

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

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PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour of 1 o'clock having arrived, the Senate will come to order. Guests in the gallery will please rise. Members will be at their seats. Our prayer today is by the Bishop William Persell, Episcopal Church of Chicago Diocese. Bishop.

BISHOP WILLIAM PERSELL:

(Prayer by Bishop William Persell)

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR LINK:

(Pledge of Allegiance, led by Senator Link)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Reading of the Journal. Senator Woolard.

SENATOR WOOLARD:

Thank you, Mr. President. I move that the reading and approval of the Journal of Tuesday, May 6th, 2003, be postponed, pending arrival of the printed Journal.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Woolard has moved to postpone the reading and approval of the Journal, pending arrival of the printed transcripts. There being no objection, so ordered. Resolutions.

SECRETARY HAWKER:

Senate Resolution 140, offered by Senator Clayborne and all Members.

And Senate Resolution 141, offered by Senator John Sullivan and all Members.

They're both death resolutions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Resolutions Consent Calendar. All right. Leave of the Body, we'll go to the Order of House Bills 1st Reading, Madam Secretary.

SECRETARY HAWKER:

House Bill 316, offered by Senator Dillard.

(Secretary reads title of bill)

House Bill 349, offered by Senator Dillard.

(Secretary reads title of bill)

House Bill 373, offered by Senator David Sullivan.

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(Secretary reads title of bill)

House Bill 1547, offered by Senator Haine.

(Secretary reads title of bill)

House Bill 1650, offered by Senator Althoff.

(Secretary reads title of bill)

House Bill 1741, offered by Senator Dillard.

(Secretary reads title of bill)

House Bill 1747, offered by Senator Dillard.

(Secretary reads title of bill)

House Bill 1925, offered by Senator Dillard.

(Secretary reads title of bill)

House Bill 1929, offered by Senator Dillard.

(Secretary reads title of bill)

House Bill 1952, offered by Senator Dillard.

(Secretary reads title of bill)

House Bill 2605, offered by Senator Lightford.

(Secretary reads title of bill)

House Bill 3024, offered by Senator Winkel.

(Secretary reads title of bill)

House Bill 3117, offered by Senator Dillard.

(Secretary reads title of bill)

House Bill 3385, offered by Senator Haine.

(Secretary reads title of bill)

House Bill 3675, offered by Senator Demuzio.

(Secretary reads title of bill)

And House Bill 3695, offered by Senator Hunter.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Resolutions.

SECRETARY HAWKER:

Senate Resolution 142, offered by Senator Demuzio,
President Jones and all Members.

It's a death resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Calendar. At ease just for a moment till we understand --
we -- we believe that the Republicans are going to want to go to
caucus around 1:30. We're attempting to do some housekeeping
here and we'll alert you as to what we are contemplating here as

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soon as we figure it out. Ladies and Gentlemen, it's -- it's my understanding that by prior agreement with the two Leaders, that the Republicans are going to caucus either now or around 1:30. So, we believe that the Senate will reconvene somewhere around 2:30. So, we will -- we will simply suggest that we will recess to the call of the Chair, but we believe that time will be somewhere around 2:30. So, the Senate will stand in recess to the hour of 2:30.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDENT JONES:

The Senate will now come to order. Will all the Members who are in their offices kindly come to the Senate Floor? We will be going to 3rd Reading. Madam Secretary, Messages. House Bills 1st Reading, Madam Secretary.

SECRETARY HAWKER:

House Bill 1683, offered by Senator Dillard.

(Secretary reads title of bill)

And House Bill 2450, offered by Senator Righter.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDENT JONES:

Members, please come to the Senate Floor. We have a senior citizen Member by the name of Vince Demuzio. There's a birthday cake out here to honor him. Senator Geo-Karis, for what purpose do you rise?

SENATOR GEO-KARIS:

A point of personal privilege.

PRESIDENT JONES:

State your point.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate and guests, last night, the President of the Senate, the Honorable Emil Jones, tried to rally the baseball game in the last of the seventh inning. He got up and even though he has sexy legs, he -- he hit a single. He started the rally, the last of the seventh. And we got some men on the bases and thanks to John Cullerton, who's an excellent runner, we got a -- we got a

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score. And we had men on bases, but unfortunately, we could not get them in. So, we lost not by 9 to 5 that Mitch {sic} Miller said in his Capitol Fax - he's wrong. We lost by 7 to 5. But I want to say that the Senate players did a good job, even Burzynski finally -- redeemed himself after he dropped the ball a couple of times. You know, it's dangerous when you drop your balls. You know that. But anyway, I just wanted to tell you that it was a worthwhile game and I was glad that we got to play it and we got to play it before it rained. And I want to congratulate Rickey Hendon, who saved us a couple of times with his hits, and Dave Sullivan, who made spectacular hits -- catches, rather, and so did Kirk Dillard. He made some spectacular catches. He usually drops them, but he didn't this time. But I wanted to say that we had a good time and it was worthwhile seeing and being part of that game. And I want to congratulate everyone who played into the game and the women who played. Senator Hunter did well and others -- Debbie Halvorson was around running bases and it was great to see us all together as one big, happy family. So, it was fun. And congratulations to all the ballplayers. And Dave -- Dave Sullivan, who made spectacular catches.

PRESIDENT JONES:

Senator Shadid.

SENATOR SHADID:

Yes, Mr. President. Make an announcement.

PRESIDENT JONES:

Proceed.

SENATOR SHADID:

That Senator Edward Maloney was our most valuable player.

PRESIDENT JONES:

We appreciate those very kind remarks, Senator Geo-Karis. We -- that baseball game really demonstrate that we can do many, many things in a bipartisan manner here in Springfield. But I was really shocked that you were looking at the President's legs instead of really watching the score. Senator Geo-Karis.

SENATOR GEO-KARIS:

Why should I be any different than you fellows are when you look at our legs?

PRESIDENT JONES:

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Senator Wojcik, what purpose do you rise?

SENATOR WOJCIK:

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

PRESIDENT JONES:

State your point.

SENATOR WOJCIK:

I have next to me my young Page, Mrs. -- Ms. Emily Van Derbleek, and she's from Hoffman Estates, and I'd like to have her welcomed to this august Body.

PRESIDENT JONES:

Will our Page please stand and be recognized by the Senate? All those Members who are in their offices or in the cafeteria, kindly come to the Senate Floor. We will be going to 3rd Reading. We do want to honor one of our senior Members, in age, that is, Senator Vince Demuzio, as he celebrates his seventieth birthday. Senator Demuzio, what purpose do you rise?

SENATOR DEMUZIO:

Well, thank you, Mr. President. I want to just say that I was out at the ballgame last night and on the Democratic side of the -- of the ball field. And I tell you what, I -- I thought we would have done a lot better, but we had a lousy pitcher. I don't -- I don't know what his record is, but I suggest that you talk to Madigan and see whether or not we can trade him for a couple of other mediocre minor-leaguers, including Bob Molaro. Maybe we can get him to be the bat boy. But we all did a good job last night, and I can only -- sorry that we could have probably won if I'd have played third base, but didn't -- he didn't make it. But -- and George Shadid, I don't know. He's probably the worst manager of the year. I guess he -- he's -- he's -- he didn't make it either. Made a couple of good decisions. Couldn't get up to the plate as the catcher. You got to get up a little closer if you want to catch the ball. But anyway, you know, just for the most part, I thought we did a good -- played a good game, but could have done better.

PRESIDENT JONES:

Senator Hendon, what purpose do you rise?

SENATOR HENDON:

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

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PRESIDENT JONES:

State your point.

SENATOR HENDON:

I was at the ballgame last night also, Mr. President. I saw you with your big hit to start the rally, as Senator Geo-Karis described, but I didn't see the portly Senator to my left pick up a bat, jog around the base. He has Babe Ruth's stomach, but clearly he can't swing the bat like the Babe. So, before he should criticize the pitcher, we'd like to see him lose a few pounds and get up there and hit the ball for us, Vince. I know you could do it. And Geo called a great game, and doggone it, if we'd have practiced one time, we'd have beat those guys. So, next year -- we got practice tomorrow... Thank you, Mr. President.

PRESIDENT JONES:

Senator Geo-Karis, for what purpose do you rise?

SENATOR GEO-KARIS:

Point of personal privilege again.

PRESIDENT JONES:

State your point.

SENATOR GEO-KARIS:

First of all, Mr. President, Ladies and Gentlemen of the Senate, I want to congratulate Senator Vince Demuzio on his seventieth birthday, but you got a few years to catch up to me, Vince. And second of all, I thought our pitcher did a darn good job. And third of all, the one who amazed me, 'cause he's such an excellent preacher, was our third baseman or shortstop - I'm not sure which position it was - Reverend Meeks. I thought that -- I was amazed. And actually, Reverend, you don't have to preach all the time. Play some more baseball. You were doing very well last night. I'm proud of you.

PRESIDENT JONES:

Perhaps Senator Meeks won't -- if he didn't pray too long, we could have possibly won. On page 24 of the Calendar, on -- on the Order of House Bills 3rd Reading - this is final action - House Bill 2. Senator Jacobs. Madam Secretary, read the bill. Senator Jacobs.

SENATOR JACOBS:

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Yeah. The sponsorship of that bill was transferred to a Senator on the other side of the aisle, Senator Wojcik.

PRESIDENT JONES:

Senator Wojcik, House Bill No. 2. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 2.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT JONES:

Senator Wojcik.

SENATOR WOJCIK:

Thank you, Mr. President. House Bill 2 extends the sunset on the Illinois Wine Council to the year 2006.

PRESIDENT JONES:

Is there any discussion? Is there any -- discussion? If not, the question is, shall House Bill 2 pass. All those in favor will signify by voting Aye. Those opposed, vote -- vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take -- take the record. On that question, there are 55 voting Aye, 2 Nays, no one voting Present. House Bill 2, having received a constitutional majority, is declared passed. House Bill 30. Senator Crotty. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 30.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT JONES:

Senator Crotty.

SENATOR CROTTY:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 30 creates the Voting by Minors Act to require the State Board of Elections and the State Board of Ed to develop a privately funded voter education program in school districts for children in grades K through 12. Among -- along with the curriculum on voting history, voting procedures, election campaigns and media influence, all children in participating school districts may cast a vote with their

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parents on a simulated machine at a polling place on a general election day in 2004. Again, this is with participating school districts in which the election authority of the county has also chosen to participate. This is also going to be funded by nonprofit, also run by volunteer administrative boards in the participating counties, as well as statewide volunteer and nonprofit board that's developed by the -- the Board of Elections and the Board of Education.

PRESIDENT JONES:

Is there any discussion? Is there any discussion? Senator Wendell Jones.

SENATOR W. JONES:

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

PRESIDENT JONES:

The sponsor indicates she'll yield.

SENATOR W. JONES:

Senator Crotty, when we debated this in committee, I think you indicated that there would be an amendment so federal funds could be used under the -- under this Act through the Help America Vote Act. It's my understanding there was going to be an amendment to allow federal funding as well as private.

PRESIDENT JONES:

Senator Crotty.

SENATOR CROTTY:

I don't remember -- I don't remember -- is it this bill that we're talking about? 'Cause isn't -- isn't HVAC {sic} the -- I think it's Helping America Vote. Isn't that the federal? They wanted to keep -- I have a -- a letter from the State Board of Elections that says here, "We firmly believe that money appropriated under the Help America Vote Act will be wholly separate from the money which we hope to be secured by private funding for Voting by Minors program."

PRESIDENT JONES:

Senator Wendell Jones.

SENATOR W. JONES:

But this -- this bill that you have only allows private funding and would not allow the acceptance of -- of federal grants under the Help America Vote Act. I thought we were going

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to amend it so we could accept federal funds under the Help America Vote Act.

PRESIDENT JONES:

Senator Crotty.

SENATOR CROTTY:

All right. I -- I can pull this out. That would be an amendment that would be rather easy to do. Thank you very much, Senator.

PRESIDENT JONES:

Take it out of the record. House Bill 39. Senator Terry Link. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 39.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT JONES:

Senator Link.

SENATOR LINK:

Thank you, Mr. President. Basically what this bill does, is any contractor may be suspended for violations of this Code or for the failure to conform with any specification of {sic} term of -- terms of delivery. Suspension may be for a period up to ten, which is now five years at the discretion of the applicable chief procurement officer. Be more than happy to answer any questions.

PRESIDENT JONES:

Is there any discussion? Any discussion? Senator Risinger.

SENATOR RISINGER:

A question of the -- the sponsor.

PRESIDENT JONES:

Sponsor indicate he'll yield.

SENATOR RISINGER:

We -- we passed this out of committee unanimously, but one of the questions that couldn't be answered in committee that we'd like to know is, how many times have we suspended somebody for the maximum of five years?

PRESIDENT JONES:

Senator Link.

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SENATOR LINK:

We don't have that exact number, but we -- we do not feel that we've ever suspended anybody for the maximum of the five years.

PRESIDENT JONES:

Senator Risinger.

SENATOR RISINGER:

I guess we're not sure why we need this law. If we haven't suspended somebody to the maximum, why are we increasing it to ten years?

PRESIDENT JONES:

Senator Link. Senator Link.

SENATOR LINK:

It is -- it's felt that, you know, under this, that, you know, if we could stiffen the penalty, is to try to deter a few more of these contractors from this. It is -- you know, it -- it's just more of a deterrent for them. It's just been felt that -- with studies, that this would be a possible of a -- more of a deterrent.

PRESIDENT JONES:

Senator Risinger.

SENATOR RISINGER:

I guess we -- we didn't have any major objection to the bill other than the fact that it seems like if we're not already suspending somebody to the maximum, we're just adding something that is unnecessary.

PRESIDENT JONES:

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

SENATOR LINK:

I would just ask for a favorable vote.

PRESIDENT JONES:

The question is, shall House Bill 39 pass. All those in favor will signify by voting Aye. The 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 59 voting Aye, no Nays, no Present. This bill, having received the constitutional majority, is declared passed. House Bill 59. Senator Maloney. Madam Secretary, read the bill.

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SECRETARY HAWKER:

House Bill 59.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT JONES:

Senator Maloney.

SENATOR MALONEY:

Thank you, Mr. President. This bill will amend the Child Care Act to prohibit any applicant for a child care facility license or any adult person from residing in the child care facility who has been convicted of specified crimes related to kidnapping, bodily harm, certain offenses against property and most drug offenses. This bill passed out of the Health and Human Services Committee on the Agreed Bill List and I ask for an Aye vote.

PRESIDENT JONES:

Is there any discussion? Is there any discussion? The question is, shall House Bill 59 pass. All those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Aye, no Nays, no Present. This bill, having received the constitutional majority, is declared passed. House Bill 60. Senator Munoz. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 50 {sic} (60).

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT JONES:

Senator Munoz.

SENATOR MUNOZ:

Thank you -- thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 60...

PRESIDENT JONES:

Pardon me a minute, Senator. Pardon me a minute. Could we tone it down a little bit? Thank you. Proceed.

SENATOR MUNOZ:

Thank you, Mr. President. House Bill 60 requires that, for tuition purposes, public universities in Illinois classify an

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individual who's not a citizen or permanent resident of the United States as an Illinois resident if certain conditions are met: If the individual resided with his or her parent or guardian while attending a public or private school in this State; the individual graduated from a public or private high school or received the equivalent of a high school diploma in this State; if the individual resided in this State for at least three years as of the date the individual graduated from high school or received the equivalent of a high school diploma; if the individual registers as entering student in the university not earlier than the 2003 fall semester; if the individual provides to the universities an affidavit stating that the individual will file an application to become a permanent resident of the United States at the earliest opportunity the individual is eligible to do so. I will attempt to answer any questions.

PRESIDENT JONES:

Is there any discussion? Any discussion? Senator Wendell Jones.

SENATOR W. JONES:

Yes. I don't have any questions for the sponsor; I just have a statement I'd like to make on this bill. I've given it a lot of thought, and I see no earthly reason for us not to vote for this bill... Mr. President, maybe I should just sit down now.

PRESIDENT JONES:

It wouldn't be a bad idea.

SENATOR W. JONES:

No, seriously -- seriously, I read some of the background information on this from some of the young people who've been in school in Illinois for ten or twelve years. And, obviously, this is not an Illinois issue. This is an -- this is a immigration issue that needs to be solved in Washington. And as Senator Luechtefeld just said, the -- the -- Naturalization Service and the Immigration Service in Washington needs to get its act together, because if we've had kids in high schools for ten years in Illinois, they need to become citizens and they need to be able to go to our public schools. Thank you.

PRESIDENT JONES:

Senator Terry Link.

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SENATOR LINK:

Thank you, Mr. President. I just want to make a statement on this bill also. I just want to remind people that in this -- in this last conflict that we had in Iraq, that seven of the American servicemen that were killed in Iraq were not even American citizens yet. That's thirty-six thousand service members are not citizens. Roughly five percent of the active service members were not -- are not citizens. A third of 'em are from Mexico and other Spanish-speaking countries, and the rest are from China, Vietnam, Canada, Korea, India and other countries. That is why we're here today. Immigrants are shaping the future of our nation and House Bill 60 is just another step in taking and promoting the American dream. And access to quality of education to young immigrants who have lived in our communities and attending our school and granting these people in-State tuition at a rate of -- one way is to keep immigrants and a promise alive to pay homage to the thousands of immigrants who have fought for our country and even though, yet, have not become citizens. And I stand in strong support of this bill and hope we can pass this out of here 59 to nothing. Thank you.

PRESIDENT JONES:

Will our -- will our guests in the gallery please tone it down? Senator Lauzen, what...

SENATOR LAUZEN:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, allow me to perhaps provide some of the earthly reasons why this is not an automatic Yes vote. First of all, I support comprehensive immigration reform at the national level. I think that that's where this starts and should be dealt with, is in Washington, across all fifty states. I am also the sponsor -- addressing, I think, the very important point that Senator Link made, I'm also the sponsor of the resolution that encourages the federal government to give immediate citizenship to immigrants who are serving in our armed forces who are honorably discharged, when that occurs. I also come from Aurora, Illinois, a wonderful town that I've lived in for fifty years. My grandparents, all four of 'em, came from Romania, settled on Pigeon Hill. Thirty-five percent of my neighbors, who I love and respect, are Hispanic; twenty-five percent of my hometown,

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the people of our hometown, are African-American; and then the rest of us come from other and various backgrounds. But I think that we should be doing things here that bring us together rather than ripping us apart. When a scarce resource is taken from one group and given to another group, those who lost tend to resent those who gain. The issue of illegal immigrants having equal access to the limited spots in our State universities, as do children of legal citizens, is not just about money and about tuition; it's about who gets the few precious spots that are available. I've received the same calls that many of you have of disappointed parents of -- of our legal citizens where the child had very high math scores, test scores, also grade point average and all kinds of extracurricular activities, and they said that they couldn't get in to one of our public universities. And I think that that is -- is very unfortunate. I think that Americans are generous people. It's a part of our whole collective culture, but many folks back home in my district feel that we've gone too far in -- with illegal immigrants allowed to hold jobs illegally, providing health care, because, you know, none of our hospitals are going to turn people away when health care is necessary and needed. Already, elementary and secondary education has been provided, and now there's another incentive if this bill passes, another incentive for folks to break the immigration law and to come illegally. We had -- I had a -- just one call this morning. There was an article in my local newspaper that described the vote that we're going to be taking today, and it -- it expressed, you know, what I had told the reporter I was going to do. And one of the callers called in and left a message asking all of us, asking me and asking all of us, "Who is it that we work for?" Is it the folks who legally follow the laws, legal immigrants and legal citizens, or are we going to accommodate and -- individuals, as deserving as all individuals are, but are we going to accommodate that group at the expense of all the others? With that, I would just ask for a No or a Present vote.

PRESIDENT JONES:

Senator Miguel del Valle.

SENATOR DEL VALLE:

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Thank -- thank you, Mr. President. I -- I, first of all, want to commend the Senate sponsor, Senator Munoz, and -- and the original sponsor, Representative Acevedo, for their leadership on this very important issue. And I also want to thank my colleagues who have already risen, and those who will speak after I speak, in support of this bill. I want to thank you for having taken an enlightened position. Senator Lauzen, you said that we need to bring people together rather than ripping them apart. That is exactly what this bill does: It brings people together. It brings people together by having this Body acknowledge that we have talented, beautiful, young individuals who reside in our State, who came here at a very young age, who were brought here by their parents, who have gone to our schools, who have graduated or will graduate from our high schools, who are excellent students, who meet the admissions requirements of our universities and who have a lot to contribute today and will have even more to contribute to our State in the future if they have an opportunity to receive an education, an education in our universities that they are going to pay for. This bill says that they will pay in-State tuition. Why does it make sense for them to pay in-State tuition? Because they reside in the State of Illinois, because they have been here for many years, because they have parents who have paid taxes. Yes, we can certainly -- yes, we can certainly debate the issue of immigration law, and that issue is being debated. As a matter of fact, it's being debated in Washington now, and one of the proponents of changes in immigration law is the President that you helped elect, George Bush. And his state - his state - his home State of Texas passed this very same legislation and even went beyond this legislation by providing financial assistance to students. Can you imagine that? The State of Texas did that. This bill says in-State tuition - in-State tuition - for these young individuals who desperately want to go to school. And so, it is about bringing people together. It's about recognizing that these individuals have paid taxes. It's about recognizing that many of them are out there doing the work - doing the work in your district and in many other districts - they're everywhere, doing the work for low wages, but work that is important to the economy of the State of

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Illinois, work that has made it possible for this State to progress. And for us not to acknowledge that, as other states have - many other states. And legislation that's pending, sponsored by Senator Hatch. The DREAM Act is sponsored by Senator Orrin Hatch that acknowledges fully what we are talking about here today, what we are debating. And so, let's be progressive. Let's not stand by the old arguments. Those arguments don't work anymore in the State of Illinois. This is a different State. Our demographics have shown that throughout that -- throughout the State of Illinois. Our 1990 Census showed the growth, then our 2000 Census showed the growth in the immigrant population. There's no turning back here. We don't want to turn back. What we're doing today is acknowledging that the contribution of today's immigrants in our society are just as valuable as the contribution that European immigrants made, the Irish, the Italian. All the immigrants that have come to this country, regardless of their status, their goal was to pursue the American dream. And one of the ways to reach that dream is through education, and we must not deprive any young person in the State of Illinois, deprive them of that dream.

PRESIDENT JONES:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I was happy to hear the prior speaker acknowledge that the President of the United States has taken an effort in that direction. It's nice to hear you say something nice about the President 'cause I think he's great; however, there's something else to consider. These youngsters have to live here three years; however, it's -- it boggles my mind that the ACLU hasn't taken the case of showing that anyone who's lived here three years in this State is not a resident here. And there's a constitutional issue involved here. How can you deprive someone who lives here three years -- of saying that they're not residents of the State of Illinois? And that is a very serious constitutional issue with me, and I feel that if it were taken to the Supreme Court, that it would be -- it would be resolved in favor of these youngsters being considered citizens, particularly of Illinois, when they've lived here three years. A woman whom I respect

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very highly, the Mayor of Round Lake Park, who is a PhD, who has worked with Latinos and everyone else, has written to me explaining the facets of this bill. I don't care how smart they are. My question is constitutionality. For that reason, I'm going to vote for the bill because - and I don't want any applause or anything - because it's a matter of right. You live in this State three years, you promise to do what this bill says, I feel that you are a resident. And I cannot deprive that individual of its -- of his or her residence.

PRESIDENT JONES:

Senator Garrett.

SENATOR GARRETT:

Thank you, Mr. President. Would the sponsor of the bill yield? I just have a...

PRESIDENT JONES:

He indicate he will.

SENATOR GARRETT:

Senator, how do the State universities come out on this legislation? Do they support it?

PRESIDENT JONES:

Senator Munoz.

SENATOR MUNOZ:

Yes, they do.

PRESIDENT JONES:

Senator Garrett.

SENATOR GARRETT:

So, our own State universities, our State schools, who are -- are basically being presented with these applications from nonresidents or undocumented students, are coming to the State Legislature and asking us to make this a level playing field, and that includes all the "spaghetti" schools, University of Illinois? Okay. The other question I have is that some of the requirements in the legislation I don't want to go unnoticed. What are the requirements for students, as far as grade point average and any application for citizenship?

PRESIDENT JONES:

Senator Munoz.

SENATOR MUNOZ:

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As for the citizenship requirements, as was stated per -- per the bill, that they would have to apply for citizenship status. That would be one of the requirements right there. As far as the grade point average to get into the universities, pretty much the same for other students required by the universities. The only thing that we're trying to do with the bill here is to make it a -- uniform across the State for all universities to go by.

PRESIDENT JONES:

Senator Garrett.

SENATOR GARRETT:

To the bill: In my opinion, House Bill 60 is a step in ensuring an inclusive society in our State and a way in which we can send a strong message that we value all of our residents and that Illinois will no longer allow for barriers that prevent equal education opportunities for all of our students. I hope that we get fifty-nine Yes votes.

PRESIDENT JONES:

Senator Winkel.

SENATOR WINKEL:

Thank you, Mr. President. To the bill: Senator Munoz, I think it was on Tuesday, I came across the aisle and told you that I had thought about this bill long and hard over the weekend and had a meeting with constituents back in the district and that I had changed my mind, and I thought I had better explain my vote. In committee, you'll recall, when you presented the bill - and I know Representative Acevedo was there, as well - I voted No. I voted No when you presented this bill, and I -- I guess at that time I had many of the same legalistic and economic concerns on my mind when I voted No. Some of those legalistic and economic concerns have been discussed or brought forward already. But that's when I went back to the district, after that vote, and met with the representatives from the Refugee and Immigrant Center, and that's when I met a constituent by the name of Claudia. Claudia attends Centennial High School in Champaign and her parents brought her here when she was three. And I know this has become quite the familiar story, but, somehow, having Claudia come to my office on Saturday and meet and actually put a face to this,

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I realized that with all the legalistic and economic arguments that I could muster, I'm looking at Claudia face to face and realizing I can't -- I can't consider Claudia to be some kind of a -- a stranger to the State. She's lived here her whole life, except for her first three years. And now for the State of Illinois to turn its back on Claudia and others, hundreds of others just like Claudia, is -- sure, maybe we can come up with legal reasons or economic reasons, but they're not right. They're not the right reasons, and I think the right reasons have been expounded upon today. I support this legislation and I urge my colleagues to support it, as well.

PRESIDENT JONES:

Senator Jacobs.

SENATOR JACOBS:

I know this is an emotional issue, but I move the previous question.

PRESIDENT JONES:

Yeah. Thank you, Senator. There are one, two, three, four, five still to speak on this issue. Senator Sandoval.

SENATOR SANDOVAL:

Senor Presidente Jones. I like that. I thought that would be appropriate today, since we were talking about immigrant issues, Mr. President. Thank you, Mr. President, the Senate. I stand here in support of this bill, House Bill 60, that has been a project of law throughout many years and one that my colleague, Representative Acevedo, and my colleague, Senator Munoz, and many other Members of the Latino Caucus have worked arduously throughout the years to bring this to this -- to this vote here today, this historic day in the State of Illinois. I come here today to give testimony as son of immigrants, son of immigrants that came from the States of Guanajuato and Michoacan just not too long ago. It is -- it is only an irony today that we stand here as we continue to celebrate el Cinco de Mayo, the Batalla of Puebla - the Cinco de Mayo, the Battle - a call for revolution. We are amidst a revolution in the State of Illinois, and this is a war - this is a war, Senator Lauzen, for all these people who sit in this Chamber and all those children - all those children - all those students that live in Aurora, that live in Batavia, that live in Rockford, that live in

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Waukegan, that live in Elgin, Des Plaines, Niles, that live in La Villita, that live in Cicero, that live in Macomb, Beardstown. It is only ironic that we stand here today as thousands of students will be graduating in the upcoming weeks in the State of Illinois, thousands of children who have studied, who have come from a different country, who have not only -- who not only have to overcome the battles of learning English, but have also have had to learn the disciplines of math and science and reading. They have worked arduously all their lives to get to the point to go to college. These are the future doctors and lawyers and attorneys and teachers and future Senators of Batavia and Aurora. We cannot deny them an opportunity to realize the American dream. In the words of our great black leaders of this country, "A mind is a terrible thing to waste." We also have a dream, and it is not only a Hispanic dream; it is a dream for all Latinos, all Asians, all Chinese, immigrants from all over the world who come to this country only for a new beginning, only to have a dream of a greater tomorrow, only of a dream of being successful and leaving a mark on the life of this country. I ask, in closing, that we can no longer treat these students as strangers. For God's sake, we urge the General Assembly to stand in support of House Bill 60. It is the future of this country. It is the future of the State of Illinois. And in the great words of our great leader, Cesar Chavez, "Si, se puede," - Yes, you can - please press Aye on House Bill 60. Que vive los inmigrantes.

PRESIDENT JONES:

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. I -- I rise to speak on this bill, but first of all, I'd like to indicate to our visitors in the gallery, we're not really used to such spontaneous applause and there's a reason for that: It does delay our debate. And so I would ask for just a little more decorum. I know it's a very important and emotional issue to you. Let me indicate to you that two of the previous speakers have talked about this is a bill that can either divide people or bring them together, and I would suggest also, to another one of the previous speakers, that to term this as a "war", only serves to divide, not to

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bring them together. I don't look at this as a war. I personally look at this, after a lot of soul-searching, as the right thing to do. Plain and simple. It doesn't matter where you come from, doesn't matter what your background is. My opinion: It's the right thing to do. It is not a war. In committee, we had a lot of discussion on this legislation relative to the need for it, and some of that does deal simply with the fact that it takes so long to process citizenship applications, et cetera. And in committee, we also talked about the possibility of trying to pass a Senate resolution calling on Congress to expedite citizenship matters, and I would encourage the sponsor of this legislation to -- to try and move forward with that. But I would also indicate, I understand the concerns of my colleagues that are saying it's not necessarily a good vote based on what they feel are issues of fairness in access to education for people who are here, who have been here. So, I think we just need to really be very careful, tone the rhetoric down. All of us are going to do the right thing, what we think the right thing is. I will be voting for this bill, but only because I believe, in all sincerity and honesty, it's the right thing to do.

PRESIDENT JONES:

Senator Viverito.

SENATOR BURZYNSKI:

No applause. Please. No applause.

PRESIDENT JONES:

Senator Viverito.

SENATOR VIVERITO:

Thank you, Mr. President. I rise in favor of this bill simply because I have experience in my own home. I have a daughter that studied abroad, ended up getting her bachelor's degree from the University of Wisconsin and her master's degree from Spertus College, in Human Services. And I've had children from all over the world - China, Africa, Mexico - and my daughter has been working on immigration for the past eighteen years. And believe me, these children that are going to college are the very best kids. They are not the gangbangers. They are not the troublemakers. They're out to do better for America. And believe me, I really and truly, from my heart, congratulate

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all of you who have worked so hard in this endeavor, because I believe this is going to enhance America. Thank you very much.

PRESIDENT JONES:

Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President. I rise in strong support of this bill, and let me just offer a thought, if I may, to my colleagues and those who may have some concern about this issue. This is about citizenship. And how do you define citizenship? Do you look to the bureaucrats in Washington, D.C., the Department of Immigration and Naturalization Services, and let them define what it means to be a citizen? From George Bush on down, any enlightened reformer, anybody in government, anybody who understands the virtue and the value that the Latino population and other immigrants bring to our economy, to our country, understand how these policies, this bureaucracy in Washington has to change. You talk about citizenship. These are great citizens. These are people that are working hard. They're doing the work that many people can't do or won't do. They help us immensely in our economy. They're trying to better themselves. They're trying to go to college. These are the -- the characteristics and the traits of good citizens. That, in and of itself, has earned them the right - my goodness, at the very least - to be able to pay an in-State tuition rate. This is an easy Yes vote. I urge everyone in here to reconsider and to cast a Aye vote for this good bill. Thank you.

PRESIDENT JONES:

Senator Martinez.

SENATOR MARTINEZ:

Ladies and Gentlemen of the Senate, I, too, rise in support of this bill. To Senator Lauzen, there's only one -- one point that I want to make to you, and it is that we -- and this -- this bill doesn't call for any special consideration. All we are saying in this bill is that if you live here and you have worked here and you want to go to school here, you should be allowed to go to school here and be charged in-State tuition. To all the young gentlemen out there and young ladies who want to attend, we are here to support you a hundred percent. We're

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here to make sure this bill passes. And God knows that we are all with you. Thank you.

PRESIDENT JONES:

Senator el Hendon.

SENATOR HENDON:

Thank you, Mr. President. I rise in strong support of this legislation, and there should be fifty-nine Aye votes up here. Let's be together on this one, Senator Lauzen, and all of those who might be considering doing otherwise. Right now we have immigrants and non-citizens fighting for our freedom in Afghanistan and Iraq right now. This is a nation of immigrants - some voluntarily; in my case, non-voluntarily - but still a nation of immigrants. And we should not discriminate against anyone. Give these young people opportunity to get their education. It's good for Illinois and it's a good vote to make. I urge an Aye vote.

PRESIDENT JONES:

Senator Munoz, to close.

SENATOR MUNOZ:

Thank -- thank you, Mr. President. It's my hope that you, my colleagues in the Senate, show strong support for this proposal. By doing so, you will allow intelligent students to dream of a time when they can set their sights higher than their current reality. Ladies and Gentlemen of the Senate, I thank you for your support, the ones that have jumped on as cosponsors in the beginning and for all the support you have done, to the young students here in the gallery on both sides and to their parents for coming down and all the organizations that have showed their support and came across and done that for us. Ladies and Gentlemen of the Senate, if we can actually be true Americans, as we say that we are, as my colleague stated, Senator Burzynski, to do the right thing. Let's be fair on an even board across the State to give these young men and women here in the gallery with us a chance to pursue their dream, and other students across this great State. We can join the other four states by passing this legislation here today, which can be history for us here in this Chamber, for doing it for these young men and women here today and, again, across the State. I would ask for an Aye vote. Thank you very much.

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PRESIDENT JONES:

The question is, shall House Bill 60 pass. All those in favor will signify by voting 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, no Nays, 1 -- I mean, 55 voting Aye, 1 Nay, 1 voting Present. House Bill 60, having received the required constitutional majority, is declared passed. Senator Lightford, what purpose do you rise?

SENATOR LIGHTFORD:

Mr. President, I -- I voted Aye and it was there, and then I'm not sure what happened to that green light. But please let the record show that I'm a strong supporter and I would have voted Aye had it recorded it.

PRESIDENT JONES:

The record will -- will so reflect. House Bill 85. Senator Crotty. House Bill 85. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 85.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT JONES:

Senator Crotty.

SENATOR CROTTY:

Thank you very much, Mr. President and Ladies and Gentlemen of the Senate. House Bill 85 is -- it includes paramedics and emergency technicians as mandatory reporters under the Elder Abuse and Neglect Act. The...

PRESIDENT JONES:

Pardon me, Senator. Pardon me.

SENATOR CROTTY:

That's...

PRESIDENT JONES:

Could we -- could we tone our remarks down so the lady can be heard? Senator Crotty.

SENATOR CROTTY:

Thank you. Again, House Bill 85 expands the list of mandated reporters under the Elder Abuse and Neglect Act to include a person who performs the duties of a paramedic or an

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emergency medical technician. And it also requires the Department of Aging to establish an elder abuse training program in several departments and agencies outlined in the Act. And it also requires the Department to request that financial institutions provide the public with information concerning financial exploitation of the elderly and to coordinate with utility companies to educate the elderly about telemarketing home repair fraud by including explanatory notices with utility bills. It also clarifies that any mandated reporter, except for a doctor, a dentist or a hygienist, who willfully fails to report elder abuse, is a Class A misdemeanor. Now, remembering that the physicians who willfully fails to report as required by the Act must be referred to the Illinois Department of -- Medical Disciplinary Board. And it also -- it also has, for those that don't know why the hygienists should not be -- it also is reported to their board. So, it makes it clear that elder abuse investigation agencies must perform assessments of elderly care services for up to a year, except when the Department decides to extend that service care plan for an additional one-year period.

PRESIDENT JONES:

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

SENATOR RIGHTER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I just want to congratulate the sponsor on a good piece of legislation. The bill passed out of Health and Human Services unanimously. Would ask everyone to support it. Thank you.

PRESIDENT JONES:

Any further discussion? The question is, shall House Bill -- shall House Bill 85 pass. All those -- all those in favor, vote Aye. Those opposed, vote Nay. The question is -- 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 voting Aye, no Nays, no one voting Present. House Bill 85, having received the constitutional majority, is declared passed. Senator Watson.

SENATOR WATSON:

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

PRESIDENT JONES:

State your point, Mr...

SENATOR WATSON:

Yes, I'd like to -- to acknowledge something, a mistake that I made last week, and we made such a -- a big deal about Pate Philip's last day on the Senate Floor, we neglected to introduce and welcome his replacement, and that's Ray Soden, right here. He's a former National Commander of the -- VFW. He's a former President of the DuPage Forest Preserve Commission. We're fortunate to have him as part of our caucus. We obviously want to welcome here -- with -- to our caucus and obviously to the Senate Floor, also. So, Ray, we're glad to have you here. I'm sorry that we didn't acknowledge you last week. Thank you.

PRESIDENT JONES:

Senator, welcome to the Senate. Just vote like the other side of the aisle, you'll do well. House Bill 87. Senator Crotty. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 87.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT JONES:

Senator Crotty.

SENATOR CROTTY:

Thank you, Mr. President. And I also want to welcome Ray to the -- to the Senate Floor. Ladies and Gentlemen of the Senate, House Bill 87 has a -- incorporates a lot of House Bill 85 in it, except it does make some changes to other Codes. It amends the Criminal Code to make abuse and criminal neglect of a long-term care facility resident a Class 3 felony. If the neglect results in a death, it's a Class 2 felony, carrying three to fourteen years with the Department of Corrections. It also amends the Criminal Code to redefine what constitutes financial exploitation of an elderly person or a person with a disability. It also amends the Code of Criminal Procedure to declare that a prosecution for abuse, neglect or financial

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exploitation of a person over sixty, that that person may give evidence disposition {sic} and not be required to appear in court to testify. Again, it also amends the Unified Code of Corrections to permit to impact incarceration for violations of abuse or criminal neglect of a long-term care resident, criminal neglect of an elderly person or financial exploitation of an elderly person. It also amends the Probate Act so that persons convicted of elder abuse or neglect may not inherit property from the estate of that victim. I would be happy to entertain any questions..

PRESIDENT JONES:

Is there any -- any discussion? Any discussion?

SENATOR CROTTY:

...or any discussion.

PRESIDENT JONES:

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Briefly to the bill, this is another piece of legislation passed out of Health and Human Services, I think with no opposition. There was a question that was raised in committee, for the Members on our side of the aisle, about whether or not nursing home owners or operators were covered under this bill. The answer to that is no, because they are already covered under a different statute. So, in terms of security for nursing home residents, that issue is already covered under another part of the Illinois statutes. And I would urge an Aye vote. Thank you.

PRESIDENT JONES:

The question is, shall House Bill 87 pass. All those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, House Bill 87, there are 57 voting Aye, no Nays, no -- no one voting Present. House Bill 87, having received the required constitutional majority, is declared passed. House Bill 102. Senator Harmon. Madam -- Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 102.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDENT JONES:

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. House Bill 102 creates the State Prohibition of Goods from Forced Labor Act. It requires that every State agency entering into a procurement contract include in that contract a representation from the contractor that none of the goods procured were made in any way by forced labor, convict labor or indentured labor. I'd ask for an Aye vote.

PRESIDENT JONES:

Is there any discussion? Any -- any discussion? Senator Wojcik.

SENATOR WOJCIK:

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

PRESIDENT JONES:

Sponsor indicate that he will.

SENATOR WOJCIK:

If this becomes effected, how is a contractor to determine that any equipment procured does not have a small part produced from forced labor?

PRESIDENT JONES:

Senator Harmon.

SENATOR HARMON:

It -- it provides penalties only if a contractor knowingly includes goods produced in whole or in part by forced labor, convict labor or slave labor. It does not require any diligence, even, on the part of the contractor. So, it requires a willing and a -- a knowing mind.

PRESIDENT JONES:

Senator Wojcik.

SENATOR WOJCIK:

If you use the word "knowingly", that would be very hard and difficult to police, if you will. How would the contractor know? Sometimes they buy their goods from other countries. I mean, if you get it from China, is -- what -- is that forced labor?

PRESIDENT JONES:

Senator Harmon.

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SENATOR HARMON:

Knowingly, I believe, is a -- a fairly well-accepted legal standard. It requires actual knowledge on their part. It is -- it is not designed to catch people who don't knowingly incorporate this. That -- that state of mind is required to invoke the -- the penalty Sections.

PRESIDENT JONES:

Senator Wojcik.

SENATOR WOJCIK:

Then what is the purpose of exempting procurement for public work contracts?

PRESIDENT JONES:

Senator Harmon.

SENATOR HARMON:

I -- I think we're -- we're trying to get at, primarily, contracts for equipment, material or supplies. I'm not entirely sure of the answer to that, but I -- I -- I don't think that makes it a bad bill. I think it may not be broad enough, but we could address that in the future.

PRESIDENT JONES:

Senator Wojcik.

SENATOR WOJCIK:

We won't have a chance to address it in the future if we address this right now.

PRESIDENT JONES:

Senator Harmon.

SENATOR HARMON:

I think it's a fine idea for us to pass this bill, limit it in application to procurement contracts that are not for public works. If we need to amend a bill or pass another bill later that picks up public works, we can do that.

PRESIDENT JONES:

Senator Wojcik.

SENATOR WOJCIK:

Then I would have to rise in opposition. And I would ask my side of the aisle to vote No. Thank you.

PRESIDENT JONES:

Senator Roskam.

SENATOR ROSKAM:

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

PRESIDENT JONES:

He indicates he will.

SENATOR ROSKAM:

Senator, just following up on Senator Wojcik's question, I take it, when you give an answer at face value, you -- you picked up a House bill; it has this procurement exemption. You're kind of deferring to the House sponsor. You're not really sold that that's a good idea, but you don't have a reason why that's in there. Is that fair?

PRESIDENT JONES:

Senator Harmon.

SENATOR HARMON:

I do not know why the House sponsor chose to exempt procurement for public works contracts.

PRESIDENT JONES:

Senator Roskam.

SENATOR ROSKAM:

Would you be willing to work with Senator Wojcik to get a bill out of the Rules Committee and -- or, amend some other bill? I mean, I think she's -- she's really made a good point, in that it -- doesn't it seem curious to you that we'd exempt anybody from this provision? I mean, it seems like who's going to stand up, you know, on -- on behalf of slave labor, and is there really an exemption that you could ever craft or ever understand or ever characterize as being something where we would ever stand for slave labor? The answer would be no, right?

PRESIDENT JONES:

Senator Harmon.

SENATOR HARMON:

You -- you raise a good point and other folks have come to me and asked why this doesn't include child labor. And -- and my -- my answer has been, we -- we should look at those issues, too. Just because a particular bill does not go as far as some folks may want it to go, if it's a good bill, I think we should move it forward as is, solve a real problem at least in part and worry about solving other problems in other legislation.

PRESIDENT JONES:

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Senator Roskam.

SENATOR ROSKAM:

Well, I think your own bill focuses in on the child labor question, in that indentured labor, as defined in the bill, includes child labor. So, you've taken care of that problem entirely. I guess, for Senator Wojcik's benefit, there's very limited opportunities that the Minority Party has, and you can respect that and appreciate that. But let me move on. You spoke about the standard earlier that -- that someone has to reach, and it would be a knowing standard. Is that right? You'd have to wake up in the morning and say, "I know that -- or, that forced labor is involved with these things." How is that characterized? For example, let's say there is a report that's put out by the Department of State that says there's a watch list of X number of companies and you're doing business or you have parts with -- with those companies. Would that be purported knowledge under -- under your bill?

PRESIDENT JONES:

Senator Harmon.

SENATOR HARMON:

I believe it would be an actual knowledge standard.

PRESIDENT JONES:

Senator Roskam.

SENATOR ROSKAM:

This may be another area that you want to look at, because I think that you could -- can create an environment where -- where, under this bill, people would kind of have a -- an incentive to kind of see no evil, hear no evil and speak no evil and not do any due diligence with the foreign companies that they're doing business with. And again, that may be an area that you'd be willing to consider if you do a trailer bill. Last question: Does this have any impact on things at the Illinois Department of Corrections, in their industries and so forth? Is there a specific exemption in your bill as it relates to those activities?

PRESIDENT JONES:

Senator Harmon.

SENATOR HARMON:

Yes, Senator. It applies only to foreign-made goods.

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PRESIDENT JONES:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I thought we in Illinois wanted to encourage jobs and bring more business into Illinois. I can't help but feel that this bill, well, it's doing just the opposite. I mean, you want to prove forced labor and so forth. How do you know? We don't know -- know. What company's going to come in and base itself in Illinois when it's going to be faced with this to deal with a State agency? I mean, we get things from China, from all over. I mean, I think this bill goes far beyond. May be a good union bill, but it's not a good business bill. And, you know, union labor needs business. If there's no business, there's no need for labor. So, all I'm saying is, I don't think this bill is in the right direction, and I urge my colleagues to vote No on it.

PRESIDENT JONES:

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and -- Ladies and Gentlemen of the Senate. Some of the -- I'm going to vote for the bill, Senator, but some of the comments made from the other side do make me -- give me pause to -- to stop and think. As an example, the Lincoln Library, which we bought all of the -- the stone and I think it come from Italy or Thailand or something such as that. Do we know whether that was done with quote, unquote, "slave labor" or not? And I think the knowingly is something that gives a lot of us a little bit of cause for concern, but I'm just -- just got me thinking and I was curious about that, as to how we really know. I -- and I understand, if you truly know, that you've got a problem and we understand that. And -- and I intend to vote Yes for the bill, but I -- I agree that I think we to do need some cleanup on this.

PRESIDENT JONES:

Senator Harmon, to close.

SENATOR HARMON:

Thank you, Mr. President. I don't believe this bill is a labor bill or a business bill; I think it's a human rights bill. No matter -- I can't justify, in my mind, encouraging our

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economy by turning a blind eye to folks who knowingly use forced labor, convict labor or indentured labor to advance their commercial interests. And I urge an Aye vote.

PRESIDENT JONES:

The question is, shall House Bill 102 pass. All those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 45 voting Aye, 11 Nays, 1 voting Present. House Bill 102, having received the constitutional -- majority, is declared passed. House Bill 105. Senator Wendell Jones. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 105.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT JONES:

Senator Jones.

SENATOR W. JONES:

Thank you, Mr. President, Members of the Body. This bill simply amends the Open Meetings Act and allows one more item to be discussed in open {sic} meetings. As you all know, there are a very limited number of items which can be discussed in executive session. Personnel, litigation and purchase of property are three of the most obvious ones that we can go behind closed doors in municipal governments. This would add security issues and issues of potential terrorism to the Open Meetings Act. It came out of the House almost unanimously. It passed our Executive Committee 11 to nothing, and I would be happy to respond to any questions.

PRESIDENT JONES:

Is there any discussion? Any discussion? Seeing none, the question is, shall House Bill 105 pass. All those in favor, vote Aye. Opposed, Nay. The voting's open. Have all voted who wished? Have all voted who wish? All voted who wish? Take the record. On that question, there are 57 voting Aye, no Nays, 1 voting -- Present. House Bill 105, having received the required constitutional majority, is declared passed. House Bill 115. Senator Shadid. Madam Secretary, read the bill.

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SECRETARY HAWKER:

House Bill 115.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT JONES:

Senator Shadid.

SENATOR SHADID:

Thank you, Mr. President and Senator Demuzio. House Bill 115 creates the Fire Truck Revolving Loan Program which would allow fire departments and fire districts to update fire trucks that are forty to fifty years old. It was voted out of State Government unanimously. I know of no opposition and I ask for a favorable vote.

PRESIDENT JONES:

Is there any discussion? Any discussion? Senator Risinger.

SENATOR RISINGER:

Yes, Mr. President. I stand in support of this bill. There are many communities around this State that has equipment that needs -- fire equipment that needs to be replaced and are unable to afford to do that, and this will help them get that job done. So, I urge a -- a Yes vote.

PRESIDENT JONES:

Is there any further discussion? The question is, shall House Bill 115 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, no Nays, no -- no -- no one voting Present. House Bill 115, having received the constitutional majority, is declared passed. House Bill 116. Senator Shadid. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 116.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT JONES:

Senator Shadid.

SENATOR SHADID:

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Thank you, Mr. President. House Bill 116 allows the township board or the board of trustees of a fire protection district to impose reasonable civil penalties on individuals who repeatedly cause fire alarms. House Bill 116 was brought to me by several of the fire associations. The bill passed out of the House 115 to nothing. I know of any -- no opposition. Would be happy to try to answer any questions.

PRESIDENT JONES:

Is there any discussion? Any discussion? Senator Jones.

SENATOR J. JONES:

Thank you, Mr. President. Will the sponsor yield? I'd -- I'd like to ask him a couple questions.

PRESIDENT JONES:

Sponsor indicate he will.

SENATOR J. JONES:

Senator Shadid, I -- I supported this bill in committee, but I have a couple of things that I -- I think really, for legislative intent, we -- we probably ought to try to clarify, and if nothing else, at some point in time, if it gets to JCAR or whoever might make some rules on this, that it would be clarified here on the Floor of -- of what our intent is. And my first intent question is, is what is the dollar amount of a civil penalty that -- we're looking at? Is it a seventy-five-dollar fine or a -- or a fifty-dollar fine or a two-hundred-dollar fine?

PRESIDENT JONES:

Senator Shadid.

SENATOR SHADID:

Senator Jones, the fine -- the fine has not been set, the amount.

PRESIDENT JONES:

Senator Jones.

SENATOR J. JONES:

I realize it's not been set, but I think for legislative intent, that maybe we could say that we don't intend over -- on the first fine being over fifty dollars or seventy-five dollars. You know, for whenever it is set, then we'll have an idea, that -- we don't want somebody setting this thing at five hundred bucks.

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PRESIDENT JONES:

Senator Shadid.

SENATOR SHADID:

Senator Jones, I think this is -- this is offered as similar to what the fire protection districts have and the municipal fire departments, where you have -- have -- they do impose civil penalties, fines, to individuals who repeatedly cause fire alarms -- false fire alarms. I think it's after that, and so, if JCAR wants to put in some rules, I have no problem with that.

PRESIDING OFFICER: (SENATOR WELCH)

Senator John Jones.

SENATOR J. JONES:

Thank you, Mr. President. I think the other thing that -- that I'd like to try to clarify here, because it doesn't specify how many false alarms we're talking about before we start charging somebody. You know, if somebody's going to call in one false alarm, it's -- it's kind of minute to -- to be doing that. But I -- I think if we're -- if we're going to say after the second or third false alarm, then a civil penalty would -- would be in order, you know.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Shadid.

SENATOR SHADID:

My -- if my memory serves me correct, when I was on the city police department and the sheriff, it was never on the first offense; it was always on a repeatedly -- repeated offense. Second or third. I agree with what you're saying.

PRESIDING OFFICER: (SENATOR WELCH)

Senator John Jones.

SENATOR J. JONES:

Thank you, Mr. President. Thank you, Senator Shadid, for that, and I -- and I stand in favor of it.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Shadid, to close.

SENATOR SHADID:

I'd appreciate an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

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The question is, shall Senate -- shall House Bill 116 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 Members voting Aye, no Members voted No, and none voted Present. House Bill 116, having received the required constitutional majority, is declared passed. Senator Welch now in the Chair. The next bill, House Bill 117. Senate -- Senator Viverito. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 117, offered by Senator Viverito.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Viverito.

SENATOR VIVERITO:

Thank you, Mr. President. House Bill 117 creates a new Section in Department of Revenue, Section of Civil Administration Code. This bill exempts the Department-imposed additional requirements under the Department of Revenue and State Fire Marshal. If there's any questions, I'd be happy to answer them.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing no Member seeking recognition, the question is, shall House Bill 117 -- Senator, you didn't have your light on. Senator Lauzen.

SENATOR LAUZEN:

Okay. I'll -- I'll need to be a little bit quicker on it as we move these through. But thank you very much, Mr. President. First of all, I certainly respect our Senator Viverito and his good intentions on this bill. The question that I would have for -- for the Body is whether this is necessary. I agree that the Tax Code is beyond comprehension in many places, but shouldn't the Department of Labor -- or, the Department of Revenue and the municipalities' accountants do this awareness campaign on their own? To give you an idea, what House Bill 117 - and this is to the bill - House Bill 117 mandates two State bodies, both the Department of Revenue and the State Fire Marshal, to consume limited resources notifying

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approximately twelve hundred and sixty fire departments and fire protection districts within the State of an exemption that's been on the books for years. I mean, you almost wonder, "Well, what is it that these folks do to earn their fees?" The State Fire Marshal should be focusing on efforts of safety, and especially with terrorism, they don't need another burden. Just to give you an idea of how tight these responsibilities are becoming, Illinois Department of Revenue had over four hundred employees taking advantage of early retirement and they have not been replaced. The Governor's Executive Order No. 9 seeks to add the functions of the Lottery, the Liquor Commission, the Racing Board to the Department, and certainly there is a breaking point. For those reasons, I would ask either for a Present or a No vote.

PRESIDING OFFICER: (SENATOR WELCH)

Any further discussion? Seeing none, Senator Viverito, to close.

SENATOR VIVERITO:

Yes, Senator, I -- I think he was talking on a few different subject matters, Senator. But according to Representative Smith, House Bill 117 is based on recommendations to the House Task Force on Fire Protection Funding that was co-chaired by Reps Smith and -- and Moffitt. Although they are exempted, the departments and districts are not aware and not -- and are not applying for the exemption. So, I would hope that there would be 59 votes for this. Thank you very much.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill 117 pass. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 46 Members voting Yes, 7 voting No, and no Members voted Present. House Bill 117, having received the required constitutional majority, is declared passed. House Bill 120. Senator Shadid. House Bill 121. Senator Demuzio. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 121.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill allows the State Fire Marshal to create an equipment exchange program from which fire departments, township fire departments and fire protection districts can donate equipment and exchange between each other. Supported by the Municipal League and a number of other groups. State Fire Marshal's neutral. I know of no opposition. Passed the House 117 to nothing. Appreciate your support.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Risinger.

SENATOR RISINGER:

Yes, Mr. President. I rise in support of this bill and I think it goes along with the -- the bill that we passed earlier, House Bill 116, where it gives communities a chance to upgrade their equipment. I think it's a good bill and I urge a Yes vote.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill 121 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Members voting Yes, no Members voted No, and none voted Present. House Bill 121, having received the required constitutional majority, is declared passed. House Bill 123. Senator Shadid. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 123.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Shadid.

SENATOR SHADID:

Thank you, Mr. President. House Bill 123 is identical to Senate Bill 21, which was sponsored by Senator Dillard that passed out of here earlier this year 54 to nothing. This bill

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prohibits the installation or transportation on a motor vehicle of a traffic control signal preemption device. These are the devices that can change a traffic control signal to a green light or extend the duration of a green light. This also prohibits the sale by manufacturers and retailers of these devices. It's supported by DuPage County, Cook County Department of Highways, DOT, Municipal League, State Police, Chief of Police and other police agencies. I'd appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? No Member seeking recognition, the question is, shall House Bill 123 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Members voting Aye, no Members voted No, and none voted Present. House Bill 123, having received the required constitutional majority, is declared passed. House Bill 136. Senator Martinez. House Bill 138. Senator Link. House Bill 176. Senator Radogno. House Bill 183. Senator Harmon. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 183.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. House Bill 183 extends the existing quick-take authority for one year of the Grand Avenue Railroad Relocation Authority in Franklin Park. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. To the bill, I rise in strong support. It came out of the Executive Committee unanimously. It's narrowly crafted and for a public -- purpose. I urge it's Aye -- oh, there were two No votes, apparently. Part of the fringe, but we all are in favor of -- all in favor of this.

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PRESIDING OFFICER: (SENATOR WELCH)

The -- the question is, shall House Bill 183 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 44 Members voting Yes, 11 voting No, and none voting Present. House Bill 183, having received the required constitutional majority, is declared passed. House Bill 197. Senator Hendon. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 197.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. House Bill 197 is an attempt to do something about lead poisoning. It is -- the frequency of the checks will be done by rules of the Department of Public Health. And I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield.

SENATOR RIGHTER:

Thank you. Senator Hendon, during -- in committee there were some questions about cost and I understand the bill contains "subject to appropriation" language. The Department, we -- of course a fiscal note had been filed and the Department wasn't there to testify and didn't have anything to say, obviously, and so the Republicans voted Present because we weren't comfortable voting for a bill that we didn't have any idea how much it cost. Our office -- our staff has had -- since had a conversation with the Department where they tell us they believe they have the fiscal note but they can't find it. And I'm going to ask you on the record now the question I asked you a little bit ago when I came over to your side of the aisle and

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asked you personally, first, before the bill was called, if you're willing to take the bill out of the record until such time that we can actually see what it costs, so at least everyone here understands, whether you're for it or against it, how much it costs. Are you willing to do that?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Hendon.

SENATOR HENDON:

No, Senator, I'm not willing to take it out of the record. There was plenty of time and plenty discussion as -- as you said, and to be honest, you did raise these questions. You did raise the issue. The Department was neutral at the time. They had plenty opportunity to be against the bill; they did not. And it is subject to appropriations, so we're not forcing anyone to do anything. But lead poisoning is very critical throughout the State of Illinois, and especially in my district, and I'd urge an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

Okay. Now we've disposed with that, Senator. I want to -- I want to turn to the actual language of the bill. If you read it, it says, "Subject to appropriations or other available funding, the Department shall establish..." and then it goes on to describe it. The question I have is, does this mean that if the Department decides in their discretion that they don't have any money to do this, that they can totally ignore this statute whatsoever and they don't have to establish a program? I mean, they don't have to give it a second look?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Hendon.

SENATOR HENDON:

Well, I think since the fact that the Director -- the new Director has to come through Executive Appointments, and I am the Chairman of that Committee and I've let them know that I'm very serious about this, I believe that the Department will act on this. They're just as concerned as I am about lead poisoning in the community and I'm certain that they will move forward.

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If they decide not to, I will have a conversation with them about that.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

Senator, last question. Can you tell me whether or not there is any money in the Department's budget as proposed by the Governor that would pay for any of this at all?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Hendon.

SENATOR HENDON:

Senator, I -- I am yet to unravel the mysteries of the Governor's budget, as I'm sure a lot of Members of the Senate are having that same -- struggling with that same issue right now, so I really couldn't tell you.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

To the bill, Mr. President, very briefly. Ladies and Gentlemen of the Senate, just very briefly, we still do not have an answer on how much this bill would cost should the Department decide to fully implement it, but if you're not -- made uncomfortable by that, you can be made uncomfortable by the fact that apparently the Department, except subject to the Chairman's instruction, can totally ignore a statute that's going to be passed by the General Assembly. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield, Senator.

SENATOR ROSKAM:

Senator Hendon, on page 25 of the Calendar, your bill is printed on the order of business and it has an unusual title, Lead Poisoning - Video Rental Fee. And I'm reading it with my own eyes. There's -- you're not taxing video rentals, are you, Senator? You wouldn't do that?

PRESIDING OFFICER: (SENATOR WELCH)

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Senator Hendon.

SENATOR HENDON:

No, we're not.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

Do you have any idea why that is characterized that way? Did you -- is it a previous bill? 'Cause there are some other errors on the Senate Calendar that I have not risen to the attention of, but this was a little too exciting to pass up.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Hendon.

SENATOR HENDON:

Well, Senator, just like you, I've seen bills titled one thing and do something totally different. Why it came over from the House in this way may have been - may have been - the fact that at one time they were looking at video rental as a mechanism to get it paid for, but it's not in the bill now.

PRESIDING OFFICER: (SENATOR WELCH)

Any further discussion? Seeing none, Senator Hendon, to close.

SENATOR HENDON:

I would just appreciate an Aye vote. Whether you started on the softball team yesterday or not, I'd appreciate an Aye vote. Everybody got the chance to play.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill 197 pass. All those in - in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 39 Members voting Yes, 11 voting No, and 4 Members voting Present. House Bill 197, having received the required constitutional majority, is declared passed. House Bill 205. Senator Trotter. House Bill 209. Senator Halvorson. Senator Halvorson. 209. House Bill 210. Senator Demuzio. Senator Demuzio. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

Senate Bill -- or, House Bill 210.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. This amends the Teacher Certification Article of the School Code regarding standard teaching certificates on their renewal. It says, notwithstanding any -- any other requirements to the contrary, if a Standard Teaching Certificate has been maintained as Valid and Active for the five years of the certificate's validity and the certificate holder has completed his or her certificate renewal plan before July 1st of 2002, the certificate shall be renewed as Valid and Active. Passed the House 106 to nothing. Came out of committee unanimous. I know of no opposition and will ask for your favorable support.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. I just yield -- or, I just rise in strong support of the bill. Thank the sponsor for carrying this piece of legislation.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill 210 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Members voting Yes, no Members voted No, and none are voting Present. House Bill 210, having received the required constitutional majority, is declared passed. House Bill 211. Senator Martinez. House Bill 221. Senator Shadid. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 221.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Shadid.

SENATOR SHADID:

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Thank you, Mr. President. House Bill 221 states that unused State property leased by CMS may not be leased at -- at less than sixty percent of the fair market rental value rate unless the Director certifies in writing the reasons for leasing the property at that rate and the rate constitutes fair and adequate compensation. Be glad to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Just a question for the sponsor. Why would we ever, as guardians of the taxpayer money, rent -- rent a piece of property out at sixty -- even, you know, between sixty and a hundred percent of fair market value? Why would we -- why would your bill not say that we rent it out at fair market value? What would be a case where we would want to go to sixty-one percent, almost nearly half the value? Isn't that just asking for trouble in administering lease contracts?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Shadid.

SENATOR SHADID:

Senator Lauzen, this bill was put together as a result of what happened in the late hours of our former Governor's time, when they leased a piece of property in Peoria, Illinois, the Zeller Mental Health Facility, which was appraised at eleven million dollars; it was -- it was leased for a dollar a year for twenty years and that was done without any oversight by the General Assembly, or any rules. It just was done because the Director wanted it done, and the Governor signed off on it.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

Thank -- oh! I think Senator Lauzen had another question, actually.

PRESIDING OFFICER: (SENATOR WELCH)

Senator, you need to turn your light on when you intend to speak. Senator Lauzen.

SENATOR LAUZEN:

Thank you very much, Mr. President. I didn't realize that the answer would stimulate another question. I appreciate

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what's the genesis of the bill but that wasn't -- that didn't answer my question of give me an example of where the taxpayers would be satisfied with getting less than fair market -- fair market value on their leased property.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Shadid.

SENATOR SHADID:

I don't know if I understand your question, but this bill is a result, as you can tell, of past practices by elected officials who had the authority to either give away, basically, State property with no oversight and no questions asked. I don't know if that answers your question...

PRESIDING OFFICER: (SENATOR WELCH)

Senator Lauzen.

SENATOR LAUZEN:

I think that it's going in the right direction and, I mean, my -- the concept of the question is it's -- I understand why you're doing it, but perhaps I would request a third time. In what circumstance -- I -- I don't think that the bill goes far enough. It protects us up to sixty percent. Why should we not have that bill be that the property -- or, the taxpayers are protected to a hundred percent of fair market value? 'Cause you're going in the right direction. I just wonder why not go all the way to full value?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Shadid.

SENATOR SHADID:

I'm not in the real estate property business, but it's my understanding in talking to Realtors that sometimes you cannot get the fair market value of property that's appraised. This is a step forward, and I would urge you to present a bill next year -- I'll be more than happy to be a cosponsor - if you want to put a hundred percent on. I'm a -- I'm a firm believer we should be protecting the taxpayers and the money and the property that the taxpayers own. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

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

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PRESIDING OFFICER: (SENATOR WELCH)

He indicates he'll yield, Senator.

SENATOR ROSKAM:

Senator Shadid, just for purposes of the record. In the Senate Executive Committee, you indicated that this is prospective only. That's correct isn't it?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Shadid.

SENATOR SHADID:

Yeah. That's exactly right and because, one of the reasons was, we didn't have any legal standing, but it -- that has not been finalized yet. There is some question and there is going to be a court case coming up on this, I think, in the near future.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Shadid, to close.

SENATOR SHADID:

I'd appreciate an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill 221 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Members voting Yes, no Members voted No, and none voted Present. House Bill 221, having received the required constitutional majority, is declared passed. House Bill 236. Senator Link. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 236.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Terry Link.

SENATOR LINK:

Thank you, Mr. President. This amends the Telecommunications Article of Public Utilities Act. It provides that the telecommunications carriers that they -- provide directory assistance service shall provide that -- the service

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for the legally blind customers at no charge. I'll be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? No Members seeking recognition, the question is, shall House Bill 236 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are -- 56 Members voting Yes, no Members voted No, and none voted Present. House Bill 236, having received the required constitutional majority, is declared passed. House Bill 249. Senator Haine. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 249.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Haine.

SENATOR HAINE:

Yes, Mr. President, Ladies and Gentlemen of the Senate, this bill adds the offense of aggravated battery to anyone -- to a charge which results from anyone assaulting or battering a nurse or a physician in a hospital. It is presently law that a -- a battery of an emergency room personnel is aggravated. This takes it to a nurse anywhere in the hospital, and of course, that means that the State's attorney does not have to prove great bodily harm. It seems to me, given the vulnerability of these health care providers, it is a reasonable addition to the aggravated battery statute. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? No Member seeks recognition. The question is, shall House Bill 249 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 {sic}(57) Members voting Yes, no Members voted No, and none voted Present. House Bill 249, having received the required constitutional majority, is declared passed. House Bill 263. Senator DeLeo. House Bill 269. Senator Walsh. House Bill 273.

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Senator Link. House Bill 274. Senator Martinez. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 274.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Martinez.

SENATOR MARTINEZ:

Yes, Mr. -- Mr. President and Members of the Senate. House Bill 274 establishes the Inclusion of Women and Minorities in the Clinical Research Act to encourage the use of women and minorities as subjects in clinical research projects by entities receiving State funds. And I'm happy to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? No Member seeking recognition, the question is -- I'm sorry. Senator Roskam. The question is, shall House Bill 274 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Members voting Yes, no Members voted No, and none are voting Present. House Bill 274, having received the constitutional majority, is declared passed. House Bill 275. Senator Martinez. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 275.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Martinez.

SENATOR MARTINEZ:

Yes, Mr. President. Thank you. Members of the Senate, House Bill 275 requires Department of Human Services, in consultation with Department of Public Health, to conduct a public education campaign concerning folic acid. The campaign must educate women about the benefits of consuming folic acid before and during pregnancy to improve their chances of having a healthy baby and increase the consumption of folic acid by women

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of child-bearing age. Makes it clear the campaign must include data about the sources of folic acid. And I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? No Member is seeking recognition. The question is, shall House Bill 275 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 56 Members voted Yes, none voting No, and no Members voted Present. House Bill 275, having -- having received the required constitutional majority, is declared passed. House Bill 277. Senator Link. House Bill 293. Senator Martinez. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 293.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President. Again, House Bill 293 was on an Agreed Bill List. It just -- all it is, is amends the Illinois Act on Aging regarding Community Care Program. All financially eligible applicants and recipients of services of the Community Care Program must apply for Medicaid. And I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

There any discussion? No Member seeks recognition. The question is, shall House Bill 293 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Members voting Yes, no Members voted No, and none voted Present. House Bill 293, having received the required constitutional majority, is declared passed. House Bill 298. Senator Larry Walsh. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 298.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 298 amends the Illinois Vehicle Code in regards to abandoned vehicles. Basically, all this does is say that the owner, instead of the driver, of a vehicle is responsible for paying fines, charges and costs on an abandoned vehicle and may be penalized for the failure to do so. I know of no opposition and ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? No Member seeks recognition. The question is, shall House Bill 298 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Members voting Yes, no Members voted No, and no Members voted Present. House Bill 298, having received the required constitutional majority, is declared passed. House Bill 300. Senator Larry Walsh. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 300.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 300 amends the County Code in regards to electronic access to public records. Basically, House Bill is a joint initiative of the Metro Counties and the County Clerks and Recorders Association. We have been working on this legislation for a number of years and now that has basically become an agreed bill. In fact, the former opponents of the bill, the Illinois State Bar Association, the Illinois Press Association, actually provided the final text for the bill. What we're doing here is the fact that there's a great demand for providing

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additional Internet access to public records, there's been no way to pay for it. Basically what this bill does, is it's going to put together the -- the opportunity that if groups that need information from our recorders and county clerks, that they will be able to get it off of the Internet. The fees may only be charged for providing information in bulk or compiled form. The average taxpayer does not need to fear going to the Internet and trying to get information and have to pay for it. The legislation makes no changes in the Freedom of Information Act and does not in any way restrict the public's right to get information. In fact, this legislation will speed up the access, provide more information, as well as the tools to better understand the information. I'd be willing to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? No Member seeks recognition. The question is, shall House Bill 300 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Members voting Yes, 4 Members voting No, and 1 Member voting Present. House Bill 300, having received the required constitutional majority, is declared passed. House Bill 312. Senator Harmon. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 312.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. House Bill 312 is identical, as amended, to Senate Bill 382, which I sponsored earlier this Session. It corrects a -- a technical error in the Criminal Code regarding the unlawful purchase of a firearm. If you recall, there were some -- there was a glitch in the sentencing provisions that allowed someone who committed the offense but didn't actually purchase the gun to escape the -- the -- the

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mandated penalties. This bill corrects that. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Petka.

SENATOR PETKA:

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

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield, Senator.

SENATOR PETKA:

Senator, during your explanation of the bill, that you had made reference that this is a -- a technical correction to the Criminal Code. Can you please explain exactly what you mean?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Harmon.

SENATOR HARMON:

Yes, Senator. Unlawful purchase of a firearm, the offense itself is defined as the actual or attempted purchase of a firearm either by submitting false information or with the intent to transfer that firearm to a person who did not have the legal right to buy it. However, in the sentencing, the language suggested that the -- the felony designations were only applicable if someone actually purchased the weapon. The offense itself is the actual or attempt. It's not the same as murder or armed robbery where we have an offense and an attempted offense.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Petka.

SENATOR PETKA:

Thank you, and now to the bill. The distinction that has been drawn by the sponsor of this bill in connection with trying to advance this legislation, in my opinion, is a distinction without a difference. Historically we have treated in Code offenses, otherwise known as attempt offenses, as a -- with a penalty one step under the actual completion of the offense, and there's a good reason for that. For example, the crime of murder carries a twenty-year mandatory minimum and a crime of attempt to take a life -- attempt murder, because the crime was not complete, it has always been the policy of this State, and I think rationally so, that attempt should carry a -- a penalty

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one step under the completion of the offense. I understand what you're trying to do but I think that the way that it should be accomplished, Senator, is by boosting the underlying offense in terms of, say, oh, making a higher degree of felony rather than encroaching upon what I think has been a -- a -- a public policy that really makes sense and that is that people should be penalized less when they don't complete the crime than when, in fact, they do complete the crime. That's the reason I've always voted against this bill in committee, on the Floor, and I intend to vote against it again today, because, quite frankly, I don't think that there is a necessity to -- to change what I consider to be good public policy for this type of legislation.

PRESIDING OFFICER: (SENATOR WELCH)

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

SENATOR HARMON:

I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill 312 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 37 Members voting Yes, 20 voting No, no Members voting Present. House Bill 312, having received the required constitutional majority, is declared passed. House Bill 313. Senator Shadid. House Bill 318. Senator Jacobs. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 318.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 318 makes it unlawful to sell, give away or display tobacco products for sale at any location where the consumer can acquire those products through self-service. It exempts the sale of -- of tobacco products from vending machines if the vending machines are located in places authorized under the Sale of Tobacco to Minors Act. We did put an amendment on

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which establishes two separate criteria for determining where tobacco products may be located in an establishment. One is "under the control" and, two, "within the line of sight", meaning within reach of the cashier and visible to a cashier or other employees respectively. This come out of the Executive Committee unanimously. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator David Sullivan.

SENATOR D. SULLIVAN:

Thank you, Mr. President. Out of respect to the sponsor, I move the previous question.

PRESIDING OFFICER: (SENATOR WELCH)

There are no Members seeking recognition. The -- the question is, shall House Bill 318 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Members voting Yes, no Members voted No, and none are voting Present. House Bill 318, having received the required constitutional majority, is declared passed. House Bill 336. Senator Haine. House Bill 345. Senator Dillard. House Bill 385. Senator Halvorson. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 385.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President, Members of the General Assembly. House Bill 385 amends the Illinois Vehicle Code, and this is regarding "Scott's Law" that was passed last year. What we did was we put a maximum penalty of ten thousand dollars on there but we never put a minimum penalty. So this bill establishes a minimum penalty so that people would have to appear in court.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? No Members seek recognition. Therefore, the question is, shall House Bill 385 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is

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open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 57 Members are voting Yes, no Members voted No, and no Members are voting Present. House Bill 385, having received the required constitutional majority, is declared passed. House Bill 407. Senator Haine. Read the bill, Mr. Secretary

ACTING SECRETARY HARRY:

House Bill 407.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Haine.

SENATOR HAINE:

Yes, Mr. President, Ladies and Gentlemen of the Senate. This proposed bill, House Bill, amends the Downstate Firefighter Article in the Pension Code. Apparently what has happened is, when a municipality annexes a fire district and, in such a -- a situation, a municipality's firefighter pension fund is dissolved - the affected firefighters become members of the fire protection district's pension plan - current law does not specify what shall happen to the assets and the liabilities of the defunct municipal firefighter pension fund. This bill resolves this. It's an initiative of the Associated Fire Fighters of Illinois and the Professional Firefighters Association. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Brady.

SENATOR BRADY:

Thank you, Mr. President. Ladies and Gentlemen, this bill voted out of committee with a unanimous vote and I commend the sponsor. I intend to support the legislation.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill 407 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Members voting Yes, no Members voting No, and no Members are voting Present. House Bill 407, having received the required constitutional majority, is declared passed. House Bill 414.

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Senator Schoenberg. House Bill 430. We'll pass that one.
House Bill 462. Senator Link. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 462.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. This amends the District Act to allow that the District Board of Commissioners, by a two-thirds vote of all of its members, to transfer fund balances between its two Working Cash Funds. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Rauschenberger. Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you -- yeah, I'm trying to get my mike to work. You know, I had very little practice lately so I was trying to behave there. Good to see you in the Chair, by the way, Mr. President. You do a fine job moving the process along.

PRESIDING OFFICER: (SENATOR WELCH)

Thank you.

SENATOR RAUSCHENBERGER:

Question. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield.

SENATOR RAUSCHENBERGER:

Senator Link, the purpose of allowing them to transfer between these two funds is -- is what? I mean, as I understand it, they sell -- these bonds for two separate purposes that are statutory and this bill dissolves the statutory differences.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Link.

SENATOR LINK:

Well, my understanding of what this is, is basically so that they don't have to go out to sell these bonds and basically cost the taxpayers more money by selling outside. If the cash

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flow gets down where they would have to sell these bonds outside, that they could take it out of one of the established of the two Working Cash Fund bonds, which one is at a higher level, take it out of that Working Cash Fund, use it, and never go over that limit that they have already established since 1995 at a -- a cash bond level of a construction tax cap fund, stay at that level and just work off of that other fund. That's basically what it's for right now.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Well, what -- what -- what's the statutory scheme or reason for having two separate bond funds -- cash working bond funds that we're, you know, kind of setting aside here, is, I guess, what I'm asking? A previous General Assembly or somebody had a reason or they perhaps even, in advocating for it, had a reason for separating the corporate Working Cash Fund from the construction Working Cash Fund and we're essentially giving them permission to use these as fungible dollars, to -- to use dollars from one fund for the purposes of another. And I -- I just was hoping that you had an explanation or a rationale besides that they don't want to go to the trouble.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Link.

SENATOR LINK:

My -- best explanation here is one is a construction Working Cash Fund balance and one is a corporate Working Cash Fund balance, and that's the two funds that they have right now, Senator.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Well, I appreciate that explanation, but, again, I guess I would renew my point that there's a reason for having two separate funds. And if they're unable or unwilling to kind of explain to us why there ought not to be a separation between the two and the fact that they -- they have never seen, in their wisdom, to district the Metropolitan Water Reclamation Water District and give suburban taxpayers in this district a voice, I

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just can't support it unless they can give us an explanation for why we ought to be comfortable with them using dollars from one fund for purposes of another.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Link.

SENATOR LINK:

Basically, in -- Senator, in 1980 these funds were established when their -- their one fund was decreased and they had to go out to the bank and take short-term loans that cost the taxpayers money at an interest level, and they established these two separate funds at that time. They kept both of the working funds at that time to save the taxpayers money at that time. That's the -- the explanation that I have on here. It's a -- a savings to the taxpayers. In 1995 they kept with the tax cap that these were a limit at the level that each fund could not exceed. One of these is a working fund that will not -- that is continuously kept at a lower level so that when it's needed money, they just basically borrow from themselves and keep that fund existent to keep the savings to the taxpayers. That's basically what it is. And they're just allowing themselves to borrow from themselves, is what it really is. That's all this is with a two-thirds vote from the commissioners.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any further discussion? No Member seeking recognition, Senator Link, to close.

SENATOR LINK:

I would just ask for affirmative vote.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill 462 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 41 Members voting Yes, 14 Members voted No, and no Members voted Present. House Bill 462, having received the required constitutional majority, is declared passed. Senator Obama, for what purpose do you rise?

SENATOR OBAMA:

Point of personal privilege, Mr. President.

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PRESIDING OFFICER: (SENATOR WELCH)

State your point.

SENATOR OBAMA:

I would like to announce that we have Alex Wiley, Jada Cunningham and Justin Cunningham from Skinner Elementary School. They are here to study the workings of the Illinois Senate, and if you guys don't behave yourselves, they may be going after your seats sometime soon. In the meantime, can the Senate please give them a warm Senate welcome?

PRESIDING OFFICER: (SENATOR WELCH)

Welcome to the Senate. Thanks for coming down here. House Bill 468. Senator DeLeo. House Bill 495. Senator Garrett. Page -- top of page 28. House Bill 406. Senator Collins. 506. Excuse me. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 506.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and Members of the Senate. House Bill 506 provides that in court, if the State presents evidence that an offense committed by a defendant was related to or in furtherance of the criminal activities of an organized gang or was motivated by the defendant's membership in the allegiance -- in or allegiance to an organized gang and the court determines that the evidence may be substantiated, the court shall prohibit the defendant from associating with other members of the organized gang as a condition of bail or release. This bill is supported by the Fraternal Order of Police, Cook County State's Attorney and the Illinois State's Attorneys Association. I would appreciate an affirmative vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? No Members are seeking recognition. The question is, shall House Bill 506 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there

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are 57 Members voting Yes, no Members voted No, and none are recorded as Present. House Bill 506, having received the required constitutional majority, is declared passed. House Bill 514. Senator Emil Jones. House Bill 515. Senator Roskam. House Bill 524. Senator Cullerton. House Bill 525. Senator Haine. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 525.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Haine.

SENATOR HAINE:

Yes, sir. Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is an initiative of the Cook County State's Attorney's Office. It authorizes the release of an individual's address or location by the employment -- location of employment by the Department of Public Aid or the Department of Employment Security to a -- a State's attorney or one of his or her investigators, who are commissioned peace officers, for the sole purpose of ascertaining the current location of a witness or a victim of a felony. Very limited. These two agencies are mandated to give that information if there's an active warrant. They also give it to various other State agencies for various good causes. And -- and the State's Attorney's Office has an unbelievable backlog of subpoenas because they can't locate crime victims and witnesses. This is -- be a great step forward and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? No Member seeks recognition. The question is, shall House Bill 525 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Members voting Yes, no Members voting No, and none are recorded as Present. House Bill 525, having received the required constitutional majority, is declared passed. House Bill 526. Senator Walsh. Read the bill, Mr. Secretary.

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House Bill 526.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Walsh.

SENATOR WALSH:

Thank you, Mr. -- thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 526 amends the County Codes {sic} in regards to access to records via the Internet. Basically what we're saying is that fees collected by the county board of any county for filing instruments, papers, or notices of -- of record may be used to defray the cost of providing access to records through the Internet. The county board of any county which maintains a countywide map through a Geographic Informational System may use the fee charged for filing instruments, papers, or notices, etcetera, for the cost of providing electronic access to the GIS records. We are not increasing fees. We are not putting any new fees out there. Basically just use -- broadening the -- the use of the fees that we currently collect. I know of no opposition.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? No Members are seeking recognition. Therefore, the question is, shall House Bill 526 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Members voting Yes, 1 Member voted No, and no Members voted Present. House Bill 526, having received the required constitutional majority, is declared passed. House Bill 527. Senator Walsh. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 527.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President, Members of the Senate. House Bill 527 again amends the Property Tax Code in regards to the

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access of records via the Internet. Basically, what we are saying here, as amended, the bill allows the funds collected from the purchase of the property for delinquent taxes shall defray the cost of providing the electronic access to the property tax collection records and delinquent tax sales. I know of no opposition. This is an issue that has been brought forth from the County Clerks and Recorders Association.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall House Bill 527 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Members voting Yes, 1 voting No, and no Members voted Present. House Bill 527, having received the required constitutional majority, is declared passed. House Bill 528. Senator Walsh. Read the bill -- I'm sorry. Take it out of the record. House Bill 521 {sic}. Senator Clayborne. House Bill 538. Senator Cullerton. House Bill 544. Senator Demuzio. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 544.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill, as I understand it, synchronizes the Fire Protection District Act and the Governmental Accounting Auditing Act {sic}. The bill sets a limit -- single limit for revenues above which the fire districts are required to file an annual audit report. Below that, smaller districts have only to file a financial report with the Comptroller. The change simply changes the reporting requirements for approximately a hundred and seventy-five smaller districts, each of which is expected to save two thousand to three thousand dollars in annual auditing expenses. Passed the House 112 to nothing, committee unanimous. Ask for your support.

PRESIDING OFFICER: (SENATOR WELCH)

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Is there any discussion? No Members are seeking recognition. Therefore, the question is, shall House Bill 544 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 57 Members are voting Yes, none are voting No, and no Members are voting Present. House Bill 544, having received the required constitutional majority, is declared passed. House Bill 548. Senator Martinez. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 548.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President. House Bill 548 amends the Illinois Pesticide Act. Provides criminal penalties for retailers and wholesalers who distribute or sell pesticides that have never been registered with the U.S. EPA or for which the registration has been canceled or suspended by the U.S. EPA.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? No Members seek recognition. Therefore, the question is, shall House Bill 548 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Members voting Yes, no Members voted No, and none vote Present. House Bill 548, having received the required constitutional majority, is declared passed. House Bill 553. Senator Haine. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 553.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Haine.

SENATOR HAINE:

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Yes. Mr. President and Ladies and Gentlemen of the Senate, the Senate Amendment No. 1 becomes the bill. This is a technical change. Has the effect of changing the criteria that a judge will use after an extended juvenile prosecution to determine whether a minor shall be sentenced as an extended jurisdiction juvenile prosecution offender in that case that a minor is convicted of a lesser included offense or an offense that the State's Attorney did not designate as -- as an offense. For example, certification for murder, being convicted of a lesser included.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. Inquiry of the Chair. It's my understanding that this amendment is actually still in Rules, and that this is a shell bill at this point. Could you illuminate us?

PRESIDING OFFICER: (SENATOR WELCH)

Illuminate you?

SENATOR ROSKAM:

Would you...

PRESIDING OFFICER: (SENATOR WELCH)

You are correct, sir. The amendment is still in Rules. This is a vehicle bill. Senator Haine.

SENATOR HAINE:

I beg your pardon, Mr. President. The Senator is correct. We'll take it out of the record.

PRESIDING OFFICER: (SENATOR WELCH)

Take it out of the record, Mr. Secretary. Page 29. We are skipping the Emil Jones bills. ...Crotty, for what purpose do you rise?

SENATOR CROTTY:

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

PRESIDING OFFICER: (SENATOR WELCH)

State your point.

SENATOR CROTTY:

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I'd like to welcome and ask everyone else to share that welcome with me with the Mayor of Richton Park, who's here visiting Springfield. So, it's nice to see you.

PRESIDING OFFICER: (SENATOR WELCH)

Welcome to the Senate. House Bill 560. Senator Hunter. We are going to skip down to House Bill 567. Senator Haine. We're skipping the Emil Jones sponsored bills. We are now going to page 36 of your Calendar. House Bill 684. Senator Link. Senator Terry Link. House Bill 684. House Bill 685. Senator Link. House Bill 686. Senator Jones. On page 37. House Bill 703. Senator Crotty. 703. We're passing by the Emil Jones. On page 40, middle of the page. House Bill 760. Senator Crotty. House Bill 761. Senator Crotty. Page 46 on your Calendar. House Bill 862. Senator Link. Senator Link. House Bill 862. House Bill 865. Senator Demuzio. Page 48. House Bill 891. Senator Cullerton. Page 53. House Bill 975. Senator Garrett. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 975.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

Yeah. I just wanted to make sure, I have an amendment that will -- this is a shell bill. I just wanted to clarify that. So let's hold off and I'll come back.

PRESIDING OFFICER: (SENATOR WELCH)

Out of the record. On page 57. House Bill 1031. Senator Crotty. All right. On page 60 of your Calendar, House Bill 1087. Senator Crotty. House Bill 1087. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 1087.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Crotty, on House Bill 1087.

SENATOR CROTTY:

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Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 1087 creates a new Section on the aging family caregiver assistance program under the Illinois Act on Aging. It provides the Department must establish and administer a program to provide financial assistance to Illinois residents age sixty or older who are the primary caregivers to one or more family members who are developmentally disabled. It further provides the Department must adopt rules necessary for the implementation of this Section, including the establishment of additional eligibility.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR WELCH)

She indicates she will yield, Senator.

SENATOR RIGHTER:

First, Senator Crotty, I want to thank you on the record for the time that you have taken with me and other Members of the committee to kind of discuss this bill and some of its provisions. First, some very quick questions. Is the bill subject to appropriation or is this an instance where the Department will be required, if it becomes law, to set up the program and administer the services whether they have that money appropriated to them or not?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Crotty.

SENATOR CROTTY:

As I read the bill, it is -- it's -- it is not subject to appropriation. It is a -- it is a program.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

Do you know, then, if the monies that this will cost are in the Governor's proposed budget?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Crotty.

SENATOR CROTTY:

It probably is not in the -- in the Governor's budget.

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PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

Senator, how much money will this cost?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Crotty.

SENATOR CROTTY:

There is no -- there is no fiscal note and I had asked the same thing, but it depends on how many persons sixty years or older that would fit into the criteria that the Department would write on how much assistance would be given. But I do want to add -- and I thank you very much. We've -- we've discussed this quite a bit and I've gone over to the House sponsor and I've gotten notes from Republican staff on some talking points. But as you know, I've worked with persons with disabilities in my prior time and I've run across a lot of parents who are starting to age out. And with this program, it helps them keep their family member at home. I would like to -- you know, never like to try to figure the cost of these aging parents having to put their family member into an institution.

PRESIDING OFFICER: (SENATOR WELCH)

Senator...

SENATOR CROTTY:

That would cost us quite a few dollars.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

Is it your expectation, Senator, that if the bill becomes law and then whatever costs there might be associated with it, if the Department has to then pay that out, they're going to, if they don't have money elsewhere appropriated in the Governor's budget, they're going to have to reach out somewhere else in their budget and pull that money away from those services in order to do this. I mean, have you had any conversations with the Department? If they're forced to do that, where are they going to go and get that money? I mean, we -- Department on Aging administers a number of programs, which, what I'd assume, everyone in this Chamber finds near and dear to his or her

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heart. And are those programs going to suffer because this one crowds it out?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Crotty.

SENATOR CROTTY:

Well, I would hope that in passing this legislation -- of course, the Governor has the ability to veto it, but, in fact, if he and -- and those that are working on the budget look this over and realize that this would be really a cost-saving measure in comparison to those residents having to go into an institution, then this program is there for -- for his liking.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

Senator, last question then I want to make a few comments toward the bill. But the last question is, the Department already administers the Home-based Support Services Program and you and I have talked about that, which is a program that directs money toward individuals eighteen or older who may have developmental disabilities who are living at home. I want you to just lay out for the Body, I guess, our discussion of the idea of rather than creating a new program, which will undoubtedly carry some new administrative costs - and we don't know how much that will be, but if it's -- if it's twenty-five or fifty thousand dollars, we can all agree that we'd rather have that in that person's home helping them than here in Springfield paying for someone else to fill out more grant forms - why not adjust that program and maybe prioritize for older parents who have to care for these individuals, people who are more needy in terms of their income. What about doing that, rather than just starting something new?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Crotty.

SENATOR CROTTY:

Well, in doing that we would be starting something new. It would be a brand-new program, because right now the Home-based Program isn't set up for that. So there would be no difference in adding that to the home-based or having it a separate bill as this one is, because you're still starting a new program. The

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only thing is, right now you have a waiting list, and this clientele, the aging parent, is not even in the Home-based Program. That's really the genesis for this bill. But thank you very much, Senator.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

Very briefly, to the bill, Mr. President. Senator, thank you very much for your time on this and your -- your sincere answers. I appreciate so much what Senator Crotty's looking to do here, but, Ladies and Gentlemen, there's no money in the budget for this. The bill requires the Department to do the program. If they're not given additional money to do it, some other program's going to suffer. Some other program that we promote to our seniors is going to have to take a bite in order to do this. Senator Crotty's right: There is a waiting list for this program. The reason there's a waiting list for the Home-based Support Services Program is because there isn't any money in the program. And I don't know that we're going to be able to solve that by creating another program that also doesn't have any money behind it either, and I hope that we all consider that and the tenuous balance that the Governor's budget is already on right now before voting on this. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President. I'd just like to compliment the sponsor on the subject matter that she's taking up. I think it's important that we're talking about, I think, some of the -- the -- the real heroes in the State of Illinois, families that have made a decision during their entire adulthood to live with a disabled child and to make the sacrifices that are necessary to keep that child at home. I -- I think it's appropriate for us to be talking about supporting them. But in light of what's going on and in light of a budget hearing last night that Senator Trotter ably and -- and lengthily chaired, when we heard from provider group and -- and family member and -- and mothers and fathers about the problems we have currently funding our

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disability programs, I just would urge a lot of caution in this and wonder if the sponsor might consider taking this out of the record and seeing if there's any way that we can work with the Governor's Office on this. The testimony last night was quite eloquent. We're -- after three years of no adjustments to the rates that we can give to -- to home -- home-based services or the -- the rates we can give to our CILA providers who provide community-based housing for disabled children, after three years of not being able to do anything for the providers of day programs, for -- for, you know, extraordinary and disabled children, the Governor's budget unfortunately includes a 1.25-percent decrease in the rates and in addition, a two-percent hold. So it's a 3.25-percent decrease from the rates that we thought were not quite sufficient in FY '99. That's certainly not the Governor's fault and it's certainly not the sponsor's fault. But as we look at a Calendar filled with a lot of good ideas from the House - and I know the House gets very enthusiastic, you know, winging over fifteen, eighteen hundred new ideas over here - I just think if we kind of start down this path of -- of "I'm going to do something, but I'm not sure what it's going to cost," that we're sending a message to the provider community that -- that it really is chaotic down here. And I think, if anything, the new Governor really needs kind of the support of the Senate in saying, you know, we're very interested in these programs, we've taken this all the way to 3rd Reading, we want you to consider it. But I just would urge this Body to be awful cautious about continuing to kind of lay new promises out there for a Governor who's really trying to get his arms around what we're doing and a provider community and a community of -- of parents and families out there that can't quite tell what all this chaos down here means. So, I would respectfully ask the -- the sponsor to consider taking this out of the record to see if we can amend it, make it subject to appropriation or maybe engage with the Governor on it. Or, you know, alternatively, I would suggest that we vote Present on it until we really have a better handle before we start kind of down this path of eighteen hundred House bills that are program expansions. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

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Senator Risinger.

SENATOR RISINGER:

Yes. Question of the Senator.

PRESIDING OFFICER: (SENATOR WELCH)

Indicates she'll yield.

SENATOR RISINGER:

Senator, I appreciate what you're trying to do with this bill. My analysis shows that the Department of Aging opposes the bill. And can you enlighten us on why they're against the bill?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Crotty.

SENATOR CROTTY:

I'm told that they were neutral.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Risinger.

SENATOR RISINGER:

Well, I wasn't in the -- in the committee. I'm just reading our analysis and it says that they're opposed. So...

PRESIDING OFFICER: (SENATOR WELCH)

Senator Crotty.

SENATOR CROTTY:

I'm sorry. My analysis says that they're neutral. So is the Department of Human Services. I don't think -- there are no opponents.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Risinger. Senator Crotty, to close.

SENATOR CROTTY:

Thank you. I just ask for a favorable vote. Thanks.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill 1087 pass. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 37 Members voting Yes, 10 Members voting No, and 9 Members voting Present. House Bill 1087, having received the required constitutional majority, is declared passed. House Bill 1089. Senator Clayborne, for what purpose do you rise?

SENATOR CLAYBORNE:

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A point of personal privilege.

PRESIDING OFFICER: (SENATOR WELCH)

State your point, Senator.

SENATOR CLAYBORNE:

Mr. President, to my right or behind me I have Lee Coleman, a friend of mine, who's also the President of the Black Chamber of Commerce, in East St. Louis, and I'd like for the Senate to welcome him.

PRESIDING OFFICER: (SENATOR WELCH)

Welcome to the Senate, Mr. Coleman. Thank you for coming. House Bill 1089. Senator DeLeo. House Bill 1091. Senator DeLeo. House Bill 1096. Senator Sieben. Senator Sieben. Hold on one second, Senator. Senator Wojcik, for what purpose do you rise?

SENATOR WOJCIK:

For the purpose of a -- point...

PRESIDING OFFICER: (SENATOR WELCH)

State your point, Senator.

SENATOR WOJCIK:

Thank you. I would like to have the Body welcome Tricia Klek, who's visiting us here from Chicago, and she happens to be my great-niece.

PRESIDING OFFICER: (SENATOR WELCH)

Well, welcome, Ms. Klek, to Springfield. Thank you for coming. I'm sorry. Senator Sieben, on House Bill 1096. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 1096.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Sieben.

SENATOR SIEBEN:

Thank you very much, Mr. President. This legislation amends the Wildlife Code by permitting the use of handguns during the open firearm season. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

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Is there any discussion? No Member seeks recognition. Therefore, the question is, shall House Bill 1096 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 46 Members are voting Yes, 5 Members are voting No, and 2 Members are voting Present. House Bill 1096, having received the required constitutional majority, is declared passed. House Bill 1103. Senator Garrett. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 1103.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

Thank you, Mr. President. House Bill 1103 is subject to appropriation and it allows DHS to make grants to special recreation associations for the operation of recreational programs for the handicapped including both the physically and mentally handicapped, and transportation to and from those programs. The grants must target unserved or underserved populations, such as persons with brain injuries, persons who are medically fragile, and adults who have developmental -- disabling conditions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Very briefly, Mr. President, to the bill. Our conversation is very recent with the Department. They've -- we had asked them in committee whether or not there were any other programs that -- that would have fulfilled Senator Garrett's bill's purpose already. They just contacted us and said they're still looking, but they don't know yet. Just for the Members' edification. Thank you, Senator.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any further discussion? If not, Senator Garrett, to close.

SENATOR GARRETT:

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Thank you. This -- while this is subject to appropriation, it's really an important bill for so many of the special recreation districts in the State, and I would ask for a Yes vote. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill 1103 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 55 Members are voting Yes, no Members are voting No, and 2 Members are voting Present. House Bill 1103, having received the required constitutional majority, is declared passed. House Bill 118. Senator Maloney. 1118. House Bill 1119. Senator Garrett. House Bill 1121. Senator John Jones. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 1121.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator John Jones.

SENATOR J. JONES:

Thank you, Mr. President. House Bill 1121 creates the Illinois Equine Research and Promotion Act. Provides for the creation of an Illinois Equine Industry Research and Promotion Board upon a referendum of the qualified Illinois equine owners. Provides for the selection of twelve board members. Provides for the definition of equine owners -- of the qualified equine owners. And this bill is the continuation of the therapeutic assistance programs for the handicapped and the abused children and adults in -- in Illinois, research and educational programs at the Illinois universities and the enhancement and growth of the Illinois equine industry, and it is a voluntary checkoff.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Larry Walsh.

SENATOR WALSH:

Thank you, Mr. President. To the bill. I think Senator Jones has done a good job on putting this -- putting this checkoff together. As he says, it's a volunteer checkoff. Even

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if the horse owners participate, it is not going to be that much coming out to go to a very good cause. In committee that day, we had people there that talked about what this program has done for children and adults alike that have disabilities and the capability of them to participate and -- and horseback ride have been -- have been great. So, I urge this side to give a affirmative vote.

PRESIDING OFFICER: (SENATOR WELCH)

There being no further Members seeking recognition, the question is, shall House Bill 1121 pass. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Members voting Yes, no Members voted No, and no Members voted Present. House Bill 1121, having received the required constitutional majority, is declared passed. Messages, Madam Secretary.

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 concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Bill 228, together with House Bill No. 1. Passed the House, as amended, May 7, 2003.

I have a like Message with respect to House -- I mean, pardon me, Senate Bill 329 and House Amendment No. 1, and Senate Bill 885 with House Amendment No. 1.

All three passed the House, as amended, May 7, 2003.

PRESIDING OFFICER: (SENATOR WELCH)

Madam Secretary, do you have any motions on file?

SECRETARY HAWKER:

I have a Motion in Writing with respect to Executive Orders 9, 10, 11 and 12.

PRESIDING OFFICER: (SENATOR WELCH)

We -- please place the motion on the Calendar. Middle of page 61. House Bills 3rd Reading. House Bill 1150. Senator Terry Link. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 1150.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Terry Link.

SENATOR LINK:

Thank you, Mr. President. This removes the exemption from surcharge notice requirements at the point of sale of terminals. I'll be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Any discussion? No Member seeking recognition. Therefore, the question is, shall House Bill 1150 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Members voting Yes, 1 Member voted No, and no Members are voting Present. House Bill 1150, having received the required constitutional majority, is declared passed. House Bill 1161. Senator Brady. House Bill 1185. Senator Brady. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 1185.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Brady.

SENATOR BRADY:

Thank you, Mr. President, Ladies and Gentlemen of the Chamber. This bill is identical to a bill passed out of this Chamber earlier this year. It simply allows a regional office - a -- a regional superintendent, if they're still around - if they're still around - to declare a shortage -- to declare a shortage, in which case retired teachers could be hired back to fill that shortage within the school district. It eliminates the State's requirement for health insurance to the individual and is supported by all, as far as I know. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? No Members seek recognition. Therefore, the question is, shall House Bill 1185 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is

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open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Members voting Yes, no Members voted No, and no Members voted Present. House Bill 1185, having received the required constitutional majority, is declared passed. House Bill 1186. Senator Shadid. ...the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 1186.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Shadid.

SENATOR SHADID:

Thank you, Mr. President. House Bill 1186 adopts a uniform speed limit for cars and trucks on rural interstate highways in Illinois. Be glad to answer any questions if I can.

PRESIDING OFFICER: (SENATOR WELCH)

There any discussion? Senator Luechtefeld.

SENATOR LUECHTEFELD:

Yes. A question of the sponsor.

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield, Senator.

SENATOR LUECHTEFELD:

Senator, one the problems I have with this is that, you know, we're all on the road a lot and trucks are probably driving about sixty-five right now. I'd say the average is sixty-five, even though it's a fifty-five-mile-an-hour speed limit. And what's probably going to happen is if this is raised to sixty-five, they'll probably drive seventy-five. And I -- you know, I -- I think that unless it's enforced, I think that's our problem and -- and that's very likely going to happen.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Shadid.

SENATOR SHADID:

If I might answer it. Truck speed limits in states neighboring to Illinois are all higher. Last summer the AAA Foundation released a study that stated the potential for an increase in accidents involving cars and trucks occurs when states impose split speed limits due to increased lane changes

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and a disproportionate number of rear-end accidents. And if the trucks go seventy or seventy-five, the cars will probably go seventy-five or eighty.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

So you would agree that with this bill, we're basically going to all going to drive about seventy-five on the roads from now on.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Shadid.

SENATOR SHADID:

I -- I don't know how fast they're going to drive. I do know this, that I go sixty-five. I always follow the speed limit and everybody's passing me. And I'm not a policeman anymore and I -- so I ignore them.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

But you do agree, we'll pretty well all drive about seventy-five now on the roads if this passes. Is that a fact?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Shadid.

SENATOR SHADID:

I don't think I can agree to that.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Risinger.

SENATOR RISINGER:

Yeah. Mr. President, I -- I rise in support of the bill. I think it's important that we all move down the highway at the same speed. I think the statistics that the Senator has quoted, from my experience with the Department of Transportation, it reinforces the fact that the weaving and the changing of lanes is where accidents really happen, and I hope that we can all support this bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

Will the sponsor yield, please?

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PRESIDING OFFICER: (SENATOR WELCH)

He indicates he will yield, Senator.

SENATOR GARRETT:

Senator, in your legislation, you have described the roads that these truckers who are driving sixty-five miles an hour, you described them as interstate rural highways. Can you describe to me or explain to me what -- what exactly that means and where are those highways? And how do we know the difference between an interstate rural highway and a regular State highway? Are there markings on these highways?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Shadid.

SENATOR SHADID:

Yeah. Chicago, Cook County, DuPage County and portions of Peoria, Vermilion, Lake, Will, Madison and St. Clair Counties are not affected by this, and the highways are posted when it's a reduced speed limit, like they are presently posted.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

So, is there a definition for interstate rural highways in the IDOT code book?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Shadid.

SENATOR SHADID:

There is in current law and IDOT posts the speed limits when they are appropriate.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

So there is no -- no description of an interstate rural highway. Correct?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Shadid.

SENATOR SHADID:

This affects rural interstates.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

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I -- I think we're -- we're in dangerous territory when we are making distinctions on speed limits and referring to language that does not exist in any kind of transportation code currently in the State of Illinois. I believe that once we start distinguishing in certain areas what the speed limit can be, whether it be sixty-five miles an hour in one area of the State and then fifty-five in another area of the State, not only is it confusing for the truckers, it's extremely confusing for people who are driving their cars. This has nothing to do with trucks at all, but I -- I believe that we are doing something that we should not be doing because I don't think there's any legal precedent for doing it. Secondly, I think that to say that -- that cars and trucks should be going the same speed limit is an unusual phenomena. You and I all drive down 55. We know how dangerous it is to be side by side with those trucks going sixty-five or seventy-five miles an hour. I think we should keep the speed limits separate and make sure that truckers are going at least a minimum of ten miles an hour less than our regular vehicles in the State.

PRESIDING OFFICER: (SENATOR WELCH)

Senator John Jones.

SENATOR J. JONES:

Thank you, Mr. President. If I -- if I could just address one of the questions that Senator Garrett had there, and then make a response to her. First off, I want it to be noted that she voted for this bill in committee and this is a bill that's long overdue. Senator Garrett, I would -- would tell you the question you asked Senator Shadid about - what is rural interstate highways - that is defined at the national level and I can assure you that our State police and IDOT in the State of Illinois are very well aware of what rural interstate highways are because it is determined at the national level. This here speed limit, making it uniform with our trucks and cars in the State of Illinois, it's been done in many, many other states in this union. It's all -- every state that's enacted it, it's been proven that there are less accidents due to rear-ending of trucks and of trucks passing, because if a truck can drive sixty-five mile an hour down the road, there -- there's going to be less accidents because they're moving the same speed limit.

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You also made a statement, Senator Garrett, that -- that the -- implementing this bill would just set a precedence and -- and send us down a path. That's the same question I've asked you in -- in the past six years or so in the House and the Senate about Jake Brakes, but I did support you on Jake Brakes this year. So I would like for you to support us on this one this year. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any further discussion? Seeing that no Members seek recognition, Senator Shadid, to close.

SENATOR SHADID:

Yes. If I might just try to answer some questions. Whatever is listed or posted at fifty-five mile an hour in Illinois will stay posted at that speed, regardless of whether we pass this or not. We will be the forty-first state in the country to adopt the uniform sixty-five-mile-per-hour speed limit on interstate highways located away from the more congested metropolitan areas, which will remain at fifty-five mile per hour. I'd appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett's name was used in debate. Senator Garrett.

SENATOR GARRETT:

Will the sponsor yield again? I -- I think here -- what you just said was that the -- the speed limit signs will not change when they're posted fifty-five miles an hour. In your bill they will change in certain areas of the State. They won't change? Then it's even more confusing. I -- I...

PRESIDING OFFICER: (SENATOR WELCH)

Senator Shadid, I'm sorry.

SENATOR SHADID:

It's posted today at fifty-five mile an hour. It's posted in the urban areas right now on -- on interstate highways. It will stay posted at fifty-five whether we pass this or not. If we pass it, it still stays at fifty-five wherever there's an urban interstate highway.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

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I guess I need clarification. Then on these rural State highways, even though there's no definition for a rural State highway, we are going to have signs that state the trucks can go the same speed limit as cars? Those signs will change?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Shadid.

SENATOR SHADID:

Wherever it's posted sixty-five, it'll be -- or, I mean, sixty-five for cars, it will be posted sixty-five for trucks.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

I -- I have to say, I think, again, legally this may be a national initiative but the State of Illinois does not have definitions. It's unclear how this is going to work and most of all I think it's going to be very, very confusing for the drivers in this State, both the truckers and the vehicle driver.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Shadid, do you wish to close again? Senator Shadid. Senator Shadid, do you wish to close again?

SENATOR SHADID:

Yes, I do. Please vote Aye. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Thank you. The question is, shall House Bill 1186 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 45 Members voting Yes, 9 voting No, and 1 Member voting Present. House Bill 1186, having received the required constitutional majority, is declared passed. Madam Secretary, Committee Reports.

SECRETARY HAWKER:

Senator Demuzio, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to Agriculture and Conservation Committee - Floor Amendment No. 1 to House Bill 264, Floor Amendment No. 1 to House Bill 983 and Floor Amendment No. 1 to House Bill 3630 {sic}(3036); refer to Education Committee - House {sic} Joint Resolution 33, Floor Amendment No. 2 to House Bill 430, Floor

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Amendment No. 3 to House -- pardon me, to Senate Bill 1400, Floor Amendment No. 1 to House Bill 760, Floor Amendment No. 1 to House Bill 761, Floor Amendment No. 1 to House Bill 2352, Floor Amendment No. 2 and 3 to House Bill 2797 and Floor Amendment No. 1 to House Bill 3587; refer to Environment and Energy Committee - Floor Amendment No. 2 to House Bill 1165, Floor Amendment No. 1 to House Bill 2839 and Motion to Concur with House Amendment No. 1 to Senate Bill 885; refer to Executive Committee - Senate Joint Resolution 16, House Joint Resolution 30, Floor Amendment No. 1 to House Bill 184, Floor Amendment No. 1 to House Bill 276, Floor Amendment No. 1 to House Bill 701, Floor Amendment No. 1 to House Bill 703, Floor Amendment No. 2 to House Bill 741, Floor Amendment No. 1 to House Bill 865, Floor Amendment No. 2 to House Bill 1044, Floor Amendment No. 1 to House Bill 1118, Floor Amendment No. 2 to House Bill 1373 and Floor Amendment No. 3 to House Bill 2370; refer to Health and Human Services Committee - Floor Amendment No. 1 to House Bill 43, Floor Amendment No. 1 to House Bill 88, Floor Amendment No. 1 to House Bill 429, Floor Amendment No. 1 to House Bill 556, Floor Amendment No. 1 to House Bill 691, Floor Amendment No. 1 to House Bill 696, Floor Amendment No. 1 to House Bill 771, Floor Amendment No. 1 to House Bill 784, Floor Amendment No. 1 to House Bill 1031 and Floor Amendment No. 1 to House Bill 1073; refer to Insurance and Pensions Committee - Floor Amendment No. 2 to House Bill 3183 and Floor Amendment No. -- Nos. 5 and 6 to House Bill 3661; refer to Judiciary Committee - Floor Amendment No. 2 to House Bill 16, Floor Amendment No. 1 to House Bill 51, Floor Amendment No. 1 to House Bill 223, Floor Amendment 1 to House Bill 361, Floor Amendment 2 to House Bill 536, Floor Amendments 1 and 2 to House Bill 538, Floor Amendment 1 to House Bill 553, Floor Amendment 1 to House Bill 561, Floor Amendment 1 to House Bill 562, Floor Amendment 1 to House Bill 567, Floor Amendment 1 to House Bill 579, Floor Amendment 1 to House Bill 1080, Floor Amendment 2 to House Bill 1632, Floor Amendment 1 to House Bill 2330, Floor Amendment 2 to House Bill 2391, Floor Amendment 1 to House Bill 2493, Floor Amendment 1 to House Bill 2545, Floor Amendment 1 to House Bill 3215, Floor Amendment 1 to House Bill 3387, Floor Amendment No. 2 to House Bill 3528 and Floor Amendment 2 to House Bill 3556;

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refer to Local Government Committee - Floor Amendment 1 to House Bill 120, Floor Amendment 1 to House Bill 1385, Floor Amendment 3 to House Bill 1195 and Floor Amendment 2 to House Bill 2317; refer to Revenue Committee - Floor Amendment 1 to House Bill 858; refer to Transportation Committee - Floor Amendment 4 to House Bill 463 and Floor Amendment 1 to House Bill 3106; and Be Approved for Consideration - Floor Amendment 1 to House Bill 2805 and Floor Amendment 1 to House Bill 3398.

PRESIDING OFFICER: (SENATOR WELCH)

Ladies and Gentlemen, we're going to have committee announcements. There are a number of committees meeting tomorrow. We will not come in until 5:30, so you should listen up to these committees. The first committee to meet at 9 o'clock will be Appropriations I and II. The committee chairmen are going to make announcements about their meetings tomorrow afternoon beginning at 12:00 and going through meetings starting at 3:30. So please pay attention. Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. The Senate Education Committee will meet tomorrow at 1 o'clock in Room 212.

PRESIDING OFFICER: (SENATOR WELCH)

Education at 1 o'clock. Senator Haine.

SENATOR HAINE:

Mr. President, the Local Government Committee will meet at 1 p.m. in A-1. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

All right. Insurance and Pensions will not meet then at 1. At 2 o'clock. Senator Cullerton? Senator Cullerton's committee will meet at 2 o'clock in Room 400. Judiciary, 2 o'clock in Room 400. Senator Shadid.

SENATOR SHADID:

Thank you. For an announcement: Transportation's at 2 o'clock, A-1.

PRESIDING OFFICER: (SENATOR WELCH)

Transportation, 2 o'clock in A-1. Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President. The Environment and Energy Committee will meet tomorrow at 3:30 in Room 212. Again, 3:30 in Room 212.

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PRESIDING OFFICER: (SENATOR WELCH)

Senator Obama.

SENATOR OBAMA:

...President. Purposes of announcement. The Health and Human Services Committee will meet in Room 400 at 3:30. Room 400, 3:30.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Larry Walsh.

SENATOR WALSH:

Thank you, Mr. President. The Agriculture and Conservation Committee will meet at 3:30 in Room A-1.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Terry Link.

SENATOR LINK:

Thank you, Mr. President. Revenue Committee will meet at 12 noon in Room 400.

PRESIDING OFFICER: (SENATOR WELCH)

Ladies and Gentlemen, that is all of the committee announcements. I'm sorry. Senator Silverstein, I don't have you on my list.

SENATOR SILVERSTEIN:

Senate Executive Committee will meet at noon at -- in Room 212 tomorrow.

PRESIDING OFFICER: (SENATOR WELCH)

Executive at noon in Room 212. Anyone else? No. There being no further business to come before the Senate the Senate will stand adjourned until the hour of 5:30 p.m., 5:30 tomorrow night, on Thursday, May 8th, 2003. The Senate stands adjourned.