needs to be audited, then maybe he's open for amendment in the House. But, I mean, just to throw that out there, I don't think is needed. Let's support Senator Sandoval on -- on this issue. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Madam President, Ladies and Gentlemen of the Senate, I, too, have served as a Mayor of my town, and I can tell you something: If the people of Cicero were happy to support Mayor Gonzalez, who happens to be a Republican, then it's up to them. The corruption that was cited for Cicero has been all over the papers - everywhere - radio, TV. If the people wanted someone else, they would have voted for someone else. I don't think you're doing the right thing by saying because it's in your district, you're going to do that to Cicero. The people are there, and if they don't want somebody, they can speak up for themselves. And I think you ought to give this new mayor a chance to keep cleaning up any corruption that might have

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

existed. And you know and I know there's been corruption in many cities. And I think you're being unfair, and I think you're making it political, much as I like you, Senator Sandoval, simply because this candidate won over your Democrat candidate. So, therefore, I don't think there's a good purpose in this bill at all, and I think you're interfering unjustly. Furthermore, I think it might be just unconstitutional, too.

PRESIDING OFFICER: (SENATOR HALVORSON)

Thank you, Senator. Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR LIGHTFORD:

Senator Sandoval, considering that this does preempt home rule and I generally vote against preemption of home rule, having served as a local legislator myself for seven years, I do want to know, have you considered allowing the local town -- because I had Cicero in my district previous to you. Have you considered allowing the local board and the township board to collaborate and come up with a committee that could do exactly what it is you'd like them to do but would not allow this Body to put this preemption on the home rule municipality?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Watson.

SENATOR WATSON:

Yes.

PRESIDING OFFICER: (SENATOR HALVORSON)

Oh, I'm sorry, Senator Lightford. Senator Sandoval, to answer that question, then Senator Watson.

SENATOR SANDOVAL:

Senator Lightford, I would just also remind you that I am also an elected official of the -- for the Town of Cicero. I represent all of Cicero today, and was wholeheartedly supported by the constituents of the Town of Cicero to represent the best interests of the Town of Cicero. When I ran and I walked door to door, neighborhood by neighborhood, and received over fifty percent -- nearly fifty percent of the vote, the first thing in the minds of the people of the Town of Cicero was the misuse of

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

their monies. Thirty million dollars, recently, of their monies were misspent on casinos, gambling, golf courses, et cetera, et cetera. This is -- this is thirty million dollars that could have gone for the building of schools, libraries, programs, senior care programs.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Senator Sandoval, for that answer. And then let me say this, then: I'm totally against preemption of home rule because it's just something that I've always voted against since I arrived here, but I appreciate and respect your -- your concern for the wrongdoing that takes place in the Town of Cicero. In fact, they were going to welcome the Ku Klux Klan to do a parade at one time, which is totally against everything that I believe in. I just wanted to make sure that you did acknowledge that the local board and the township board could collaborate and come up with and do exactly what it is that you're doing. Now, since you say, as a new Member of that community, that this is some of the things that they asked you to do immediately, then I comment you; however, I would have to vote No.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Watson.

SENATOR WATSON:

Thank you, Madam President. I guess a question of the sponsor, please.

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR WATSON:

Thank you. In light of the comment about the misuse of public dollars and trust, would you accept an amendment concerning the audit of the O'Hare Airport?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sandoval.

SENATOR SANDOVAL:

I have no comment on that matter at this time, Leader Watson.

PRESIDING OFFICER: (SENATOR HALVORSON)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

Senator Watson.

SENATOR WATSON:

Obviously -- doesn't want to -- answer the question. But in light of the -- some of the recent articles that we've seen in the Chicago Sun-Times, I think that an audit of O'Hare Airport would be very appropriate concerning the many issues that you've brought forth here, Senator, on this Floor. I think it warrants some concern for an audit of O'Hare Airport.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Madam President. You know, I like audits, but I got a big problem with the -- this bill. Senator, could you confirm for us from what political party the new mayor of Cicero is?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sandoval.

SENATOR SANDOVAL:

I believe the question has no relevancy to the bill, Senator Lauzen.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Lauzen, I know your light's not on, but I know you want to speak.

SENATOR LAUZEN:

May I ask for an answer to my question, respectfully?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sandoval.

SENATOR SANDOVAL:

Senator Lauzen, the President of the Town of Cicero has been a lifelong Democrat, has posed -- has run as a Democrat all his entire career, except for in this last election. He ran as a Republican.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Lauzen.

SENATOR LAUZEN:

Thank you very much for the answer to that question. Are you familiar with Senator Dillard's bill that addresses the auditors, the municipal auditors, across, as you say, the entire State of Illinois? Are you familiar with that piece of

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

legislation that was passed within the last two, three weeks from this Chamber?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sandoval.

SENATOR SANDOVAL:

Not in full detail, Senator Lauzen.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Lauzen.

SENATOR LAUZEN:

Thank you. Okay. Then -- then one other question. Respectfully -- well, I -- I would just encourage, in future -- I would ask the question: If it -- if it is good for Cicero, why not good for Chicago? But to the bill, if this really is about all the people, all of Illinois, then I would encourage you to do two things in this process. One would be to address what Leader Watson mentioned. I've served on the Audit Commission for the State of Illinois for the past, maybe, six years or so, and we do have a problem that an audit of O'Hare Airport is stuck now at the Supreme Court. It's very frustrating to some people who feel like you feel, that we ought to be able to look into any body appropriately. So, I would suggest that, and I would suggest that maybe the way to get what you want to get done here would be to have Senator Dillard's bill, which is much more acceptable to, I hope, the majority of these folks to get that job done. So, I make those two suggestions, in closing. Thank you very much.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator John Jones.

SENATOR J. JONES:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR J. JONES:

Senator Sandoval, you and I were in committee together with this bill and -- and I'm going to ask you some questions, and I hope that you don't use up all my five minutes trying to refer me back to all the history of Cicero because I know all that history. My first question to you is, during committee I asked you if you had faith in the people of Cicero to elect a new

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

president, and I believe, if I'm not mistaken, you came back to me and said, "Well, the -- the person that's really running for -- for village president or mayor is already on the city council and it's not going to improve." Was that not correct?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sandoval.

SENATOR SANDOVAL:

My response, Senator Jones, if I recall, if I may paraphrase that the -- the current town president who was elected was a city councilman or a town trustee during the administration of the convicted felon, Betty Loren-Maltese.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jones.

SENATOR J. JONES:

So, is that the -- is that the person that got elected as president this time in?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sandoval.

SENATOR SANDOVAL:

Yes, Senator Jones.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jones. You just have to put your light on. Sorry.

SENATOR J. JONES:

In committee, I asked you to wait until after the election and let the people speak in Cicero and elect a new president and a new city council and give them a little bit of time to get things in order. Due to the fact that everything that has happened in Cicero with all the -- the allegations and -- and charges and even imprisonment of some people, give the town of Cicero a little -- little opportunity to operate first and see whether they need to be audited or not. Did you not disagree with me on that?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sandoval.

SENATOR SANDOVAL:

I don't recall if I ever responded to that question, Senator Jones, but I will tell you this, that -- don't believe that the people of Cicero should wait for a good and honest government.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jones.

SENATOR J. JONES:

Thank you, Madam President. To -- to the bill. You know, this is -- this is setting a bad precedence in this State. If you're going to do it for one -- one town or one community, let's do it for everybody. You know, you're putting a burden on the -- on the Town of Cicero, a cost here. But really and truly what we're telling the people back in Cicero, even after all of the corruption and sending people to the federal penitentiary, "You still don't have enough responsibility to elect good people to the Town of Cicero." And I find that very distasteful to the people of Cicero. I think the people of Cicero had an opportunity to vote last week and -- and hopefully they --they picked the right person. If they didn't, the next election they will -- they will do another job.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sandoval, to close.

SENATOR SANDOVAL:

Senator Jones, on November 5th, the Town of Cicero spoke and they elected a new State Senator by the name of Martin Sandoval and they said, "Martin Sandoval, go to Springfield, go to the State Capitol and bring back honest and integrity to the Town of Cicero.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 1105 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 29 Yeas, 25 Nays, 4 voting Present. Senate Bill 1105, not having received the constitutional majority, is declared failed. Senator Sandoval. Senator Sandoval.

SENATOR SANDOVAL:

Madam President, I ask Postponed Consideration for this bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Bill will be replaced on that Order. Senator Shadid, for what purpose do you rise?

SENATOR SHADID:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

Point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR SHADID:

With Senator Risinger and myself, we have a special guest on the Floor who is the Congressman Ray LaHood's Chief of Staff. Would you please welcome him to Springfield?

PRESIDING OFFICER: (SENATOR HALVORSON)

Welcome to Springfield. Senate Bill 1108. Senator Hendon. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 1108.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hendon.

SENATOR HENDON:

Thank you, Madam President. Senate Bill 1108 is an attempt to get after unscrupulous tow -- tow -- towing companies and private lot owners who try to obscure the tow zone signs and hijack people's cars and hold 'em for hostage. And this would be a good bill to reel that industry in, and I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR RIGHTER:

Senator Hendon, can you tell the Membership what the bill actually does?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hendon.

SENATOR HENDON:

Thank you, Senator Righter. The bill calls on the towing companies to increase the size of the sign so that people who park on the lots will know that it is a tow zone, and they have to indicate clearly, in the front of their location where the

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

cars are being towed to, that if a consumer has a complaint, that they can contact the Commerce Commission and it gives that telephone number for the citizen to call.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

Senator, is there a current requirement for how large the signs have to be now, and if so, how big is that?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hendon.

SENATOR HENDON:

Yes, there is a current requirement that the signs be twenty-four by thirty-six in the affected area. The problem -- what we've found is that this is not large enough and some companies intentionally obscure the signs. I had one company that put the signs in a tree and leaves grow and covered the signs, and people's cars were being towed. They were asked for two hundred and ten dollars to get the -- the automobile back.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

Senator Hendon, first, I want to ask also, is there a geographic limitation to where this will apply? And I think part of my previous question was also not just how big the signs are now, but how big you want to make them. Could you also answer that, please?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hendon.

SENATOR HENDON:

Certainly, Senator Righter. In committee, it was clear to me that Members didn't have this problem everywhere, and I -- I respect others' districts and neighborhoods and territories, so this is Chicago only because I didn't want to affect some other communities that did not have this problem. So, this is Chicago only and this is private lots only, and now it will be forty-eight inches by forty-eight inches, has to be at least four feet from the ground -- four feet from the ground and they have to be brightly painted with reflective paint, because at night, you can't see the signs because some of them are in plain black and

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

white and they're not maintained, and people are getting their cars towed without even knowing that they were in violation.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

Senator, you've talked about the towing companies, but the expense here is going to be on the private lot owners. Is that -- that's correct, isn't it?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hendon.

SENATOR HENDON:

There will be some expense on private lots beginning 1/1/04. I was very conscientious of the fact that they needed a little time, and we will be continuing to work on this matter in the House to make it even more acceptable to those companies that have these signs that will be affected.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter. Is there any other discussion? Senator Burzynski, did you turn your light off? Seeing none, the question is, shall Senate Bill 1108 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 41 Yeas, 16 Nays, 0 voting Present. Senate Bill 1108, having received the required constitutional majority, is declared passed. Senate Bill 1109. Senator Hendon. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 1109.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hendon.

SENATOR HENDON:

Thank -- thank you very much, Madam President. I truly appreciate that last vote, on 1108. Senate Bill 1109 is a bill that gives senior citizens the opportunity to get their medications. Some of them aren't getting the medication right now because of the copay. This just lowers the copay amount for brand-name drugs to two dollars and eliminates the copay for

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

generics altogether. We want to encourage people to use the generics. It also takes the burden off of -- pharmacy companies that try to provide the medication to our seniors, who have to absorb this -- this loss when the senior can't pay, and I'd urge an Aye vote. I'll be happy to answer any questions.

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 Hendon, it's good to talk to you again. You and I discussed this bill in committee, as did a number of other Members. Just a -- a couple brief questions. First, it's my understanding that Medicaid -- in order to receive federal reimbursement, Medicaid regulations state that you cannot deny anyone who's enrolled in the program a prescription if they can't pay the co-pay. Is that correct?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hendon.

SENATOR HENDON:

That is true, and that's one reason why I did not just mention the senior citizens but I mentioned these poor drugstores that are going out of business and having a tough time of it to make it because, you're absolutely correct, they have to dispense the medication regardless and they are suffering as well. So, we want to take care of the senior citizens as well as businesses, and I think this is a good pro-business, pro-senior citizen piece of legislation because I did take that into consideration.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

Senator -- Senator, as you know, during the previous weeks, we've passed a lot of legislation that costs some money. We talked about that also in committee, about what the fiscal impact is to the Medicaid program, which obviously Medicaid

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

funds right now in the State are already very low. My recollection was that you believed that you'd gotten an estimate from the Governor's Office of the neighborhood of six million dollars. We have subsequently heard from the Department of Public Aid. They are telling us about fifteen million dollars for this change. Do you have any further information on that?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hendon.

SENATOR HENDON:

Thank you, Senator Righter. Their numbers have fluctuated and I did get a -- a -- a number of 13.7 million at this -- at this point. As I said before, I would not insult any of your intelligence to act as if there was not a fiscal cost. There is a fiscal cost. I would never stand here and -- and -- and lie or try to deceive any Member of this Chamber, but the benefit outweighs this -- this slight cost. And I think that it -- because the benefit outweighs the slight cost, it's worth taking the hit on the budget. The Governor's Office is not against this idea, by the way. The Governor and I are really on the right track now, and if they were vehemently opposed, I would probably withdraw this, but they are not. So, I ask for your support.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

Thank you very much, Madam President. Briefly, to the bill. I appreciate very much what Senator Hendon is trying to do; however, federal regulation already prohibits pharmacies from denying prescriptions to people who can't pay the copay. All of us have heard from constituents, hospitals, nursing homes who are on the brink of having to borrow even more money or collapsing themselves because they are not getting their Medicaid payments - four, five months behind. This will drain more money out of that program and make it even harder for us to pay those bills, to catch up on those bills, and I would urge a No vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Obama.

SENATOR OBAMA:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

Thank you, Madam President, Ladies and Gentlemen of the Senate. I stand in strong support of this bill, and -- and let me tell you why. Not to go over it too much more, but small pharmacies, particularly in inner cities where there's a large Medicaid population, are essentially being asked to shoulder a responsibility that we, in combination with the federal government, really should be shouldering ourselves. What we're telling them is to charge a copay that federal law says they cannot charge, and as a consequence, although this is less of a problem for some of the large -- pharmacies like Walgreens, it is an enormous problem in areas that are already underserved with respect to health care. It doesn't make sense for us to put the burden on small businesses and then tell them that we don't want to do what we, in fact, are responsible for doing. I know that Senator Hendon has had conversations with the Governor's Office. This is an issue that they are very interested in dealing with. I would strongly encourage us to pass this out, send it over to the House. I think that this will be incorporated into the broader discussions that are going to be taking place with respect to the budget, but we need to send a strong signal to small businesses operating under difficult circumstances that we're not going to simply dump a wide array of budget problems in their laps. These are responsibilities that we need to take care of in this Chamber, and for that reason, I'd -- I'd strongly urge an affirmative roll call.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Madam President. To the bill. You know, one -- every once in awhile we've got to pause and say, what are the good things that the General Assembly has done? One of the good things the General Assembly has done, are -- are big picture things: tax caps, truth in sentencing, death penalty reform and so forth. Another good thing that the General Assembly has done is over the years, in response, actually, to the Clinton administration's initiative, is to do some very rigorous welfare reform initiatives. One of the components of welfare reform is to have some ownership in the system, and with all due respect

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

to the sponsor, this takes away ownership and responsibility. When you have a -- a copay system where there is no more copay, when it is free, when it is here, when there is absolutely nothing that somebody has to do and there's no restraining influence at all, what is -- what -- what happens over a period of time, the system becomes very costly and it begins to implode. I would just urge a No vote. I understand that there are people in dire need of medical help. There are better ways to accomplish this goal than to undermine a very fundamental premise of the welfare reform program. I urge a No vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President -- Madam President. We've already been through this one time. I just want to reiterate, I -- I support what you're trying to do in lowering the -- the higher level down. But one of the things that we have -- we've talked about in committee, and I know that Senator Viverito is interested in, is the home-delivered meals, the -- Meals on Wheels. One of the reasons why that works is, people pay what they can, and I deliver those foods, too. And they -- sometimes they pay a quarter, sometimes they pay a dollar, but it gives them a sense that it's not a handout, that they're participating in it. I think that's one of the reasons why we had a simple one-dollar copay on -- under the generic before, so it was low enough but it helped individuals keep -- keep their pride. Under this legislation, you know, we not just lowered the copay on -- on the brand name, which I support, but we eliminated the copay completely from the generic. And I think that takes that away from the individuals in giving them the ability, those that were paying - and I know a large number did pay - it took away their ability of a sense of pride and -- and -- that they were not getting a handout, that they were participating in the process. That's why I wish we'd look at lowering the - the -- the brand name, but let's look at readdressing the copay issue on the generic. And I - and I -- it's certainly something that I could support.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Ronen.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

SENATOR RONEN:

Thank you, Madam President. I just want to respond to the previous two speakers who are potentially well-intentioned but have their facts wrong. Federal law -- welfare reform law right now allows recipients to not make the copayment, and -- and that's the problem that the Senator is trying to address here and I commend him for trying to address that. It's the small pharmacies who are being unduly hurt by that fact. I think his bill is a step in the right direction. If there's a problem here, potentially it's a problem in federal law. And I would urge all my colleagues to support this bill as a way of addressing a serious concern that we have in our neighborhoods not only of the high cost of prescription drugs, but of helping to maintain small businesses doing business in poor neighborhoods. So, I would urge all my colleagues to vote Aye.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Rauschenberger. Is there any further discussion? Senator Hendon, to close.

SENATOR HENDON:

Thank you very much, Madam President. I appreciate the kind words of Senator Obama and Senator Ronen. To my -- my esteemed colleague, Senator Syverson, I am a strong advocate of Meals on Wheels and I'd even give away -- I give away a lot of food in my district. In fact, that's probably one of the ways that I got elected, is over the years, for ten years, I've given away thousands and thousands of bags of groceries to those who need it. They don't leave my office with -- with their pride lost because we gave them something to help them out. In fact, we're able to give 'em -- show 'em some love while they're there, and some of 'em even come in and work to help give food to others. So, they don't lose their pride because they got a break from -- from government. They really don't. In addition, if people don't want the break, they can just pay whatever they want to pay. People can go in and say, "I'm not even going to use my Medicaid card. I'll just pay seventy, eighty or ninety dollars for those ten pills," if they want to, but I guarantee you, they'll choose to take whatever breaks that they can get. And to -- to my esteemed colleague, Senator Roskam, I am not eliminating copay altogether -- or, to Senator Syverson.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

There's still a two-dollar copay for brand name. Also, we're trying -- to Senator Roskam, this is good pro-business legislation. It's very -- we're very fortunate to be able to help seniors and business at the same time. I know you don't think that Democrats normally are pro-business, but I am. This is a pro-business measure. It's supported by the Illinois Pharmacy Association, and I do want to remind my esteemed two colleagues that - and -- as well as Senator Righter, I probably haven't cast but very few No votes this entire Session. That includes legislation of yours, my friend, and legislation of Senator Syverson's as well. I will vote for your legislation. I'll ask for you to vote for mine.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 1109 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 41 Yeas, 16 Nays, none voting Present. Senate Bill 1109, having received the required constitutional majority, is declared passed. Senate Bill 1110. Senator Hendon. Senate -- Senate Bill 1115. Senator Hendon. Senate Bill 1116. Senator Hendon. 1122. Senator Burzynski. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 1122.

(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. This bill amends the Illinois Highway Code. Provides that an entry in the clerks -- district clerk's records, ledger, or official minute book, stating that there was a dedication of a highway according to statutory requirements, is prima facie evidence that the highway was dedicated. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1122 pass. All those in favor will vote Aye.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

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, 1 Nay, none voting Present. Senate Bill 1122, having received constitutional majority, is declared passed. Senate Bill 1125. Senator Sieben. Senate Bill 1126. Senator Silverstein. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 1126.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you very much, Madam President. This bill permits the Department of Revenue to -- to use its rule-making authority for certification to the Comptroller of -- of any unpaid court fees or costs owed pursuant to an order entered by a court. I'll ask {sic} any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Lauzen.

SENATOR LAUZEN:

No, madam, not on this bill, but a point of personal privilege.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR LAUZEN:

On the previous bill, I pressed the wrong key and I'd like to be recorded -- my intention was to vote Yes.

PRESIDING OFFICER: (SENATOR HALVORSON)

The record will reflect. So, is there any discussion on this bill? Seeing none, the question is, shall Senate Bill 1126 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's 57 Ayes, 0 Nay, 0 Present. Senate Bill 1126, having received the constitutional majority, is declared passed. Senate Bill 1127. Senator Silverstein. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

Senate Bill 1127.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you, Madam President, Ladies and Gentlemen of the -- the Senate. This deletes the three-hundred-dollar -- dollar limit for use of credit card or debit products when posting a bond. Sorry.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Silverstein, are you done?

SENATOR SILVERSTEIN:

Yeah.

PRESIDING OFFICER: (SENATOR HALVORSON)

He's more than done, right? Is there any discussion? Senator Sullivan. David Sullivan.

SENATOR D. SULLIVAN:

Thank you, Madam President. Senator Silverstein, I think we'll all wait until you talk to Debra on the phone there and then get back to the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Any other discussion? Seeing none, the question is, shall Senate Bill 1127 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 57 Ayes, no Nays, none voting Present. Senate Bill 1127, having received the constitutional majority, is declared passed. Senator Cullerton, on 1150. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 1150.

(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 amends the Illinois Insurance Code and requires self-

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

service storage facilities to -- to secure a limited line license before offering or selling insurance to cover the personal belongings of people who rent space at these self-service storage facilities. And some consumer protection provisions have been put into the bill. Requires the facility to provide a brochure that summarizes the terms of the insurance coverage, disclosing that coverage offered by the facility may provide duplicate coverage if the renter already has insurance coverage on his or her own personal belonging. It clearly states that the purchase of the coverage from the self-service storage facility is not required in order to rent the storage space, and it describes the process for filing a claim. We've put amendments on at the request of the Department of Insurance that are technical in nature. Be happy to answer any questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

Thank you, Madam President. To the bill. I rise in support. This came unanimously out of the Senate Insurance Committee. I'm not aware of any opponents and would urge an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, the question is, shall Senate Bill 1150 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 57 Ayes, none voting Nay, none voting Present. Senate Bill 1150, having received the required constitutional majority, is declared passed. Senate Bill 1164. Senator Hunter. Senate Bill 1190. Senator Viverito. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 1190.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Viverito.

SENATOR VIVERITO:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

Thank you, Madam President. I think this will be a little easier bill for everyone. This amends the Illinois Act on Aging home-delivered meals. Deletes all, subject to appropriation, for every citizen who is qualified for home-delivered meals under the federal Older Americans Act. I think all of us realize how important it is to deliver these meals, keep people out of nursing homes. The Department on Aging are neutral on it. AARP is with this. The Illinois Dietary Association. There's an awful lot of people out there that really need these and we want to keep 'em out of nursing homes. I would appreciate and thank all those that can vote for this.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. {sic} President, Ladies and Gentlemen of the Senate. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR RAUSCHENBERGER:

Could you explain briefly how this is a change from current law?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Viverito.

SENATOR VIVERITO:

I -- I believe, after meeting with the new Director of -- on Department on Aging, we have many, many individuals that have been waiting to get a meal, especially in areas -- in rural areas, as well as some of the many suburban areas, and I think I have a documentation here that shows there's almost two thousand people waiting to receive meals.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Well, I didn't -- I know there's waiting lists and I know there's people interested in this. How does this bill change current statutory law? In what respect does this change eligibility?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Viverito.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

SENATOR VIVERITO:

Makes -- it makes it a requirement that the Department on Aging will, on a yearly basis, the beginning of January, let us know exactly how many people are waiting and that the Public Health people are also involved and will be assisting us in this endeavor.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Then, to the bill. With all due respect, the - the eligibility doesn't change. It's exactly the same as it was. We spent ten years here trying to manage the concept of waiting lists in the early nineties in kind of difficult financial situations. In asking a Department, which basically ends up as advocates many times, to assemble, by survey or by statistical models, the number of unserved people, I just would warn people that you're putting the new Executive Branch under pressure. We have always, we have always taken into consideration the actual waiting lists that were provided by the agencies that provided home-delivered meals. The entire time, I think from '96 -- FY'96 on, we fully funded the Meals on Wheels program based on the actual waiting list. So, asking for statistical review or -- or, you know, setting yourself up or setting the Governor up for increased pressure on this, I just would advise people that I think this is a return to asking advocates to assemble waiting lists, and I just think that -- that while the Senator may be well intended, I -- I don't think this is good public policy.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Senator Righter. Oh. Senator Viverito. 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, you're going to have to help me a little bit on this. In committee, it was my recollection that when you first presented the bill, it just created the entitlement.

PRESIDING OFFICER: (SENATOR HALVORSON)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

Senator Viverito.

SENATOR VIVERITO:

Right.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

And when some serious concerns were voiced about -- about fiscal issues, I think that it -- it was my recollection that we asked you about changing the bill to identify those folks, rather than creating the entitlement.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Viverito.

SENATOR VIVERITO:

Senator, I'm glad you mentioned that, and that's exactly what we did.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

Well, you did half of that, as I read the bill now. The bill creates the list but also retains the entitlement portion of it. And maybe there was a misunderstanding, but it was my understanding that we were changing this into a compilation of a list so we could appropriately identify those people and then step forward from there.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Viverito.

SENATOR VIVERITO:

...course -- of course, it's always subject to appropriations and, obviously, more and more people are realizing that the elderly need to stay in their homes. In my particular area, we deliver twenty-five thousand home-delivered meals. My mother was ninety-one years old and could get those meals every day. We -- I'm involved in senior citizen housing. I've been a minority owner for nineteen years. We've got a hundred and seventy-three units, and I can tell you, without home-delivered meals, these people would end up in nursing homes. And they all want to stay in their home as long as they can. This is something that the new Director was very happy to sit down and negotiate with me. The new Director has -- has said he was a

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

strong advocate of this and knew that we were not addressing all the issues of people on waiting lists.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President. Final question, then. Is it your understanding, then, that there's a commitment from the administration that this will be funded in their FY'04 budget?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Viverito.

SENATOR VIVERITO:

I have met with the Budget Director, I have met with some of the Governor's staff, and all of them are enthusiastically looking at this as a means of keeping people out of the nursing home. And I want to thank you, Senator, for those good questions. Thank you very much, and I hope everybody can vote Yes.

PRESIDING OFFICER: (SENATOR HALVORSON)

Any further discussion? Senator David Sullivan.

SENATOR D. SULLIVAN:

Thank you, Madam President. I'd just like the Senate to take this opportunity to welcome Senator Rutherford. He's up in the gallery.

PRESIDING OFFICER: (SENATOR HALVORSON)

Welcome, Senator Rutherford, to Springfield. Senator Roskam. Oh, you were going to do the same thing? Boy, you're -- you're very popular, Senator. Okay. Senator Walsh.

SENATOR WALSH:

Thank you, Madam President. I stand in strong support of what Senator Viverito is doing here. One of the things that we -- you know, we are sitting here every day looking at dollars and cents and -- and expenditures and appropriations, and -- and Senator Viverito hit the nail on the head. The longer we can keep our people at home and live in our communities and live in the homes that they feel comfortable are -- in, the better off we are. Yes, we may have to spend a few dollars to provide them this one day meal -- one-time-a-day meal, but what it means for them to have a -- a meal that is -- is warm and full of nourishment for them, delivered to them, and they pay what

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

little bit they can, as Senator Syverson said earlier, it -- in the long run, in the long run, it saves dollars for the State of Illinois and I think it's a big and a great program.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 1190 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 53 Ayes, 1 voting Nay, none voting Present. Senate Bill 1190, having received the required constitutional majority, is declared passed. Senate Bill 1193. Senator Lightford. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 1193.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Madam President. And if I could, for a moment, acknowledge how bright you are and how you brighten up the Senate. You look very nice today.

PRESIDING OFFICER: (SENATOR HALVORSON)

Thank you, Senator.

SENATOR LIGHTFORD:

Madam Chairman. Actually, Madam Chairman, this is -- and Members of the Body, this is a -- the only other shell bill that will come from the Financial Institutions Committee. Senate Bill 1193 was gutted. It will address the -- it's entitled short-term loan, which deals with the payday loan industry. This is the phone call that I made to Senator Rutherford at 8:30 one evening just letting him know that we would not have a subcommittee meeting and that we would try to work in a bipartisanship way to -- because this is a concern in all our districts across the State. And I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Rutherford, who made it quickly down from the gallery.

SENATOR RUTHERFORD:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

Madam President, I'd like to thank the Senator. And could I have your cell phone number so I can call you? But just to say to -- to the Body, Senator Lightford has agreed to work in a very cooperative, bipartisan way, and we will be working together from both caucuses.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Inquiry of the Chair.

PRESIDING OFFICER: (SENATOR HALVORSON)

Yes.

SENATOR RAUSCHENBERGER:

I think two previous times I've requested the number of shell bills that we've already moved. A lot of us are trying to be responsible Members of the Minority. There was a single roll call of over two hundred bills. I -- I don't know if the Chair is ready yet to give us a count of the number of shell bills that we've moved over. It's certainly an unprecedented number. But, you know, as we continue to see shell bills on this Calendar, we've extended the deadline now because we're not able to do our business in an expeditious way. At some point, could we get a ruling or a -- a response from the Chair of the number of shell bills and the -- the -- the part of the statutes that they have amended so that perhaps some of us who would like to help the House not clog their computer system, we could maybe get feedback from them. Is -- is the Chair, at this time, ready to give me any information on the number of shell bills? I mean, we could have -- might have known, had we been able to debate the one magna bill, or whatever we call that.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Rauschenberger, I don't personally have that information right now, but I will try to get that for you. Yes?

SENATOR RAUSCHENBERGER:

Could -- could the -- could the Chair direct me to -- I mean, am I -- you know, is this -- am I out of line? Are we -- I mean, am I directing this in the wrong way? You know, I'm kind of -- I've never been in the Minority, so -- I mean, is -- are we -- well, I'm learning. I'm learning. I just -- you

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

know, I just kind of wonder is -- is -- am I doing this wrong? Am I asking -- is there a trick question here? You know...

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Rauschenberger, I know 'cause I spent about six years in the Minority and we're going to look for -- every -- anything you have to say is on -- in order. So, I will look into that for you.

SENATOR RAUSCHENBERGER:

Thank you. I really appreciate the Chair's diligence.

PRESIDING OFFICER: (SENATOR HALVORSON)

Sure. The question is, shall Senate Bill 1193 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 Ayes, 2 Nays, none voting Present. Senate Bill 1193, having received the required constitutional majority, is declared passed. Senate Bill 1198. Senator Cullerton. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 1198.

(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. Senator Rauschenberger, my timing couldn't have been worse. This is actually a shell bill. So, let me -- let me see if I can respond to your -- your question. Clearly, we did have shell bills that we passed over to the other Chamber that are -- as far as I can tell, there's no work that's being done on them. There's no -- at this point in time, we don't know what the language is going to be. Then there's another category of bills which are shell bills that -- where work is -- is -- is going -- ongoing. This is that category. This bill was introduced at my -- by me at the request of Children's Hospital and it deals with the issue of providing HIV testing for newborns when the mother's HIV status is unknown at the time of delivery. The AIDS Foundation had some concerns with it and the Illinois State

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

Medical Society had some concerns with it. We have some language which we're real close on, but we're not there yet. So, because of the deadline, I'm -- I'm indicating what's going to be in the bill, and I'm passing -- asking you to pass the bill over to the House. It is a different category, obviously, than the ones that we had on the -- on the one roll call. So, I'll be happy to answer your question or anybody else's question and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Rauschenberger. Now, that's one more than the last one...

SENATOR RAUSCHENBERGER:

One more -- well -- well, we're getting there. I -- I -- you know, I just -- I don't think I understood the -- the -- the sponsor's -- you're not saying that we went through that -- that potentially unconstitutional machination here and all that for them to sit on the House Calendar and not be addressed by the -- our august colleague? Oh, for heaven sakes. Is it your intention on this shell bill - because I have a great deal of respect for the sponsor - is it your intention on this to make sure that the AIDS Foundation is comfortable with the final product? I know it has been very contentious between the two groups. And although I do not vote for shell bills, I might vote for this one 'cause you've been so gracious, but you'd have to tell me that the AIDS Foundation will either be comfortable with this or we won't see it back.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

Yes, I am working with the AIDS Foundation and the Medical Society. Children's Hospital is interested in the issue after birth, saving the lives of these children who are born with AIDS, because as you may know, there's new -- there's new testing where you can actually save the life of a child if you -- if you know that the child has -- is -- tests positive for AIDS, if you treat that child within forty-eight hours. Children's Hospital is concerned about, you know, postnatal. The AIDS Foundation is concerned about that, as well as prenatal, and -- and the issue of counseling. And, of course,

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

the Medical Society is interested, and we're all interested because otherwise we'd have a tough time passing it. So, those are the three players. We are very close on the language. I think there still is some concern by the doctors on the prenatal and the extent of the counseling. So, that's where -- that's where it stands. And again, be happy to answer more questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I'd just like to thank the sponsor for his clear and concise explanation of what's going on. Thank you very much. I'll be voting Aye.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President. A point of inquiry.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR RIGHTER:

And perhaps for Senator Sullivan -- I mean -- I'm sorry, Senator Cullerton. I noticed that there were three amendments introduced. Were any of them actually ever attached to the bill? Because you've referred to it as a shell bill, but it's -- it's -- it's not a shell bill as it would be characterized as a shell bill that it has nothing but a title. It's got substance to it, but you're planning on changing it. Is that fair description?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

No. Actually, if you look on the Calendar, there's no amendment on this bill. There's no A in front of the number on the Calendar. So, no amendments were -- were adopted. They were offered as possible solutions to the problem, but they were not adopted because we couldn't reach an agreement.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

Right. And so -- I mean, that was the -- the point. When you were -- it's been referred to as a shell bill. It's not a shell bill as we -- I just want to make sure that -- for the Members on this side of the aisle, understand this bill does have substance to it, but according to the sponsor, he's working through it to try to get it changed and reach an agreement. Thank you, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

Any further discussion? Seeing none, the question is, shall Senate Bill 1198 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Bill 1198, having received the required constitutional majority, is declared passed. With leave of the Body, we'll return to 1200 today. Senate Bill 1201. Senator Jones. Senate Bill 1207. Senator Harmon. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 1207.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Harmon.

SENATOR HARMON:

Thank -- thank you, Madam President, Members of the Senate. Senate Bill 1207 amends the Illinois Insurance Code to do two things. First of all, it increases the dollar threshold for mandatory arbitration -- binding arbitration of uninsured motorist claims. Second, it modernizes the provisions relating to penalties for vexatious delays. I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Brady.

SENATOR BRADY:

Thank you, Madam President. To speak to the bill, this bill came out with the amendment unanimously. The sponsor's worked hard to bring about agreement in the varying groups and I want to compliment him, and I intend to support the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

Is there any further discussion? Seeing none, the question is, shall -- Senate Bill 1207 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are -- 55 Ayes, 0 Nays, 0 Present. Senate Bill 1207, having received the -- required constitutional majority, is declared passed. Senate Bill 1212. Senator Walsh. With leave of the Body, we will turn to page 18. Senate Bill 1321. Senator Crotty. Senate Bill 1329. Senator Dillard. Senate Bill 1331. Senator Garrett. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 1331.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Garrett.

SENATOR GARRETT:

Thank you, Madam Chairman -- President and Ladies and Gentlemen. Senate Bill 1332 is an agreed-upon bill..

PRESIDING OFFICER: (SENATOR HALVORSON)

Wait, wait. 1331.

SENATOR GARRETT:

1331, I'm sorry. I'm -- no, I'm doing..

PRESIDING OFFICER: (SENATOR HALVORSON)

Okay. 1331. Out of the record. Senate Bill 1332. Senator Garrett. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 1332.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Garrett.

SENATOR GARRETT:

Thank you, Madam President. 1332 requires that the Illinois Department of Public Health to conduct more timely inspections, on-site inspections, which would be completed within a 10-day period of time. This bill has been agreed upon by the Illinois Hospital Association and AFSCME and covers investigative

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

surveys, exit briefings and reviewer performance and overall hospital accountability and oversight by the Department of Public Health and the hospitals. It's been agreed upon, extensive negotiations, and I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President. Just very briefly. I appreciate the sponsor's hard work on bringing the parties together. It is an agreed-to bill, and I would urge its passage.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, the question is, shall Senate Bill 1332 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 57 Ayes, none voting Nay, none voting Present. Senate Bill 1332, having received the required constitutional majority, is declared passed. Senate Bill 1335. Senator Schoenberg. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 1335.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 1335 is an initiative of the Laborers' International Union and it establishes procedures and protocols prohibiting the discharge or discipline of whistleblowers relative to the Prevailing Wage Act. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1335 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 55 voting Aye, 1 voting

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

Nay, none voting Present. Senate Bill 1335, having received the required constitutional majority, is declared passed. Senate Bill 1360. Senator Maloney. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 1360.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Maloney.

SENATOR MALONEY:

Thank you, Madam President. Senate Bill 1360 gives the option to tenure and tenure-track faculty under the auspices of the University of Illinois - that is the campuses at Springfield, Urbana-Champaign and Chicago - the choice of whether or not they want to form a collective bargaining unit. The bill, in its present form, is a result of an agreement between the Illinois Federation of Teachers and the University of Illinois coming to agreement on terms.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR ROSKAM:

Senator, how does -- I see that the -- this impacts education labor relations. How does this have an effect on the labor relations board -- the Education Labor Relations Board that the Governor is trying to abolish?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Maloney.

SENATOR MALONEY:

Senator, I -- I don't know that this would have an impact on the Governor's decision as to whether or not to abolish this Board.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

SENATOR ROSKAM:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

Senator, if there were disputes under this bill, would those disputes go to the Education Labor Relations Board as it's currently put together?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Maloney. Oh, sorry.

SENATOR MALONEY:

Since they're -- they are currently in the position to do that, I -- I would assume that they would get the -- get those disputes.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

SENATOR ROSKAM:

Were there any opponents in committee, Senator?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Maloney.

SENATOR MALONEY:

Initially there -- there was -- the University was, but when we came to agreement on the -- the faculty that would be covered under this bill, there was no further dispute.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

SENATOR ROSKAM:

And this allows them to make what kind of a choice, Senator?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Maloney.

SENATOR MALONEY:

It -- it allows the full-time tenure and tenure-track faculty at each of the campuses the option of whether or not they want to form a collective bargaining unit. Does not say they have to. Just allows them the option.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

SENATOR ROSKAM:

What -- what campuses are -- where is the problem that you're trying to address?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Maloney.

SENATOR MALONEY:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

Well, there is no problem, as far as I know. And there was a union previously at the University of Illinois, Springfield, that is no longer there, and this, again, offers them the option to form that collective bargaining unit.

PRESIDING OFFICER: (SENATOR HALVORSON)

Any further discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR BURZYNSKI:

Thank you. Senator, they can't do this now? They can't already form a collective bargaining unit?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Maloney.

SENATOR MALONEY:

Not -- not under the current legislation. This amends the Illinois Labor Relations Act. That -- that was taken away by the -- by the 1995 legislation.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Burzynski.

SENATOR BURZYNSKI:

Okay. And, again...

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Maloney.

SENATOR MALONEY:

I'm sorry. The -- I'm sorry. What was the question?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Burzynski.

SENATOR BURZYNSKI:

I didn't ask another one. I -- I was watching the -- the conversation. I -- I guess my -- my question is, is that -- I'm trying to think now. I've lost my train of thought. So, all of the -- all of the faculty -- my question was they can't -- they can't unionize her now, or they can't form a collective bargaining unit now. You said that's correct under the 1995 legislation that took that away. Okay? My question is, is -- is this collective bargaining unit one unit for all of the campuses or they can -- all do their own thing individually?

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Maloney.

SENATOR MALONEY:

It -- the option would be available to each of the campuses. They would not be -- it wouldn't -- does not have to be one collective bargaining unit for all the campuses.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. And -- and one last -- I think it'll be the last question. You mentioned College of Medicine, College of Pharmacy, et cetera, a bunch of different schools. Are they included in this? Because there are several branches of, for instance, College of Medicine. There's one in Peoria. There's one in Rockford. You know. Are they included in this?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Maloney.

SENATOR MALONEY:

This -- this legislation would exempt the College of Medicine, Pharmacy, Dentistry, Law and Veterinarian Medicine.

PRESIDING OFFICER: (SENATOR HALVORSON)

Any further discussion? Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Madam President. A question of the sponsor, please. Senator, would you walk me through this a little bit? SIU is represented by the IEA. Did they have to -- and I don't remember them doing this. Was before my time, I guess, in this -- in this Assembly, but did -- did they have to come to this -- this Body to get the right to organize?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Maloney.

SENATOR MALONEY:

I can't answer that question. I do know, however, Senator, that the Southern Illinois University campuses, they have two campuses and they are two collective bargaining units, one at each campus, which is exactly what this legislation is asking for. I -- I do not know if they came to this Body to -- to form those collective bargaining units or not.

PRESIDING OFFICER: (SENATOR HALVORSON)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

Senator Bomke.

SENATOR BOMKE:

Thank you -- thank you, Madam President. I rise in support of this legislation. A few years ago I had legislation to allow University of Illinois at Springfield to organize as it had been when it was Sangamon State. There was quite a bit of opposition to it. We did not move that legislation. Senator Maloney has brought this legislation to us. I understand that there -- it has been amended. There is an agreed -- agreement from the University to allow each campus to organize. Right now, as I understand, they can organize, but each campus has to organize at once. This legislation would allow them to do it separately, autonomously, and I understand that the University has no problem with it and -- and supports it. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Maloney, do you wish to close?

SENATOR MALONEY:

Again -- again, this -- this legislation only offers the option at each campus at -- under the auspices of the University of Illinois, and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 1360 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 35 Ayes, 17 Nays, 3 voting Present. And Senate Bill 1360, having received the required constitutional majority, is declared passed. Senate Bill 1378. Senator Clayborne. Senate Bill 1379. Senator Cullerton. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 1379.

(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 another in the category of projects that I worked on to try to get an agreement among a number of parties and became very

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

close. In the interest of full disclosure, I'll tell you who the players are. This is an initiative of the Attorney General, dealing with the -- amending the -- the Illinois {sic} (Environmental) Protection Act, and we negotiated this bill with the Chamber of Commerce, the Illinois Energy Association, the Illinois Environmental Regulatory Group and the Farm Bureau. And we came -- there's three major provisions. We came in with an agreement on two of the three and very close on the third, but we could not get that final agreement. So, I think it's something that we can do, so I'm -- I'm once again asking for you to pass this bill over to the House, where the amendment will be put on over there. It -- the three provisions deal with allowing EPA to consider an applicant for a permit's prior enforcement history to legislation, also, that would change the monetary penalty imposed for a violation to tie it into the economic benefit of that not -- of noncompliance, and the third thing would be to bar certain State contracts from being let to companies that have been -- in the past, had a bad action. So, we don't have an agreement yet but it's very close, and I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1379 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 57 Ayes, none voting Nay, none voting Present. Senate Bill 1379, having received the required constitutional majority, is declared passed. Senate Bill 1380. Senator Welch. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 1380.

(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 creates certain minimum efficiency standards for certain equipment and appliances, including ceiling fans, lamps, refrigerators,

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

freezers, commercial clothes washing machines and traffic lights. We have added to -- added an amendment to take care of several of the objections to the bill, to make it compatible with federal standards and to make sure that it didn't impact certain products by Motorola. The idea behind this bill is that the products that were chosen to be energy-efficient already are manufactured as energy-efficient products. Other states impose these standards, so new products would not have to be manufactured but, rather, the distribution would be in Illinois as well as the other states. I'd be glad to answer any questions.

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 he'll yield.

SENATOR ROSKAM:

Senator, you listed a series of products and -- was traffic lights on the end of that?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Welch.

SENATOR WELCH:

Yes. You know how traffic lights have, like, light bulbs instead of the -- the brighter lights? There's a ninety-percent energy savings by switching from traffic lights to these new type of bulbs.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

SENATOR ROSKAM:

How does this, Senator, interact? You -- you mentioned it briefly in your opening remarks, but how does this interact? There's a perception on this bill that this makes Illinois less competitive with other states. Can you address that question?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Welch.

SENATOR WELCH:

Well, what it does is it requires that these items sold in Illinois be efficient. As I said, the companies already

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

manufacture these products to be efficient; they just don't sell 'em in Illinois. It's similar to California having their own automobile standards and that is the only state that has those special standards. Well, Detroit manufacturers manufacture cars specifically for California. Now, they could put them in other states if the other states had the same standards, but in this situation, they're already manufacturing other products that they could just sell in Illinois.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

SENATOR ROSKAM:

Is -- it seems like the unintended -- if you could address this question: Isn't the unintended consequence of this kind of a patchwork approach that will ultimately become problematic and more costly for Illinois consumers?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Welch.

SENATOR WELCH:

Senator, one of -- one of the objections has been that the federal government is looking into this, but the federal government looks into things when states start setting different standards for products or other ideas to try to make the national legislation uniform throughout the country. So, if states go forward and -- and pass legislation like this now, it gives more impetus to a federal standard nationwide. That's kind of the idea why these bills are being pushed throughout the country.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

SENATOR ROSKAM:

Is the -- is the -- the efficiency standards, Senator, are they just limited to those products -- those household products and the traffic lights that you mentioned earlier?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Welch.

SENATOR WELCH:

There -- the list of products is the -- is the list I've read, yes.

PRESIDING OFFICER: (SENATOR HALVORSON)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

Senator Roskam. Any further discussion? Senator Winkel.

SENATOR WINKEL:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR WINKEL:

I -- I am also concerned, as you are, with this bill. I'd like to see efficiencies as well, and I think most of us would. And I -- I think the concept is good, but the reality is, as the previous -- as Senator Roskam was pointing out, that this piecemeal and state-by-state approach is going to cause some confusion in the market, but, also, I can tell you I've been approached by one manufacturer in my district that this will jeopardize that manufacturer and there will actually be a loss of jobs, certainly in the short term, because of the differences now that this would create with Illinois with -- with neighboring states. There is -- I mean, it's not just that the federal government is actually looking into this, as you put it. Isn't it so that there's actually legislation -- federal legislation that's pending in the U.S. Senate at this point?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Welch.

SENATOR WELCH:

There's legislation been introduced, but as far as the status, it -- it could be like legislation on our Calendar. It may not be going anywhere. I was curious, though, what -- what product this company manufacturers that came to you, because we took care of several other companies that had similar objections.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Winkel.

SENATOR WINKEL:

It was an air conditioning company.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Welch.

SENATOR WINKEL:

They make...

PRESIDING OFFICER: (SENATOR HALVORSON)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

Oops! I apologize.

SENATOR WINKEL:

No, that's -- that's fine. They manufacture air conditioning units. Their -- their point was is that if your legislation became law, they'd have to shut down a line. And I can tell you, in Vermilion County where we have high unemployment, I have to take that very, very seriously. A loss of jobs in Vermilion County is a very serious thing. It's a serious thing anywhere, but Vermilion has very high unemployment. So, my question, though, is -- I mean, I -- they -- they may be exaggerating, perhaps, the status of the federal legislation. They represented to me, and I have no reason to not believe them, that this was actively being pursued on the federal level, which as Senator Roskam, I think, was pointing out, would be a much better approach to have it federal and across the country than state by state in a piecemeal fashion. I'm just wondering if we are, indeed, wise moving ahead with this legislation at this time, particularly since, at least in one case, where it could cost us jobs.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Welch.

SENATOR WELCH:

Well, Senator, I don't know if it's the Carrier Corporation that spoke to you or not, but they talked to me and they indicated to me that they already manufacture air conditioners for several different states who have these standards. Now, a -- a standard like this, of course, would be better off on a federal level, but we're not going to get there this year, it doesn't look like. They are discussing it, we think. There has been legislation introduced. But legislation has been ongoing for several years, so I'm not sure why this year would be different than prior years, which is why we would like to move this legislation this year and while -- why other states are trying to push similar legislation as well, to get the federal government to enact that particular bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Winkel.

SENATOR WINKEL:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

I understand the strategy. I understand the concept. I'm supportive of increased efficiency. I'll tell you what's different about this year: This year we have higher unemployment than we have in the past several years. This year is different because if it does cost a whole line in this company and we lay off people and people lose jobs, I think that makes a big difference this year. This has been going on for a long time, as you point out. Why can't we wait another year rather than jeopardizing jobs in my district? I -- I would ask you to reconsider.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Welch, would you like to close.

SENATOR WELCH:

Well, I think this is a bill that we should all support. It certainly saves on energy throughout the State. It ends up saving money because if you pay -- if you use less energy, you pay less for the energy. This is a concept we've used in schools, in public buildings, in other buildings throughout the State. It's a -- it's a issue whose time has come. Certainly we are involved in energy issues throughout the world. In fact, we're involved in them very significantly today in the Middle East. My thinking is that we need to have an energy policy here on the State level to make sure that Illinois is in the forefront of getting products, getting the best use out of energy that's available to us today. And I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 1380 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 41 Ayes, 16 Nays, none voting Present. Senate Bill 1380, having received the required constitutional majority, is declared passed. Senate Bill 1384. Senator Hunter. Senate Bill 1399. Senator Welch. Senate Bill 1402. Senator Woolard. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 1402.

(Secretary reads title of bill)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Woolard.

SENATOR WOOLARD:

Thank you, Madam President and Ladies and Gentlemen of the Senate. I think that everyone recognizes that some things are long coming and - and much needed. We've dealt with the rural health issues in this State for a long, long time and many of us who serve in some of those underserved areas recognize that there are many people that are in jeopardy of not receiving the kind of service to protect their health and -- and welfare. When it's dealing with children and babies in particular, I think that even makes it more significant. What this bill does is changes the "must" make grants to physicians in underserved areas available that has been in the law for a long time, has not been implemented, changes that to "shall", and that we shall -- I'm sorry. I said that backwards. Changes it from "shall" to "must". It -- it's one of those things that's going to cost us money. Not trying to hide from that at all. It's going to cost about ten million dollars, but it's a good thing. It's something that those of you who live in underserved areas know that you're probably seeing mothers traveling as much as forty mile one way to accomplish the task of just seeing a doctor, and that's not right, it's not good, it's not healthy, and we can do something about it.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Risinger.

SENATOR RISINGER:

Yes. Will the Senator yield?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he will.

SENATOR RISINGER:

Senator, in my district, we have the same concerns. We have small communities where doctors have left the community and -- and there's not that kind of care. My concern is the ten million dollars, the -- the -- the price tag. And as we discuss these issues, I wish that these kind of bills could be - could come forward after we see the budget and do the budget work. I

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

-- I think the bill is -- is good. The concept is good. We need that. I do have concern about the cost.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Woolard. No. Senator Dillard.

SENATOR DILLARD:

Would the sponsor yield for a question, please?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR DILLARD:

Senator Woolard, is there a obstetrical shortage of obstetricians in rural Illinois because of the high cost of medical insurance?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Woolard.

SENATOR WOOLARD:

Without question. I think that everyone recognizes that many of even the family practitioners have given up the practice of performing this task, and in doing so, the distance that many of the patients have to seek a doctor is just unacceptable. Especially for those who don't have the ability or no transportation available to get them to that doctor, it even makes it more difficult.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Dillard. Any further discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I wonder if the sponsor would -- answer a question. If those of us in areas that currently aren't underserved, although we're nervous about what's happening in obstetrical care, support this bill, can we count on the Senator's support for fundamental tort reform in the medical malpractice before we end up with the entire State of Illinois being an underserved area? Is that something we can count on as tribute to us for supporting this bill?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Woolard.

SENATOR WOOLARD:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

I -- I certainly would welcome any and all of you supporting this piece of legislation, but for me to make a commitment on something that I don't have before me, I -- I can't do that. For the most part, I probably would say that that's a very difficult vote for me, but I've been known to make difficult votes. In fact, I probably have made several here in the last few days that would be questionable in the eyes of some of those people that I represent.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, the question is, shall Senate Bill 1402 pass. All in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Yeas, none voting Nay, none voting Present. Senate Bill 1402, having received the required constitutional majority, is declared passed. Top of page 19. 1404. Senator Woolard. Senator Woolard, 1404. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 1404.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Woolard.

SENATOR WOOLARD:

...technical amendment only. The -- Dan Hynes said if we can, let's move this to the House. He's got a purpose for this bill. I have no idea what the purpose is.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator -- oh, the lights all went out. Senator Demuzio.

SENATOR DEMUZIO:

Well, I know Dan Hynes and he's a friend of mine, and I'm sure he'll have something good.

PRESIDING OFFICER: (SENATOR HALVORSON)

All right. Is there any further discussion? Seeing none, the question is, shall Senate Bill 1404 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

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

wish? Take the record. On that question, there are 34 Ayes, 15 Nays, 5 voting Present. Senate Bill 1404, having received the required constitutional majority, is declared passed. Senate Bill 1405. Senator Woolard. Senate Bill 1414. Senator Obama. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 1414.

(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 bill that we've been working on. I've been discussing it with Senator Righter. It's going through our committee. It, in current form, is a shell bill. There are negotiations that are almost complete between the Hospital Association and the trial attorneys with respect to the protection of records and the rules governing how hospitals can discuss litigation with their employees. We were hoping that we were going to get the agreed-upon amendment today. It appears that we won't. To keep the process moving, I would like to move this forward. And I'm happy to answer any questions substantively about what the nature of the negotiations are if people are interested.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Madam President. To the bill. The purpose of deadlines is to -- is to insert in our process an artificial deadline to make us bring things to closure. You know, I -- I hate to be a whiner, but I guess I will be 'cause at least I enjoy it. But, you know, the people...

PRESIDING OFFICER: (SENATOR HALVORSON)

At least you're honest.

SENATOR RAUSCHENBERGER:

The people influenced by this Chamber are entitled to certainty. They're entitled to an end of mucking about, for whatever reason, in their doing business. The Hospital

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

Association doesn't need another six or eight weeks of being held under the gun. The Majority Party has hundreds of shell bills. You know, I -- this exercise of keeping us in, extending deadlines so that we can pass shell bills so that we can hear over and over and over again that a Member intends to work something out just gets a little long. Some of us have a lot of time on our hands. I mean, that was a choice you in the Rules Committee made. But standing up one after the other, asking us over and over and over again, for you to keep the -- keep these people on a hook and on a line is not acceptable. I urge all Members of the Senate to say "Enough shell bills." You got over two hundred to use. We don't need to pass anymore and I'm a little tired of it. And I don't think it's fair to the people of Illinois or the people we represent.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR HALVORSON)

Excuse me, Senator Roskam. We'll let Senator Obama address Senator Roskam -- I mean, Rauschenberger.

SENATOR OBAMA:

I want to -- I want to address that last comment because how that diatribe suddenly got directed at me is a little puzzling to me, particularly since in the last six or seven years that I was here, I recall repeatedly voting on his shell bills with respect to appropriations, and at no point did we start haranguing each other about the process. Now, the -- I am perfectly satisfied with the notion that, in fact, we do have deadlines. The vast majority of the bills are going through. I have, at all times, dealt respectfully with the previous commentator in terms of his necessity to move the process forward, and I would appreciate that if he has a substantive concern about the bill, that he address it. This is, in fact, a negotiation between the Hospital Association and the Trial Lawyers. The problem was that the language did not get done. The Hospital Association is drafting the legislation. I recognize that in an ideal world, we would all move this process through smoothly in -- in -- in record time. But to -- to single out

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

this bill, to suddenly launch into that kind of harangue, I find objectionable, and I generally don't find too many things objectionable.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he will.

SENATOR ROSKAM:

Senator, can you just describe what the underlying problem is that you're trying to address? 'Cause there's sort of -- the subtext today on a lot of concepts has been agreed -- I'm not saying that you've said this, but the subtext has been, "This is an agreed bill." Well, it sometimes an agreed bill when you got all the cards and, you know, your side is in total control. And so it's agreed because people are trying to make the best deal they can; otherwise, they get rolled over. So, what is the underlying difficulty, Senator, that you're trying to address. I understand it's a Supreme Court case. I don't know the details.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Obama.

SENATOR OBAMA:

I'll be happy to address that. The -- essentially what is taking place is that the Hospital Association and the trial attorneys are trying to work out procedural rules governing the manner in which medical records of patients can be accessed ex parte. We had a variety of -- we had a number of -- a series of meetings taking place between the Hospital Association and the trial attorneys, and the solution appears to be that where it is a hospital employee, a recognized hospital employee, that, in fact, hospitals should be able to interview the -- their own employees ex parte, without intrusion by the trial lawyers, because, in that sense, they're being treated like any other employee. The problem that's being addressed here is that you've got several folks who are being treated as independent contractors and those independent contractors are -- the -- the hospital is not -- doesn't want to treat them, on the one hand,

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

as employees but, on the other hand, wants to benefit from their protection with respect to -- and so, we're trying to just separate those two things out.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

SENATOR ROSKAM:

My time is closing here, but is it safe to say that the hospitals, if left alone, are -- are more or less satisfied with the status quo and the Trial Lawyers are unsatisfied with the status quo? Is that a fair characterization?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Obama.

SENATOR OBAMA:

I'm not certain whether I would characterize that exactly in that fashion. But -- but -- I mean, I think that they have essentially arrived at a version that they're agreed to. Can I make a remark, Madam President? Because I see that the previous speaker on the other bill is -- is working it to make sure that this bill goes down. They've done a headcount. I'm going to -- I'm going to pull this out of the record for now and -- I'm going to pull this out of the record and I will return to it next time.

PRESIDING OFFICER: (SENATOR HALVORSON)

Thank you, Senator. Out of the record. 1416. Senator Obama. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1416.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Obama.

SENATOR OBAMA:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This bill is not a shell bill; it's a substantive bill relating to the FOIA program. Apparently that -- there are a wide range of agencies who seem to have some difficulty getting -- FOIA information out to some of our constituencies, particularly businesses that are interested in the bidding process. What this bill simply does is make sure that there is

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

a -- a contact directory of FOIA officers. I know of no opposition. I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

Thank you, Madam President. To the bill. I think at the time that this came out of the Executive Committee, there was not a fiscal note that was available. Since that time, the Secretary of State's Office has filed a fiscal note indicating that the cost of putting this directory together is a hundred and twenty-five thousand nine hundred dollars.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Obama.

SENATOR OBAMA:

I would just point out, and I -- the -- have not seen the fiscal note that was sent to Senator Roskam, that currently all these agencies have FOIA responsibilities. To the extent that the website, if, in fact, it's true that it's going to cost a hundred and twenty-five thousand dollars is accurate, I would suggest that the amount of staff time that is involved responding to or not responding to FOIA requests will far -- and including, by the way, litigation, because if, in fact, the FOIA request is not met, then a lawsuit is filed and then you've got general counsel for these agencies having to get involved. My suspicion is, is that that one -- one-time cost upfront will be more than saved in terms of making access to FOIA more convenient.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he will.

SENATOR RIGHTER:

Senator, I've been listening briefly to -- to what you've had to say on this. The Secretary of State's Office is the one that produced the fiscal note of a hundred and twenty-five thousand, but beyond that, I want to ask you, isn't there already a way by which the people who are going to have this

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

directory in their hands, that they can find out this information?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Obama.

SENATOR OBAMA:

This bill specifically addresses the problem that you have in many of these agencies, a failure or a lack of clarity in terms of designating who the FOIA officer is. And the -- repeatedly what's happened is, is that small businesses or businesses who are bidding on State contracts will contact the FOIA officers or -- or contact the agencies seeking a FOIA officer to -- and -- and are getting the runaround for lengthy periods of time. And, so, they do not have, apparently, a clear procedure in some of the agencies involved, and that's why this directory would address that particular situation.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

Well, Senator, every time you have a new FOIA officer, are you going to have a new -- directory? I mean, I -- I understand. I'm not trying to nitpick this, but it seems to me that it's just as easy for them to pick up the phone and call and find out who it is as it is to them open the book, especially if you're going to have to print a book, distribute it and then change the book when the -- when the officers have changed. I mean, unless I'm missing it.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Obama.

SENATOR OBAMA:

Let me suggest and -- and this was debated -- or, this was discussed in the committee. It came out with no opposition, unanimously from that side and I understand that you were not there. I will point out that the staff person sitting -- standing behind you and who's been talking to you was there. The fact of the matter is, is that these -- the small businessperson is repeatedly put on hold, doesn't know who it is, is -- people will tell them, "We'll get back to you." They don't get back to them. These are businesses, typically, who are contacting these agencies and trying to get this information,

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

and it appears that they're not able to get it. So, I'm responding directly to complaints, repeated complaints, of people who are spending a month or so trying to obtain information about who the officer -- or, the FOIA officer is before they even get to make the FOIA request, at which time there's an additional seven weeks or eight weeks that the agency has to respond. And by that time, oftentimes, the information is no longer disclosed or -- or is no longer pertinent to the reason they were seeking it in the first place.

PRESIDING OFFICER: (SENATOR HALVORSON)

Any further discussion? Seeing none, the question is, shall Senate Bill 1416 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, none voting Nay, 5 voting Present. Senate Bill 1416, having received the required constitutional majority, is declared passed. Senator del Valle, in the Chair.

PRESIDING OFFICER: (SENATOR DEL VALLE)

With leave of the Body, we'll return to Senate Bill 1200 on page 15. Senator Halvorson. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1200.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President, Members of the Senate. Senate Bill 1200 amends the Mobile Home Park Act. It provides that funds and fines received under the Act shall be deposited into the Facility Licensing Fund and shall be used for the enforcement of the Act. Also provides that the Department of Public Health may assess administrative fines against a person who operates a mobile home park in violation of the Act or its rules. Provides that the Department must provide written notification of the violations and allow a minimum of ten days for correction before imposing the administrative fine. Effective immediately. What's been happening is there are

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

people that own mobile home parks that live all over the country and there's been problems. And the people that live in them find that there's no enforcement of them fixing. So, what this does is, there will be notification. The owner of the mobile home {sic} will be told. They'll have ten days to fix it. If not, then they'll be assessed some fines. The fines go into a fund. That fund will be to hire more inspectors to enforce it. I just encourage, if anybody's got any questions, to let me know.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Risinger.

SENATOR RISINGER:

Yes, to the bill. This passed through our committee unanimously. We think it's a good bill. It addresses some concerns with the industry, and we thank the Senator for bringing it forward.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates she will yield.

SENATOR BURZYNSKI:

Thank you. Does this just apply to mobile home park owners?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Halvorson.

SENATOR HALVORSON:

I believe so.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Does it apply to mobile homes that are isolated? I mean, they're owned by someone else but they're not in a park? I'm -- I'm just looking real quickly at the analysis, and I couldn't tell from that.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Halvorson.

SENATOR HALVORSON:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

Thank you, Senator Burzynski. It's just the -- it's not one manufactured or mobile home off by itself. It's a park.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Burzynski.

SENATOR BURZYNSKI:

Does this include that mobile home even if it's on a permanent foundation?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Halvorson. Senator Radogno.

SENATOR RADOGNO:

Thank you. I just rise in support of this bill. We actually have some pretty good rules governing mobile home parks in the State. The problem has been, there hasn't been any enforcement and many folks that live in mobile home parks, particularly in mine and -- Senator Halvorson's district, are those that are least likely to be able to get anyone to represent them or enforce any kind of action through the courts against the land -- the mobile home park owner. So, this is a good piece of legislation and I hope that everyone would vote in favor of it.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Halvorson, to close.

SENATOR HALVORSON:

Just request an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall Senate Bill 1200 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, 2 voting Present. Senate Bill 1200, having received the required constitutional majority, is declared passed. With leave of the Body, we'll return to page 19. Senate Bill 1417. Senator Obama. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1417.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

Senator Obama.

SENATOR OBAMA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill addresses the issue of colorectal -- cancer, one of the most significant cancers that we have. Essentially, what we're trying to do here is to ensure that insurance companies cover the examination process, because early detection, as is true with most cancers, is vital. It's an initiative of the American Cancer Association. The insurance companies initially had some significant objections. Those objections now have been reduced to a fairly narrow question and that is that in the bill as currently written, it allows the patient to make a determination as to whether they should seek this type of examination. The insurance companies feels that the doctor should make it. Obviously, most of us, I think, would make the decision in consultation with our doctor, but I, at least, thought that it still needed to be housed, ultimately, in the patient's hands. So, I -- I want to acknowledge that, in fact, the insurance companies still have a slight problem on it and I'm willing to keep on working with them on it, but other than that, I don't see any objection and I'd ask for an affirmative roll call.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. To the bill. I think that this is similar to a -- a bill that Senator Parker had last year, if I recall, and I served on the Senate Insurance Committee last summer and attended a hearing up in Northbrook, a three, four, five, six-hour hearing, along with some other Senators on this issue. And what I heard during the course of the testimony was not really problems that would be addressed by a mandated -- mandated coverage of a test. What I heard during the hearings -- and remember, this is the hearings by the proponents, who are the best and the brightest in the business, the people that are caring for -- you know, that are focused in on this issue -- the Cancer Society, the physicians and so forth. And what I heard was -- was a couple of themes. The first theme that came out of those hearings was people that were reluctant to get the test

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

anyways because it's very uncomfortable and the subject matter is a little rough to deal with and they just don't -- they -- they put off, just because of human nature, the test. That was a huge percentage of the problem, and it really came down to a public education question on encouraging people to get these tests done and so forth. Then the other area that took up the overwhelming majority of the testimony was physician error, just doctors who made mistakes, physicians who, in the normal course of practice, misdiagnosed. One person went to a chiropractor and they -- they had complaints of low back pain. I remember the testimony of a thirty-seven-year-old guy who said he went to the chiropractor, complained of low back pain, and the chiropractor treated the low back pain, as anybody would expect, and it turns out that he had colorectal cancer. So, it was an aberration. So, what am I saying? I'm saying that my -- my concern is that as we're all back in our districts hearing from businesses that are telling us about the cost of their insurance premiums just going through the roof - and every one of us in this Chamber has -- has heard those concerns - the -- this bill adds to that. This bill does not affect the large corporations. The large corporations are self-exempt. They're -- they're organized under a federal statute, which the ERISA statute, so we're have -- we have nothing to do -- frankly, we have no jurisdiction over their coverage. We couldn't mandate a coverage on the big companies if we wanted to. We're -- we're prohibited under federal law. What we're doing is we're putting the -- the mandate on the little businesses, the little companies that can least afford it, many times. And in closing, I just want to give you this analogy. What we're doing today with bills like this, with mandates like this, is telling a company the equivalent of this argument: We -- to tell a salesman in a company -- or, to tell a company, "If you're going to put a salesperson on the force or out on the -- on the street making sales calls, you have to have 'em drive the safest car around." And the safest car around is a Volvo, let's say. And that company comes back and they say, "You know what? I cannot afford a Volvo. I can only afford a Chevette." This bill makes coverage very, very costly over a period of time. Is it going to be this mandate alone to do it? No, it won't be this mandate

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

alone, but the cumulate effect -- cumulative effect of all of these mandates is very, very costly. And the unintended consequence is that people are going to be least served by health insurance because we're going to cost it out. I urge a No vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR JACOBS:

Just to follow up a little bit on what Senator Roskam has indicated, I guess I'm curious why this didn't come through the Insurance and Pensions Committee, because in that committee, we have been very diligent in ensuring that we keep mandates to a minimum because, in -- in agreement with Senator Roskam, we're continuing to price our insurance policies right out of the -- the market. And I think that the more of this we do -- and I think what you're doing is very noble, but I think that the more of these we do, the more difficult it makes for companies to maintain insurance. And I just was curious why -- why it perhaps did not go through the Insurance Committee.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Obama.

SENATOR OBAMA:

Senator Jacobs, as you're aware, I'm not on the Rules Committee, so I have no control with respect to where it's assigned. Certainly I have a great deal of respect for the Chairman of the Insurance Committee and would never want to step on his toes or creep into his turf. Mr. President, my suggestion is that -- I'm going to pull this out of the record right now.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Out of the record. Senate Bill 1430. Senator Obama. Senate Bill 1440. Senator Dillard. Madam Secretary, read the bill.

SECRETARY HAWKER:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

Senate Bill 1440.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This and the next bill, Senate Bill 1441, amend the post-conviction hearing Act to streamline procedures by which prisoners file petition for post-conviction relief. These two pieces of legislation are supported by Cook County State's Attorney Dick Devine, the Illinois State's Attorneys Association and they are initiatives of Attorney General Lisa Madigan, from our great State. The first one here, Senate Bill 1440, is very simple. It's a one-line bill. It amends the Illinois post-conviction Act by adding a provision that reads, quote: "Only one petition may be filed by a petitioner under this Act {sic} (Article) without leave of the court." End quote. This would make Illinois law consistent with federal law by letting a prisoner have one post-conviction petition without court permission while requiring that he or she formally seek leave of the court to file additional petitions.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? If not, the question is, shall Senate Bill 1440 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, 0 Nays, none voting Present. Senate Bill 1440, having received the required constitutional majority, is declared passed. Senate Bill 1441. Senator Dillard. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1441.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Dillard.

SENATOR DILLARD:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

Thank you, Mr. President. This is the companion, again, of the previous bill. Initiative of the Attorney General. Supported by the State's Attorneys. This one also streamlines the procedure for dismissing petitions that are filed late because of a petitioner's culpable negligence, in post-conviction hearings. The legislation allows the judge who conducts the initial review of the petition to dismiss it if it's filed late. To me, that makes sense. And it adds one other part of the bill. It's a failsafe provision that does not exist under current law, and it says that -- under this legislation, that it gives a prisoner an opportunity to overcome a judge's initial decision by presenting facts showing why the late filing was not due to his culpable negligence. Like the previous bill, I think this makes sense and it's pretty simple. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? The question is, shall Senate Bill 1441 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate Bill 1441, having received the required constitutional majority, is declared passed. Senate Bill 1442. Senator Woolard. Senate Bill 1461. Senator Welch. Senate Bill 1462. Senator Welch. Senate Bill 1474. Senator Collins. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1474.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1474 applies to the City of Chicago only and that was a compromise that we made. It exempts residential rental units that are used solely for public housing and related uses from the Property Tax Code, and I'm open to take any of the -- any questions.

PRESIDING OFFICER: (SENATOR DEL VALLE)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

Is there any discussion? Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates she will yield.

SENATOR ROSKAM:

Senator Collins, my analysis indicates that there can be a problem with the State Mandates Act, and the -- the fact that this bill does -- is -- does not create an exemption under the Mandates Act makes the State responsible for any loss to taxing bodies. Are you aware of that?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Collins.

SENATOR COLLINS:

I'm not aware of that. No.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Roskam.

SENATOR ROSKAM:

Is that an issue that -- that -- I mean, I -- I don't serve on the committee that this passed through. Is that an issue that you've heard about before? I mean, it certainly has to be.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Collins.

SENATOR COLLINS:

No. This is my first time hearing the concern.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. Then, just to the bill. I would urge caution on the part of my colleagues. I think that there's an ambiguity and that it - it would appear that the State could enter into an obligation for loss of revenue under this proposal to local taxing districts, particularly schools. I think it could be a very costly venture for some of our taxpayers, and at least folks on my side of the aisle, I would urge a -- a No or Present vote. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Watson.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

SENATOR WATSON:

Yes. Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates she will yield.

SENATOR WATSON:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor's ready for your question, Senator Watson.

SENATOR WATSON:

Okay. Senator, does this impact just one particular area of the State?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Collins.

SENATOR COLLINS:

I'm sorry. I didn't hear the question.

SENATOR WATSON:

What area of the State does this impact?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Collins.

SENATOR COLLINS:

This only applies to municipalities of one million or more.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Watson.

SENATOR WATSON:

I assume, then, that that would be Chicago. Okay. Well, if what we just heard from the previous speaker is correct and we pass this bill and there is no mandate language in here, then this -- this bill could fly and we obviously -- some people -- in fact, I'm sure some on -- even on your side, ma'am, would have some concerns about additional funding going in that direction, even if you don't intend it. I understand that. But if that's not the intent, there's nothing you can do about that after the bill's gone. I have a feeling you're going to take this out of the record.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Collins.

SENATOR COLLINS:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

Hearing the input, I will withdraw it. This is my first time hearing the concerns. I will further investigate them and I appreciate them bringing them forth. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator, you want to take this out of the record? Out of the record. Senate Bill 1477. Senator Welch. Senator Obama, for what purpose do you rise?

SENATOR OBAMA:

Point of order.

PRESIDING OFFICER: (SENATOR DEL VALLE)

State your point.

SENATOR OBAMA:

It strikes me that there -- several of these bills have received no opposition in committee. There -- there are no opponents and somehow a range of opposition is springing up. And I'm wondering how long we're going to be here and continue on this process.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Obama, I will wait for instructions, but we are scheduled to be in until 4 o'clock. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Just a statement, if I might, in response to the prior comment. You know, if you don't serve on the committees, you don't have an opportunity to go through some of these bills. We're seeing these bills for the first, maybe the second, time, those of us that try and do a little homework, and, you know, we have every right to ask a number of questions that are pertinent to the legislation. So I appreciate Senator Obama's concerns, but I think that we're very valid in those questions. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senate Bill 1492. Senator Ronen. Senate Bill 1497. Senator Link. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1497.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Link.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

SENATOR LINK:

This -- this is a bill with substance and I hope it goes out of here with 57 votes on it. It's a design-build bill. It's a bill that's been agreed upon with the Illinois Society of Professional Engineers, the Consulting Engineers of the State of Illinois, the American Institute of Architects Illinois and the Illinois Road Builders Association. The purpose of this bill is to clarify that design-build is an accepted construction project for delivery service. Current Illinois law is unclear. The language in the Procurement Code is clearly stated that nothing in the Act shall be deemed prohibited in State agency for design-build. However, no language in the Procurement Act is established for -- procurement process for agencies wishing to construct in this method. I'll be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. To the bill: This did enjoy unanimous support in the Executive Committee, and I'm happy to rise in support of it. And briefly in response to Senator Obama's observation, I recall we were asking questions on 2nd Reading on amendments last week and were more or less admonished at that point from asking questions on 2nd Reading. So, it seems only appropriate that questions on 3rd Reading are in order. But, to this bill, I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall Senate Bill 1497 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Bill 1497, having received the required constitutional majority, is declared passed. Senate Bill 1499. Senator Link. Senate Bill 1504. Senator Harmon. Turning to page 20. Senate Bill 1505. Senator Harmon. Senate Bill 1506. Senator Harmon. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 1506.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

(Secretary reads title of bill)

3rd...

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Harmon.

SECRETARY HAWKER:

3rd Reading of the bill.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1506 is an initiative of the Secretary of State's Office. I think it can be fairly characterized as a cleanup bill that amends the -- the Corporation Acts to conform to current practice in the Secretary of State's Office. I'd urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Watson.

SENATOR WATSON:

Yes. Thank you. It's obvious to us over here on this side that there are Members on the other side who are not here. And I think it's not within our rules that other Members push buttons and vote for people who are not present on the Floor, who left -- have left the building. My suggestion would be that we do not vote people who are not here.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Demuzio.

SENATOR DEMUZIO:

Well, I don't know who those folks are. I mean, some of them are off the Floor and whatever and so forth. I mean, -- so, thank you very much.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Watson, were you making a motion of some sort on this bill? All right. The question is, shall Senate Bill 1506 pass. All those in favor will vote Aye. Yes. Senator Harmon.

SENATOR HARMON:

Like to take the bill out of the record. Return to it later.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Out of the record. Senator -- Senator -- President Jones. Senate Bill 1507. Senator Harmon. Senate Bill 1510. Senator Harmon. Madam Secretary, read the bill.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

SECRETARY HAWKER:

Senate Bill 1510.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1510 amends the Freedom of Information Act to protect certain proprietary information that comes into the hands of a public agency investing as a limited partner in a venture capital fund. It is -- the bill reflects a compromise agreement between the Illinois Press Association and the Venture Capital Association. And I'd be happy to answer any questions, but urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR ROSKAM:

Senator Harmon, you know, in light of the fact that the Senate just approved and we're going to have a ten-billion-dollar bond offering coming up, what is it that motivates you? What's the underpinning for moving forward with this bill? Because it's -- it's making secret essentially a portion of the investment portfolio, and why do you think that's necessary?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Harmon.

SENATOR HARMON:

Thank you, Senator Roskam. I think that's a bit of a mischaracterization of what the bill does. It does not make secret anything in the investment portfolio. The -- the analogy, I believe, would be to a mutual fund. When you and I invest our money in a mutual fund, we know the investments that the mutual fund makes. We know the relative allocation of those funds. We do not know, because of our investment, the -- the inner workings of the companies in which those investments are

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

made. A venture capital fund is a bit different. As a limited partner -- I'd like to take the bill out of the record for the moment.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Out of the record. Senate Bill 1515. Senator Jacobs. Senator Jacobs.

SENATOR JACOBS:

Before the bill is read, I -- I just want the other side to know that this is a shell bill, but I've asked to extend the deadline. So, thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senate Bill 1518. Senator Jacobs. Senate -- Senator Demuzio.

SENATOR DEMUZIO:

Mr. President, why don't we go to Resolutions?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Madam Secretary, Messages.

SECRETARY HAWKER:

A Message from the President, April 4, 2003.

Dear Madam Secretary - Please be advised that Senate Bill 1400, rather than Senate Bill 1434 and Senate Bill 1435, was also exempted from the March 13, 2003 Senate Committee deadline pursuant to Rule 3-9(a)(ii) and is included in the category of bills that have a May 31, 2003 3rd Reading deadline. Sincerely, Emil Jones, Jr., Senate President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Madam Secretary, Resolutions.

SECRETARY HAWKER:

Senate Resolution 112, offered by Senator Clayborne and all Members.

Senate Resolution 113, with the same sponsorship. And they're both death resolutions.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Resolutions Consent Calendar. We'll now proceed to the Order of Resolutions Consent Calendar. With leave of the Body, all those resolutions read in today will be added to the Consent Calendar. Madam Secretary, have there been any objections filed to any resolutions on the Consent Calendar.

SECRETARY HAWKER:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

There have been no objections filed, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? If not, the question is, shall the resolutions on the Consent Calendar be adopted. All those in favor, say Aye. Opposed, Nay. The Ayes have it. The motion carries, and the resolutions are adopted. On the Order of Resolutions, Senator Demuzio, do you wish to proceed on Senate Joint Resolution 30? Madam Secretary, read the resolution.

SECRETARY HAWKER:

Senate Joint Resolution 30, offered by Senator Demuzio.

(Secretary reads SJR No. 30)

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. At the conclusion of our business today, whenever that is -- this is the adjournment resolution that calls us, upon our adjournment today, whenever that is, to return next Tuesday at the hour of noon. I would move to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 30.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Demuzio moves to suspend the rules for the purpose of the immediate consideration and adoption of Senate Joint Resolution 30. Those -- those in favor will say Aye. Opposed, Nay. The Ayes have it, and the rules are suspended. Senator Demuzio moves for the adoption of Senate Joint Resolution 30. All in favor will say Aye. Opposed, Nay. The Ayes have it. And the resolution is adopted. Senator Roskam, for what purpose do you rise?

SENATOR ROSKAM:

Just an inquiry of the Chair, and a question of the Majority Leader as to next week's schedule.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Demuzio.

SENATOR DEMUZIO:

Well, it calls upon us to come back at Tuesday at noon. We have a number of measures that are reposing yet on the Calendar. And we are here for three days, I believe next week, and -- maybe four. And the gentleman on my left said Saturday and

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

30th Legislative Day

4/4/2003

Sunday. We just -- we just don't know. But, I think -- I think we can count on three days.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Roskam.

SENATOR ROSKAM:

Thank you. When we come back on Tuesday will we be going back to 2nds and 3rds? Will we have any committee work that day? Are any committees postured to deal with House bills?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Demuzio.

SENATOR DEMUZIO:

Yes.

PRESIDING OFFICER: (SENATOR DEL VALLE)

There being no further business to come before the Senate, pursuant to the adjournment resolution, the Senate stands adjourned until the hour of noon on Tuesday, April 8th. The Senate stands adjourned.