

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

HB0030	Third Reading	5
HB0079	Third Reading	6
HB0120	Third Reading	6
HB0136	Third Reading	7
HB0138	Third Reading	8
HB0184	Third Reading	13
HB0205	Out Of Record	16
HB0205	Third Reading	16
HB0206	Third Reading	16
HB0218	Out Of Record	17
HB0218	Third Reading	17
HB0231	Out Of Record	21
HB0231	Third Reading	17
HB0263	Third Reading	21
HB0269	Third Reading	22
HB0273	Third Reading	25
HB0277	Third Reading	28
HB0313	Third Reading	29
HB0333	Third Reading	36
HB0345	Third Reading	38
HB0361	Second Reading	2
HB0416	Out Of Record	3
HB0416	Second Reading	2
HB0429	Out Of Record	45
HB0429	Third Reading	45
HB0467	Second Reading	3
HB0468	Third Reading	50
HB0499	Third Reading	45
HB0524	Third Reading	46
HB0532	Third Reading	46
HB0536	Third Reading	47
HB0538	Third Reading	48
HB0539	Third Reading	49
HB0553	Third Reading	50
HB0556	Third Reading	51
HB0561	Third Reading	52
HB0562	Third Reading	53
HB0684	Third Reading	54
HB0685	Third Reading	54
HB0703	Third Reading	56
HB0741	Third Reading	57
HB0760	Out Of Record	58
HB0760	Third Reading	58
HB0761	Third Reading	58
HB0771	Third Reading	59
HB0858	Recalled	60
HB0865	Recalled	61
HB0943	Third Reading	62
HB0983	Third Reading	64
HB1089	Third Reading	65
HB1118	Third Reading	66
HB1189	Third Reading	67
HB1193	Third Reading	71
HB1194	Third Reading	91
HB1195	Third Reading	92
HB1205	Third Reading	72
HB1235	Third Reading	72

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

HB1237	Third Reading	74
HB1246	Third Reading	75
HB1250	Third Reading	75
HB1254	Second Reading	3
HB1267	Third Reading	76
HB1273	Third Reading	79
HB1279	Third Reading	81
HB1284	Third Reading	82
HB1285	Third Reading	82
HB1338	Third Reading	96
HB1356	Third Reading	99
HB1359	Third Reading	100
HB1377	Third Reading	101
HB1385	Third Reading	101
HB1389	Third Reading	102
HB1400	Third Reading	103
HB1412	Third Reading	104
HB1423	Third Reading	105
HB1425	Third Reading	107
HB1437	Third Reading	107
HB1447	Third Reading	108
HB1448	Third Reading	109
HB1455	Third Reading	110
HB1457	Third Reading	111
HB1459	Third Reading	114
HB1469	Third Reading	113
HB1484	Third Reading	115
HB1486	Third Reading	115
HB1487	Out Of Record	119
HB1487	Third Reading	116
HB1491	Third Reading	119
HB1516	Third Reading	121
HB1529	Third Reading	121
HB1536	Third Reading	122
HB1584	Third Reading	123
HB1586	Third Reading	124
HB1586	Vote Intention	125
HB1630	Third Reading	125
HB1809	Third Reading	126
HB1843	Third Reading	127
HB1843	Vote Intention	130
HB2146	Third Reading	129
HB2202	Third Reading	130
HB2203	Third Reading	130
HB2205	Third Reading	131
HB2235	Third Reading	132
HB2246	Third Reading	133
HB2246	Vote Intention	135
HB2273	Third Reading	135
HB2839	Second Reading	4
HB2900	Third Reading	139
HB2954	Third Reading	141
SB0885	Postponed	40
	Consideration	
SR0145	Resolution Offered	1
SR0146	Resolution Offered	142
SR0147	Resolution Offered	142
SR0148	Resolution Offered	142

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

HJR0035	Adopted	143
HJR0035	Resolution Offered	143
Senate to Order-Senator Welch		1
Prayer-Pastor Charles Olander		1
Pledge of Allegiance		1
Journal-Postponed		1
Message for the Governor		1
Message from the President		142
Resolutions Consent Calendar-Adopted		142
Message from the House		143
Adjournment		144

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

PRESIDING OFFICER: (SENATOR WELCH)

The regular Session of the 93rd General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the galleries please rise? The invocation today will be given by Pastor Charles Olander, Concordia Lutheran Church, Springfield, Illinois. Pastor Olander.

PASTOR CHARLES OLANDER:

(Prayer by Pastor Charles Olander)

PRESIDING OFFICER: (SENATOR WELCH)

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

SENATOR LINK:

(Pledge of Allegiance, led by Senator Link)

PRESIDING OFFICER: (SENATOR WELCH)

Senator Woolard.

SENATOR WOOLARD:

Mr. President, I move that the reading and approval of the Journal of Thursday, May 8th, in the year 2003, be postponed, pending arrival of the printed Journal.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Woolard moves to postpone the reading and approval of the Journal, pending arrival of the printed transcripts. There being no objections, so ordered. Madam Secretary, Resolutions.

SECRETARY HAWKER:

Senate Resolution 145, offered by Senator Link and all Members.

It's a death resolution.

PRESIDING OFFICER: (SENATOR WELCH)

Resolutions Consent Calendar. Messages, Madam Secretary.

SECRETARY HAWKER:

Message for the Governor by Joseph B. Handley, Deputy Chief of Staff for Legislative Affairs, May 9, 2003.

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

To the Honorable Members of the Senate, 93rd General Assembly - I have nominated and appointed the following named persons to the offices enumerated below and respectfully

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

ask concurrence in and confirmation of these appointments of your Honorable Body.

Rod Blagojevich, Governor.

PRESIDING OFFICER: (SENATOR WELCH)

We will begin on page 79 of the Calendar, House Bills 2nd Reading. On page 79 of the Calendar, House Bill No. 6. Senator Obama? House Bill 43. Senator Crotty. Senator Link, please... House Bill 44. Senator Schoenberg. House Bill 76. Senator Wojcik. House Bill 81. Senator Trotter. House Bill 88. Senator Trotter. House Bill 186. Senator Dillard. House Bill 199. Senator Obama. House Bill 200. Senator Obama. House Bill 207. Senator Trotter. House Bill 223. Senator Obama. House Bill 264. Senator Larry Walsh. House Bill 276. Senator Schoenberg. House Bill 294. Senator Trotter. House Bill 361. Senator Obama. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 361.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR WELCH)

Are there any Floor amendments?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Obama.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Obama, on Floor Amendment No. 1 to House Bill 361.

SENATOR OBAMA:

Thank you very much, Mr. President. This is the bill related to racial profiling that we passed out of the Senate. It's identical to the bill that we've already passed.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing none, all in -- all in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. House Bill 405. Senator Clayborne. House Bill 416. Senator Obama. Madam Secretary, read the bill.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

SECRETARY HAWKER:

House Bill 416.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WELCH)

Senator Obama.

SENATOR OBAMA:

Mr. President, I apologize, procedurally. I thought -- I got 416 mixed up with 467. Is it possible to take that out...

PRESIDING OFFICER: (SENATOR WELCH)

Out of the record. House Bill 496 -- 467. Senator Obama. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 467.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. House Bill 496. Senator Larry Walsh. House Bill 497. Senator Trotter. House Bill 764. Senator Emil Jones. House Bill 836. Senator Emil Jones. House Bill 1079. Senator Emil Jones. House Bill -- 1088. Senator Emil Jones. House Bill 1165. Senator Trotter. House Bill 1178. Senator Larry Walsh. House Bill 1179. Senator Larry Walsh. House Bill 1191. Senator Haine. House Bill 1251. Senator Haine. House Bill 1254. Senator Obama. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 1254.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. House Bill 1373. Senator Dillard. House Bill 1382. Senator Garrett. House Bill 1434. Senator Haine. House Bill 1458. Senator Larry Walsh. House Bill 1480. Senator Trotter. House Bill 1462. Senator Link. House Bill 1482. Senator Link. House Bill 1514. Senator Link. House Bill 1729. Senator Clayborne. House Bill 2200. Senator Clayborne.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

House Bill 2221. Senator Ronen. Senator Ronen, 2221? House Bill 2265. Senator Clayborne. 2265. House Bill 2268. Senator Obama. House Bill 2280. Senator Ronen. House Bill 2239. Senator Lightford. House Bill 2232. Senator Lightford. House Bill -- 2345. Senator Schoenberg. House Bill 2350. Senator Meeks. House Bill 2391. Senator Trotter. Read the bill, Madam -- take it out of the record. House Bill 2478. Senator Hendon. House Bill 2524. Senator Dillard. House Bill -- we'll skip that one. House Bill 2549. Senator Maloney. We will skip the appropriation bills on page 82, 83 and 84. Going to the middle of page 85, on the Order of House Bills 2nd Reading, House Bill 2839. Senator Clayborne. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 2839.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR WELCH)

Are there any Floor amendments?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Clayborne.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President. The Floor amendment just removes the City of Chicago from the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing none, all in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments?

SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. House Bill 2902. Senator Dillard. House Bill -- House Bill 3048. Senator Larry Walsh. Senator Walsh. House Bill 3142. Senator Harmon. House Bill 3183. Senator Clayborne. House Bill 3398. Senator Larry Walsh. Senator Walsh. House Bill 3402. Senator Harmon. House Bill 3411. Senator Haine. House... We will now proceed to House Bills 3rd Readings. Please turn your Calendar to page 24. House -- House

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

Bills 3rd Reading. We're on final passage. Would all Members please come to the Floor? We are voting on final passage. House Bill 3rd Reading. House Bill 16. Senator Cullerton. House Bill 30. Senator Crotty. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 30.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Crotty.

SENATOR CROTTY:

Thank you. House Bill 30 requires the State Board of Elections and the State Board of Education to jointly develop a program under which kindergarten through twelfth-grade students in participating school districts located in participating counties vote on a simulated election conducted in actual polling places in conjunction with the 2004 general election. Implementation of this program will use volunteers and private funding. It requires the State Board of Elections and the State Board of Education to develop an educational component of the program for participating school districts and it makes rules for those implementations.

PRESIDING OFFICER: (SENATOR WELCH)

Is the -- is there any discussion? Senator Wendell Jones.

SENATOR W. JONES:

Yes, Mr. President, just for a statement. There was some confusion on this the other day. I rose to ask for a clarification and the Senator was kind enough to take it out of the record and clarify it. We're happy with it now and we think it's -- we think it's fine, and I believe we'll put a lot of green votes on it over here. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill No. 30 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 54 Members voting Yes, no Members voted No, and none voted Present. House Bill 30, having received the required constitutional majority, is declared passed. House Bill 32.



STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

Senator Meeks. House Bill 51. Senator Silverstein. House Bill 79. Senator Clayborne. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 79.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President and Members of the Senate. This is similar to the bill that we passed out of here, Senate Bill 820. What it does, it allows the Teacher Retirement System to conduct a divided Medicaid {sic}(Medicare) covered -- coverage referendum, open only to teachers continuously employed by the same employer since March 31st of '86. Allows eligible teachers to make a one-time, irrevocable election to participate in the federal medicare program. Employers are required to pay the necessary employer contributions and make the -- necessary deductions from the salary of teachers who elect to participate. I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Brady.

SENATOR BRADY:

Thank you, Mr. President. I just stand in support of the Senator's bill. It passed unanimously out of committee.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill 79 pass. All 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 56 Members voting Yes, no Members voted No and none voted Present. House Bill 79, having received the required constitutional majority, is declared passed. House Bill 92. Senator Cullerton. House Bill 120. Senator Shadid. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 120.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

Senator Shadid.

SENATOR SHADID:

Yes. Thank you, Mr. President. House Bill 120 addresses a problem in downstate communities where there are holes in the fire protection services. If a municipality or a township fire department is called to serve an area that doesn't pay any fire protection tax, House Bill 120 allows those municipalities and township fire departments to charge nonresident persons, businesses and other entities for fire protection services. Also, the amendment include -- adds on to that emergency medical services when that is provided also. I'd appreciate a Yes vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing no Member seeking recognition, the question is, shall House Bill 120 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 56 Members voting Yes, no Members voted No, and no Members are recorded Present. House Bill 120, having received the required constitutional majority, is declared passed. House Bill 136. Senator Martinez. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 136.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President, Members of the Senate. House Bill 136 simply adds that no county, municipality or local authority and no owner or employee of any new vehicle dealer, used vehicle dealer or vehicle auctioneer shall sell, trade or otherwise dispose of any motor vehicle bearing indicia of police authority unless, prior to delivery, the equipment and markings have been sufficiently altered or obliterated to remove the appearance of such authority. The bill exempts authorized emergency vehicles and antique vehicles. This bill also permits any police officer to seize any vehicle and to impound that vehicle, at the owner's expense, until the indicia that

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

indicates police authority has been removed. The bill also gives teeth to current law by holding that violation can result in a fine of between five hundred and a thousand dollars. The bill passed out of the House 105 to 8 and passed the Transportation Committee unanimously, and I will be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? No Member seeks recognition, therefore the question is, shall House Bill 136 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 voting No, and no Members recorded as Present. House Bill 136, having received the required constitutional majority, is declared passed. House Bill 138. Senator Link? Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 138.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. This bill permits voters in counties with a township form of government to initiate a advisory referendum regarding the method of electing county board members and whether voters should have cumulative voting rights. Reduces the signature requirement for placing advisory referendum on ballot from ten percent of registered voters to eight percent of all ballots cast by the county voters for Governor in the last general election. Allows a county board with a township form of government to accord the cumulative voting rights to its voter in multi-member districts after adopting the new county board redistricting plan. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Wendell Jones.

SENATOR W. JONES:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

Yes. Mr. President, would the sponsor yield for some questions?

PRESIDING OFFICER: (SENATOR WELCH)

He indicates he'll yield, Senator.

SENATOR W. JONES:

Yes. Senator Link, we discussed this at some length in committee and I think I expressed some concern - I believe I voted against it in committee - regarding going to this kind of referendum in -- in counties. It just seems like it confuses the -- the voters. We keep coming back with referendums on -- with respect to the size in the districts and going to district government, and it -- it just seems to me that if -- if a referendum is -- is necessary, that it ought to bubble up from -- from the citizenry. They -- they have a -- a right to petition now. This just adds to the right to petition, but doesn't it add to the confusion?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Link.

SENATOR LINK:

I -- I think you just added to the confusion by that statement, Senator Jones, because exactly what you just said was, what it does is allow the advisory referendum. It allows the voters to have an advisory referendum. It allows them to have signatures of eight percent of those cast in the last gubernatorial election, to have those put on the ballot for a referendum, to allow them to vote on it. So, it's an uprising of the citizens. It's a grassroots effort. It's the citizens putting it on the ballot. It is their advice. It's them putting it on the ballot. I don't see where there's any confusion whatsoever on this. It's the citizens making the decision, not us.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jones. Wendell Jones.

SENATOR W. JONES:

But the election, Senator Link, is advisory and -- and has no binding authority. So, we have an advisory referendum and the citizens give their advice and then we have to come back and have a referendum for implementing and solidifying their advice. So, now we have to have a referendum to not be advisory but to

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

be permanent, and then if that referendum doesn't turn out the way the advisory referendum is, then we have to have a referendum for them to decide which way they want their government to be structured. Most of these governments have been working very well over the years, and if we get like California and put everything on the ballot, we're going to confuse the electorate so much they won't know what type of government we have. I'll give you an example. In -- in my hometown of Palatine, we used to have a -- we used to have an at-large group of trustees which were elected, six of 'em, citywide. We had an advisory referendum to go to district system, and the referendum failed to -- to go to a district system. Well, they kept working at it and working at it until they cut our little town into wards, and now they have little fiefdoms and we haven't had a contested election in that area for about fifteen years. I think this just works the opposite the -- of the way the sponsor may want it to work. And it seems to me that -- that this is going down the road of an advisory referendum, which is just going to confuse the voters, and then you're going to have to come back for a permanent referendum. Isn't that -- isn't that correct?

PRESIDING OFFICER: (SENATOR WELCH)

Senator -- Senator Link.

SENATOR LINK:

I -- I never like disagreeing with you, Senator, but, no, that isn't what it's going to do. What it is, is like -- like everything else -- and I know you take advice very well from your constituents, like I do. And what this is, is this is advising the county board the wishes of the voters. And if the voters -- on an advisory referendum, they are telling their county board that they wish that they could have cumulative voting. They are telling the county board, by overwhelming margins, that they would like cumulative voting and that they would hope that the county board, in their wisdom, then would adopt cumulative voting.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Wendell Jones.

SENATOR W. JONES:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

Thank you, Mr. President. You know, we got rid of cumulative voting around here about fifteen -- fifteen, twenty years ago. So, to go back to -- I mean, talk about trying to explain something confusing to the voters in a referendum, try to explain cumulative voting. I would suggest to the Members on my side, both of 'em that are listening, to -- to vote No on this bill. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any further discussion? No Members seek recognition. Senator Link, to close.

SENATOR LINK:

I -- I would just ask for an affirmative vote on this.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill 138 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 31 Members voting Yes, 26 voting No, no Members are voting Present. House Bill 138, having received the required constitutional majority, is declared passed. Senator -- Wendell Jones, for what purpose do you rise?

SENATOR W. JONES:

Mr. President, I would like to request a verification on that last vote, please.

PRESIDING OFFICER: (SENATOR WELCH)

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

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR WELCH)

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

SENATOR W. JONES:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

Yes. Senator Welch, I would like to ask for Senator Cullerton, please.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cullerton. Is Senator Cullerton on the Floor? Senator John Cullerton?

SENATOR W. JONES:

John's a little taller than he was yesterday.

PRESIDING OFFICER: (SENATOR WELCH)

Strike Senator Cullerton's name.

SENATOR W. JONES:

...about our good friend, Senator DeLeo, from the City of Chicago?

PRESIDING OFFICER: (SENATOR WELCH)

Senator James DeLeo. Senator DeLeo is in the aisle.

SENATOR W. JONES:

Oh. Thank you. Thank you very much. How about Senator Schoenberg, from Skokie, Illinois?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jeff Schoenberg.

SENATOR W. JONES:

Senator Jeff Schoenberg. Jeff -- Jeff is quite a bit taller than he was yesterday, too.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jeff Schoenberg. Madam Secretary, strike Senator Schoenberg's name.

SENATOR W. JONES:

I believe that starts our day with a good caucus. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

Madam Secretary, please add Senator Cullerton to the -- back to the roll of affirmative votes. Senator Wendell Jones, do you question the presence of any other Member?

SENATOR W. JONES:

You know, it'd probably be a good idea to have a verification each morning at 9 o'clock and then we get this place started. Thank you very much.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Burzynski.

SENATOR BURZYNSKI:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

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

PRESIDING OFFICER: (SENATOR WELCH)

Hold on one second. Is it related to the verification? Okay, Senator. On a verified roll call, there are 30 Members voting Yea -- voting Yes, 26 voting No, and no Members voting Present. On a verified roll call, House Bill 138, having received the required constitutional majority, is declared passed. Senator Burzynski, please state your point.

SENATOR BURZYNSKI:

Thank you, Mr. President. I'd like for the Senate to welcome the eighth-grade class from Creston, Illinois, a class that has received quite a few honors relative to its test scores and is in my district. They're in the gallery right behind me. If they'd rise, please.

PRESIDING OFFICER: (SENATOR WELCH)

Would the -- would the class please rise? Welcome to the Senate. Thank you for coming down to Springfield. Senator Risinger, for what purpose do you rise?

SENATOR RISINGER:

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

PRESIDING OFFICER: (SENATOR WELCH)

State your point.

SENATOR RISINGER:

Yeah. We have in the gallery, on the Democratic side, a group of the Association of Collectors. My nephew is among those, Rod Goodall, from Bourbonnais, and he is the president-elect next year. Would you please help me give them a warm welcome to the Chamber?

PRESIDING OFFICER: (SENATOR WELCH)

Will our guests in the gallery please stand? Thank you for coming. Welcome to Springfield. On the Order of House Bills 3rd Reading, House Bill 176. Senator Radogno. Senator -- 184. Senator Harmon. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 184.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)



STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. House Bill 184 amends the Animal Control Act. Originally, it was intended as a response to several maulings by loose and abandoned dogs, including a young man from my district named Ryan Armstrong. It sets standards for dangerous and vicious dogs and how they must be kept. In the House, the bill was heavily negotiated and was amended several times to address a variety of concerns. The most controversial issue addressed in the bill now is the microchipping of -- of dogs. I need to be very clear that this is a permissive standard. It permits county boards to adopt microchipping procedure. It is not required. In my view, it is -- it is actually a statement of what the current law would be. I think counties have that latitude now. This bill merely sets the standards with which they would have to comply if they were to exercise that discretion. In committee, there were a few concerns raised by the Trappers, the Farm Bureau and the Trial Lawyers. All of those concerns have been addressed with an amendment. I'm aware of no opposition and I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR WELCH)

He indicates he will yield, Senator.

SENATOR BURZYNSKI:

Okay. Thank you. First of all, I'd like to commend the sponsor because he has addressed, I think, the -- the concerns that most people have and he's done a very good job doing that, so I do appreciate that, Senator. However, in the bill itself, the definition of a vicious dog, is there discretion there relative to how the county boards might define what a vicious animal is?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Harmon.

SENATOR HARMON:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

I'm sorry, Senator. I'm not sure I understand your question.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Burzynski.

SENATOR BURZYNSKI:

What's -- what's the definition of a vicious dog, and do counties have to adhere strictly to what the definition is in the bill?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Harmon.

SENATOR HARMON:

The bill defines a vicious dog as a dog that, without justification, attacks a person and causes serious physical injury or death or any individual dog that has been found to be a dangerous dog on three separate occasions. The bill also provides, essentially, due process for the dog that outlines how that determination would be made. And I believe that, at least within that process, there would be some latitude at the county level.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Burzynski.

SENATOR BURZYNSKI:

I -- I almost hate to rise in opposition, but obviously I'm going to simply because I do have a real problem with the counties' ability to microchip animals and perhaps do some discretionary things that might not quite meet your intent of the law. But I do appreciate your efforts to -- to do that. So, thank you.

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 184 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 44 Members voting Yes, 10 Members voted No, and 2 Members recorded as Present. House Bill 184, having received the

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

required constitutional majority, is declared passed. House Bill 205. Senator Trotter. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 205.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Trotter.

SENATOR TROTTER:

I'm sorry, sir. That 205, we are -- there's been some more discussions and we need another amendment on that bill.

PRESIDING OFFICER: (SENATOR WELCH)

Mr. Secretary, take the bill out of the record. House Bill 206. Senator Silverstein. Senator Haine, for what purpose do you rise?

SENATOR HAINE:

Mr. President, on a point of personal privilege.

PRESIDING OFFICER: (SENATOR WELCH)

State your point.

SENATOR HAINE:

Mr. President and Ladies and Gentlemen of the Senate, I call your attention and ask you to welcome the eighth-grade class from St. Boniface Catholic School in Edwardsville, Illinois, the historic parish of our historic county seat. St. Boniface eighth-grade class.

PRESIDING OFFICER: (SENATOR WELCH)

Would our guests in the gallery please rise? Welcome to Springfield. Thank you for coming to the Senate. On House Bill 206. Senator Silverstein. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 206.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you, Mr. President. What this does, this makes a violation of a order of protection "shall" be enforced by a criminal court, as opposed to "may". I -- went out of the

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

Senate Judiciary Committee 10 to nothing, and I appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing none, the question is, shall House Bill 206 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 200 -- there are 57 Members voting Yes, no Members voting No, and no Members voting Present. House Bill 206, having received the required constitutional majority, is declared passed. House Bill 209. Senator Halvorson. House Bill 211. Senator Martinez. House Bill 218. Senator Cullerton. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 218.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This bill is identical to the bill we debated, the Senate bill, which provides for primary enforcement of the seatbelt law. There is, however, one change. This -- this version of the bill has an immediate effective date. The reason for this is that the -- I have more information now that I didn't have before concerning the federal grant that will be available to the states. It's in the proposed Bush budget. All right. I will -- ask to take the bill out of the record, please.

PRESIDING OFFICER: (SENATOR WELCH)

Mr. Secretary, take the bill out of the record. House Bill 231. Senator Larry Walsh. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 231.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Larry Walsh.

SENATOR WALSH:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 231 creates the Local Legacy Act, creates the Local Legacy Board, and establishes its membership, powers and duties. Creates the Local Legacy Program to fund county-municipal partnerships for the purpose of inventorying and protecting natural areas, like farmland and cultural resources. Requires counties interested in the program funds to form a Local Steering Committee and provides procedures for the Committee oversight of grant requests. Authorizes the Committee to develop criteria and a Resource Protection Plan for prioritizing resources and the use of grant monies under the Act. Allows a local municipality to object in writing to all or some of the Resource Protection Plan and provides that those counties and municipalities and units of local government that have adopted a Resource Protection Plan shall receive preferential status for grant monies under the Act. Creates the Local Legacy Fund as a special fund in the State treasury subject to appropriation - subject to appropriation - from the General Revenue Fund. This has been an initiative that has been put together, and what we're trying to do here is, as many of us know, that in our very fast-growing areas, that many of the complaints that have come to us is the fact that, you know, it doesn't look like there's joint cooperation amongst the governmental bodies. And with the growth and new schools being built and roads needing to be prepared, this basically is hopefully going to try and bring -- bring the parties together to sit down and have a consensus of what is needed out there as this growth continues. It has nothing to do with the stopping of growth. It has nothing to do with curtaining, trying to hold developments down. Basically tries to take and uses the expertise that each -- each entity has to put together, to try and come up with a -- a good program that would be best to serve their constituents. I'd be willing to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator John Jones.

SENATOR J. JONES:

Thank you, Mr. President, and -- and to the bill. You know, this -- this bill came through the Ag and Conservation Committee, and I -- I understand what the -- the sponsor's

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

trying to do here. And I -- I really don't have a -- a lot of problem with what the sponsor's trying to do, except that I think as we -- as we look at the Session that we're in right now and the tough dollar problems that we have in the State of Illinois in trying to raise new revenue and -- and to pay the bills that -- that we need to pay in this State and provide the services to our senior citizens and our mentally handicapped and schools and all that, this bill is subject to appropriations. And I think, on this side of the aisle over here, that I would -- would strongly recommend a No vote on this bill because this is another one of these bills that we're sending out of here and giving people some hope back home that we're doing something in Springfield when, in fact, we're not going to be able to do anything with this bill this year because there will not be appropriations for it. And if there is, then we're going to be taking away from something else that's very needed in this State at this time. So, I would just urge my side of the aisle to -- to vote No on this bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR WELCH)

He indicates he'll yield.

SENATOR RIGHTER:

Senator, I wasn't in committee when the bill was heard, but it's my understanding that there was a question raised to you about the functioning of the board that you're -- I'm sorry, the board that you're creating under this Act and how it overlaps with the Local Land Resource Management Planning Act. You talked a lot about -- in your -- in your presentation about getting municipalities and counties and local governments together to protect natural resources, and as I understand, the Local Land Resource Management Planning Act, that's exactly what that law does. Can you tell me why we need to reinvent the wheel, if we're doing that?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Walsh.

SENATOR WALSH:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

Well, thank you for the question, Senator, but we didn't discuss that at all in the committee. And so, somebody -- somebody must have gave you wrong information. Even though that's a legitimate question, I -- I -- I don't -- you know, I don't deny that that is a legitimate question. And -- and -- I -- our -- our -- our discussion is, is what they are trying to do here is to -- to get all of the governmental bodies put together to -- to move forward and use their expertise on trying to form a -- a coalition, basically, to take all the issues out there that always crop up that seem to be left off to the side. Now, granted that your board that you're talking about, if that's their -- if that's their job, I'd -- I'd really -- I don't know if that's specifically spelled out in that job. But then again, you know, this is -- this is a group policy that is trying to put this together.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

Well, I -- I was again told that it was raised, but let's put that aside, Senator, and let's not worry about that. I'm going to -- here's -- here's -- let me read to you what the Local Land Resource Management Planning Act does. The purpose of the Act is to encourage municipalities and counties to protect the land, air, water, natural resources and the environment of the State while encouraging the use of such resources in a manner which is socially and economically desirable through the adoption of a Local Land Resource Management Plan. Now, as I listened to you describe what House Bill 231 does, that seems to hit the nail right on the head with what we already have in State law. And if there's -- and again, if there's some difference, what -- what is that?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Walsh.

SENATOR WALSH:

I truly can't answer that, Senator. I just -- I don't have an answer for you -- at that point.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

Senator, could -- could I ask then - we just get this out of the way now - if you are willing to pull this out of the record for the moment and have our staffs look at what's in current law now to see if your concerns, which I think are -- are -- are -- are very worthy and commendable, are already covered under Illinois law? And if we decide -- you feel that they're not, then obviously you'll have the opportunity to move the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Walsh, you wish to take it out of the record? Mr. Secretary, please take the bill out of the record. House Bill 235. Senator Clayborne. 235. Senator Clayborne. House Bill 259. Senator Silverstein. 259. Senator Silverstein. House Bill 263. Senator DeLeo. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 263.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator DeLeo.

SENATOR DeLEO:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. House Bill 263 amends the Illinois International Port Authority to allow the Port District to create a police force to patrol its jurisdiction in light of 9/11 and everything that's gone on, what they'll do is the International Port District Police will commission police officers and other qualified persons to enforce all the regulations of the Port. I ask for affirmative roll call.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR WELCH)

He indicates he'll yield.

SENATOR BURZYNSKI:



STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

Senator DeLeo, I understand the purpose of the bill. My question is, will these people have police authority or police powers outside of that particular jurisdiction?

PRESIDING OFFICER: (SENATOR WELCH)

Senator DeLeo.

SENATOR DeLEO:

Senator, I'm told no, just inside the District.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Burzynski. Nothing further? Any further discussion? Seeing none, the question -- Senator DeLeo, do you wish to close? The question is, shall House Bill 263 pass. All in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 Members voting Yes, 6 Members voted No, no Members recorded as Present. House Bill 263, having received the required constitutional majority, is declared passed. House Bill 269. Senator Walsh. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 269.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Larry Walsh.

SENATOR WALSH:

Thank you very much, Mr. President and Ladies and Gentlemen of the Senate. House Bill 269 amends the Clerks of the Courts Act in regards to combined fee schedule. Basically what this bill does, repeals the Section of the Clerks of the Courts Act setting fees for counties with less than one hundred and eighty thousand population. Expands the Section setting fees for counties with population from one hundred and eighty thousand to five hundred thousand to cover all counties with population less than five hundred thousand. This expanded Section will cover all counties except for Cook, DuPage, Lake and Will. It replaces numerous fees set at specific levels with ranges in which fees may be set. To increase the fees from the current levels, a county board must pass a resolution enacting this increase. As many of you remember, last year we passed a bill

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

to -- to set the fee structure for the four most populated counties in the State, and this piece of legislation was brought to me by the Illinois Association of County Boards and Association of Circuit Clerks. And they are looking to do the same in setting their fees. But the most important part of this piece of legislation is, is that the local county boards must pass a resolution to enact. I'll answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Will sponsor yield?

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield.

SENATOR RIGHTER:

Senator Walsh, this doesn't apply to the Cook or collar county areas, is that -- is that correct?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Walsh.

SENATOR WALSH:

It does not apply to Cook, DuPage, Lake or Will County.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

Do -- did you -- you gave -- and I apologize, Senator, if you gave it all in your opening. Did you give dollar amounts or percentage increases of what the county board could go up to? I mean -- let me, if I might, let me pull that back. Senator Walsh, right now, the current law, is the county board given discretion to move those fees up and down or are they set by State statute?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Walsh.

SENATOR WALSH:

Senator, in this legislation, we will be setting the maximum and minimums of what the range are. The individual counties can set whatever takes place within that range. So, with one hundred -- or, with ninety-eight other counties out there, there may be a -- a variation of ranges.

PRESIDING OFFICER: (SENATOR WELCH)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

Senator Righter.

SENATOR RIGHTER:

How does that compare to the -- to the law as it currently reads, Senator? Are -- is that -- do they have that kind of discretion now? Is there a floor and a ceiling, or are those specific dollar amounts that the clerks are allowed to charge, are they set forth in law right now without any discretion?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Walsh.

SENATOR WALSH:

It's my understanding that that's -- that is correct, depending on the fees, that -- that the maximum and minimums are already set and they have been in existence since 1976 or '74, it's been, since the last time these fees have been changed.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. If -- so you're saying it's been this since 1974 since we've changed the ceiling? Because -- and it's been awhile since I've been in court and filed a case or two, but it's my recollection that we told the clerks exactly what they could and couldn't charge and that's the reason it hasn't been raised since 1974. Now, I might be wrong on that, but...

PRESIDING OFFICER: (SENATOR WELCH)

Senator Walsh.

SENATOR WALSH:

According -- according to my analysis, the counties with less than one hundred thousand population, the filing fees have not been increased since 1976. And the Association believes the bill will simply simplify the fee structure by eliminating one of the population base, which was the separation, and they also believe that the bill will respect local control by giving county boards the flexibility to set fees at the level appropriate to the fund's -- clerks' services. So, they get to set the fees within that range that we are setting.

PRESIDING OFFICER: (SENATOR WELCH)

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

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

SENATOR WALSH:

I just ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill 269 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, 11 voting No, no Members recorded as Present. House Bill 269, having received the required constitutional majority, is declared passed. House Bill 273. Senator Link. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 273.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. This allows all units of local government to purchase bonds and other interest-bearing obligations of states other than Illinois or other political subdivisions or agencies of the State of Illinois or other states. Also allow units of local government to buy bonds where interest in {sic} either taxable or tax-exempt under federal law. Be more than happy to answer any other questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Mr. President. I had a couple of questions for the sponsor.

PRESIDING OFFICER: (SENATOR WELCH)

He indicates he'll yield, Senator.

SENATOR W. JONES:

Senator Link, I hate to rise again on your second bill of the morning, but in this one, we had a partisan roll call in committee. We were concerned about taking business out of Illinois for the small quarter point or half point that might be saved. Would you agree that only maybe a quarter point or a

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

half a point of interest would be saved by going to these out-of-state locations -- or, companies?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Link.

SENATOR LINK:

Well, I -- I think what most importantly is, this legislation is to try to get the highest interest for -- under current law, every bond rated is within four of the highest-rated classification. I think what we're trying to do in here, Senator Jones, is to get the highest interest rates -- could you...

PRESIDING OFFICER: (SENATOR WELCH)

Would the Chamber be in order. Senator Link, the sponsor of the bill, is having trouble hearing a questioner and hearing himself. Could you please take the discussions off the Floor and have the people in the anterooms on the side -- would the Doormen please tell them to be quiet outside? Thank you.

SENATOR LINK:

Thank you, Mr. President. Basically what this does, is what we're looking for is the highest possible interest rate that we could give the citizens of Illinois, and I think what we're doing is looking for the opportunity of giving this money at, you know, an outside interest rate. I am sure that the Treasurer will not be looking to invest if -- at a quarter-percent interest rate outside of the State. What we're looking for is the possible highest interest rate when we're asked for that. I don't think that there is going to be -- you know, our local banks will be matching anything close to that. So, I think what we're looking at is anything of a higher interest than that, Senator.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Wendell Jones.

SENATOR W. JONES:

Senator Link, do you think that it would be, then, more than a half a point or -- or do you think it would be in the neighborhood of two or three points difference going out of State as opposed to in State?

PRESIDING OFFICER: (SENATOR WELCH)

Senator -- Senator Link.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

SENATOR LINK:

Well, Senator Jones, I'm sure hoping that's the case, but I think what you're looking at is -- the -- the basic point is here is to try to maximize the taxpayers' return on investment of surplus funds. What we're doing is trying to just basically maximize our money here, and our -- you know, all our financial institutions, everybody, the Municipal League, all of us are in favor of this piece of legislation, to try to get this maximized return on this. I -- I -- I look at it as just another avenue of trying to get our maximum return.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Wendell Jones.

SENATOR W. JONES:

Was this the Illinois Municipal League that was for this, to -- to go out of State, or was it some other Municipal League?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Link.

SENATOR LINK:

It's the only Municipal League I know: The Illinois Municipal League.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Wendell Jones.

SENATOR W. JONES:

Well, on our side, we were concerned about taking business out of State, and I think -- I think I'd ask this side to vote their conscience on this, but, clearly, we want to try to keep business in the State of Illinois. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Mr. President, question of the sponsor.

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield.

SENATOR LUECHTEFELD:

Senator, do -- what -- what are -- what's the policy of other states towards us? Do you have any idea? I mean, do they allow -- other states allow their -- their people to come into our State and do the same thing you're wanting to do here?

PRESIDING OFFICER: (SENATOR WELCH)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

Senator Link.

SENATOR LINK:

Some states invest -- you know, invest outside of their own state and some come into Illinois. Not all states do this. So, I mean, it's not a -- a -- unified within the fifty states.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Do you have any idea about our bordering states, and they've -- any -- you have no -- no idea which ones do? Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Link, to close.

SENATOR LINK:

I just think this is, as I -- I indicated to Senator Jones, the Illinois Municipal League, Metro Counties, Municipal Financial Officers' Association, the Illinois Association of Wastewater Associations are all in favor of this bill. I think they've looked at this. I think they've realized that we want to maximize our dollars for the State of Illinois. I think this is a positive way of increasing dollars to the State and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill 273 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 35 Members voting Yes, 21 Members voting No, 1 Member voting Present. House Bill 273, having received the required constitutional majority, is declared passed. House Bill 277. Senator Link. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 277.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Link.

SENATOR LINK:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

Thank you, Mr. President. Basically what this bill does is allow the State Treasurer to -- hold on one second. I'll get my notes correct. Amend the State Treasurer -- Deposit of State Moneys Act. Allows the -- authorizes the State Treasurer and public agencies to consider financial institutions' records to committee -- to commit to its communities when deciding where to deposit State monies and public funds. The bill provides that the State Treasurer may consider factors including, but not necessarily limited to, for financial institutions subject to federal Community Reinvestment Act of 1977, and -- current and historical ratings that financial institutions has received and extended to -- and those rated a public -- availability under the CRA Act. I'll be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? No Member seeks recognition. The question is, shall House Bill 277 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 42 Members voting Yes, 16 Members voted No, and no Members recorded as Present. House Bill 277, having received the required constitutional majority, is declared passed. House Bill 310. Senator del Valle. House Bill 313. Senator Shadid. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 313.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Shadid.

SENATOR SHADID:

Thank you -- thank you, Mr. President. House Bill 313 requires owners of vehicles registered in another state to obtain an Illinois safety inspection when the vehicle is used by a contract carrier transporting the employees in the course of their employment on an Illinois highway in a vehicle designed to carry fifteen or fewer passengers. Be glad to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)



STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

Is there any discussion? Senator Bomke.

SENATOR BOMKE:

Thank you, Mr. President. Question to the sponsor.

PRESIDING OFFICER: (SENATOR WELCH)

He indicates he will yield.

SENATOR BOMKE:

First, I want to preface my remarks by indicating I'm not opposed to the bill, but just a couple of questions. Senator Shadid, under current law, vehicles from other states are exempt from the safety test. Are we infringing on interstate commerce at this time by requiring them to -- to be tested?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Shadid.

SENATOR SHADID:

I wouldn't say, Senator, we're infringing. All this is doing is requiring them to pass the fire -- the safety requirement because we've had some problems in the past that vehicles that have been used, coming from out of State, have been considered to be unsafe. So, this is -- we're trying to just have safe -- safe transportation vehicles when they come into our State.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Bomke.

SENATOR BOMKE:

The -- thank you, Mr. President. The current bill only addresses fifteen passengers or fewer. Should we be requesting this on vehicles that would haul more than fifteen passengers?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Shadid.

SENATOR SHADID:

This is only aimed at vehicles like minivans or SUVs that carry fifteen passengers or less, not for buses.

PRESIDING OFFICER: (SENATOR WELCH)

Senator -- Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR WELCH)

He indicates he'll yield.

SENATOR BURZYNSKI:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

Senator, I understand what you're -- what you're trying to do, I think. My question is, what about, like, a car rental agency that's out of State that rents a thirteen-passenger van to a company that's coming into Illinois? I -- I don't -- do they already undergo a safety inspection for those vehicles? I -- I don't know.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Shadid.

SENATOR SHADID:

If they're going to be used for the purpose that I just explained, then they'll be required to pass a safety test.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Burzynski.

SENATOR BURZYNSKI:

So -- so, even if they're not owned by the company but they're leased from a Hertz or an Avis or any of those, they're -- they're going to have to undergo a safety test as well?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Shadid.

SENATOR SHADID:

If these vehicles are registered out of State and they come into our State to transport people, then they'll have to be -- go through the safety inspection.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Burzynski.

SENATOR BURZYNSKI:

So -- so then, a vehicle that's -- that's licensed in Georgia finds its way to Illinois to Hertz rental place is going to have to be tested then or it can't be utilized in the State of Illinois.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Shadid.

SENATOR SHADID:

If the vehicle is fifteen passengers or less and is bringing people into work to Illinois, they'll have to go through the safety test.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Burzynski.

SENATOR BURZYNSKI:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

So, it's just for people who work in Illinois. They bring -- it's just for work-related activity?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Shadid.

SENATOR SHADID:

I think the problem the State Police have been having is with those vehicles that are bringing people in to come to work from out of State and these vehicles are not passing the safety requirements.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR WELCH)

He indicates he will yield.

SENATOR ROSKAM:

Senator Shadid, what happens if you've got a company -- let's say you've got a group of -- and maybe you -- you mentioned this and there's an exemption that I didn't pick up, and I apologize. What happens if you've got a group of executives from Eli Lilly Corporation in Indianapolis coming to Chicago for a meeting?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Shadid.

SENATOR SHADID:

That is not the intention of this bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

That's nice. Is it included in the bill?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Shadid.

SENATOR SHADID:

If they're based and their office is in Indiana, then that wouldn't affect them. I'm talking about -- it would not affect them. We're talking about the people who are brought in to work at Illinois plants or do work in Illinois and coming in from out of State in -- in vehicles that are not safe and have not passed any inspection requirement.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

Senator, I'm more confused than ever, which is probably not a surprise to you. But what about this example that I gave? You said it's not your intention but are those folks -- or -- okay. Take -- take -- take a situation where you've got Archer Daniels Midland executives who have a vehicle that's -- that's registered in Indiana and they need it to go up to a meeting. Are they going to have to -- are they going to have to submit to an -- an inspection with that vehicle?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Shadid.

SENATOR SHADID:

We're really not talking about people who are based in -- in the -- like, in Indiana, as executives, come here to a meeting in Chicago. Not for the purpose of coming in here to do labor or do work. These are meeting -- executive meetings. We're not talking about those kinds of situations.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

I think there's a great -- and I understand your intention, Senator, but I don't think anybody understands what you're talking about. And I would just urge the Members on my side of the aisle to vote No or Present. I think the -- the unintended consequence of this is going to be a lot of questions that come about from executives and corporations and business owners who you are clearly not intending to affect, but I think you might very well be. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

Thank you. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield, Senator.

SENATOR GARRETT:

Senator, I just had a couple of logistical questions. Where would these safety inspections be carried out?

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

PRESIDING OFFICER: (SENATOR WELCH)

Senator Shadid.

SENATOR SHADID:

The -- I think the State Police and the IDOT have safety inspection places throughout the State that these vehicles would have to be inspected.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

Are you talking about the weigh stations for trucks? I mean, are -- are you -- what -- I'm somewhat familiar with safety inspections. I just don't know where this would happen. That's really why I'm asking.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Shadid.

SENATOR SHADID:

It would take place wherever vehicles are being inspected today. And I can't give you an idea where they're at.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Garrett.

SENATOR GARRETT:

For the EPA inspections, is that -- the EPA inspections? Emissions test?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Shadid.

SENATOR SHADID:

All I can explain to you is that we presently have vehicles inspected for safety reasons throughout the State of Illinois, and they'll be done, whatever the inspection curtails, whatever it means. If the brakes are bad, if there's a leak in the brake fluid or whatever, then they won't pass the inspections. What we're trying to do is make sure that these vehicles that come in from out of State carrying people to work in Illinois are as safe vehicles as the ones that we have in State.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Larry Walsh.

SENATOR WALSH:

Would the sponsor yield?

PRESIDING OFFICER: (SENATOR WELCH)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

Indicates he will.

SENATOR WALSH:

Senator, if I understand what you're trying to do here, just for clarification, up in our area there's a lot of work going on by -- by union construction workers that are -- that are transported from, let's say, Gary, Indiana, on a daily basis, to come to one of our refineries or steel mills, or whatever it may be, that are coming into our area on a daily basis to work a ten- or twelve-hour shift and then they are being transported, as a group of ten or twelve employees, to the job site and then returned back to their home, as a group, in -- in another state, whether it's Indiana or Wisconsin or whatever. And -- and -- and...

PRESIDING OFFICER: (SENATOR WELCH)

Senator Shadid.

SENATOR WALSH:

I didn't finish. I was a little...

PRESIDING OFFICER: (SENATOR WELCH)

Could we please have order in the Chamber? Could the staff please discontinue their conversations or take them off the Floor? Senator Walsh, please proceed.

SENATOR WALSH:

So, anyway -- anyway, my point is, is that -- that these companies hire some outfit that provide a van and they're an out-of-state van and all you are asking is, is that van, if they are going to make a daily trip in and out of the State of Illinois, that that van is tested at one of our Illinois Department of Transportation safety lanes to make sure that that van is safe to haul those ten or twelve individuals.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Shadid.

SENATOR SHADID:

That's correct. And if I might, what we're talking about are vehicles that are used by a contract carrier who is licensed in Illinois to contract to carry people for this purpose, passengers, that they're vehicles do pass inspection. And the out-of-state ones, we're asking them if they come into our State for that purpose, then they have to be inspected also.

PRESIDING OFFICER: (SENATOR WELCH)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

Is there any further discussion? Seeing none, Senator Shadid, to close.

SENATOR SHADID:

Yes. By the way, this bill is initiated by the Illinois State Police, the Illinois Association of Chiefs of Police, Illinois Troopers Lodge 41, and I would be happy with a Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill 313 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 50 Members voting Yes, 6 Members voted No, and no Members recorded as Present. House Bill 313, having received the required constitutional majority, is declared passed. House Bill 333. Senator Crotty. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 333.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Crotty.

SENATOR CROTTY:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 333 amends the Horse Racing Act by changing the term "minor" to mean a person under the age of eighteen, rather than seventeen. Currently, of -- the law allows seventeen-year-olds or older to be patrons to horseracing facilities. This bill would make it eighteen years and older.

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 passed unanimously out of the Executive Committee, and urge its passage.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill 333 pass. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all -- have all voted who wish? Have all voted who wish?

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

Have all voted who wish? Take the record. On that question, there are 56 Members voting Yes, no Members voted No, and none are recorded as Present. House Bill 333, having received the required constitutional majority, is declared passed. Senator Crotty, for what purpose do you rise?

SENATOR CROTTY:

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

PRESIDING OFFICER: (SENATOR WELCH)

State your point.

SENATOR CROTTY:

Right now, up in the balcony, I have a very -- very, very good friends and neighbors of mine from Oak Forest, Chief Laycoax, his wife and some of the members of the department. I'd like everybody to welcome them. It's the fire department of Oak Forest.

PRESIDING OFFICER: (SENATOR WELCH)

Welcome to the Senate. Thank you for coming down here. Senator David Sullivan, for what purpose do you rise?

SENATOR D. SULLIVAN:

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

PRESIDING OFFICER: (SENATOR WELCH)

State your point.

SENATOR D. SULLIVAN:

Ladies and Gentlemen of the Senate, if you could help me in welcoming my Page for a Day, Brittany Albrow, her parents, Sue and Brian, and her brother, Kyle, are in the gallery. One of life's little ironies - her mother works for SBC. If you could please welcome them.

PRESIDING OFFICER: (SENATOR WELCH)

Brittany, welcome to Springfield. Will -- will her parents and brother rise? Where are they? There they are over there. Welcome to Springfield. Senator John Jones, for what purpose do you seek recognition?

SENATOR J. JONES:

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

PRESIDING OFFICER: (SENATOR WELCH)

State your point.

SENATOR J. JONES:



STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

I don't know how many of you in the -- in the General Assembly here watch the program, "Survivor". I know we missed it last night. We was here a little late. There is one gentleman on that program and he's down in the final four. He's from my district, Olney, Illinois, the home of the white squirrels, Butch Lockley. The final program's on Sunday night. I would encourage you all to watch and root on the first person from Illinois to ever be on the "Survivor" program.

PRESIDING OFFICER: (SENATOR WELCH)

There's a plug for -- I think we lived "Survivor" last night, Senator Jones. House Bill 336. Senator Haine. Senator Haine. Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

I'll have to get a bigger light or something, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

State -- for what purpose do you rise?

SENATOR DEMUZIO:

Well, I -- personal privilege.

PRESIDING OFFICER: (SENATOR WELCH)

State your point.

SENATOR DEMUZIO:

I know we're all getting hungry 'cause it's getting toward the hour of noon, and we're all waiting for that big cake to arrive because Senator Lightford's having a birthday today. And so, I haven't seen it yet. You know, normally we don't announce your birthday unless you get a big cake, so I -- I assume it's coming. But happy birthday, Senator Lightford.

PRESIDING OFFICER: (SENATOR WELCH)

Happy birthday, Kim. WCIS -- WICS-Channel 20, Springfield, seeks leave to photograph or videotape these proceedings. Is there any objection? Is there any objection? Leave is granted. House Bill 345. Senator Dillard. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 345.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

Senator Dillard, you hold on one second? Senator Hendon, for what purpose do you rise?

SENATOR HENDON:

A point of personal privilege. I'll be brief. Even though she looks a lot older, Senator Lightford wanted everyone to know that she'll be thirty-five.

PRESIDING OFFICER: (SENATOR WELCH)

I'm glad we cleared that up.

SENATOR HENDON:

She's too cheap to buy a cake.

PRESIDING OFFICER: (SENATOR WELCH)

Thank you. Senator Dillard, on House Bill 345.

SENATOR DILLARD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill deals with the famous AMBER Alert system for children's abductions. And recently, Governor Blagojevich had a press announcement on the State's efforts with respect to AMBER Alert, and President Bush had one just a week ago. And this legislation expands the existing statewide kidnapping alert program. It says that the Department of State Police shall develop a coordinated program for statewide emergency alerts in coordination with the Department of Transportation and that we'll be sure that we are very coordinated on the electronic message signs on roads and highways in the vicinity of a child abduction. Very importantly, statistics show us that the first three hours of a kidnapping is crucial to the safe return of the child. The AMBER Alert system has worked well in a variety of states, and this just makes sure that Illinois is coordinated and at the forefront of having a useful AMBER Alert system that protects our children. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Any discussion? Seeing none, the question is, shall House Bill 345 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 54 Members voting Yes, no Members voted No, and none are recorded as Present. House Bill 345, having received the required

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

constitutional majority, is declared passed. Senator Emil Jones, for what purpose do you rise?

SENATOR E. JONES:

Thank you, Mr. President. We'd also like to congratulate Sean Sullivan, the Page who's taking over to -- and been quite helpful while Anita Robinson, our Sergeant-at-Arms, has been off ill. But, today is also his birthday. Let's wish him a very happy -- warm happy birthday.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Ladies and Gentlemen, we are going to the Order of -- on page 107 is Postponed Consideration, and we would indicate that there would be one proponent and one opponent to speak. On the Order of Postponed Consideration, page 107, is Senate Bill 474. Madam Secretary. Oh. I mean, Senator DeLeo. 682. Senator Lightford. 685. Senator Clayborne. Madam Secretary, read the bill. 885. 885.

SECRETARY HAWKER:

Senate Bill 885.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President. We've thoroughly discussed this bill on Monday, on yesterday afternoon and last night, so I won't go into detail other than to say that Senate Bill 885, as introduced, is designed to assist SBC to continue to provide quality services here in Illinois, to continue to provide good-paying jobs and to continue to make sure that our telephone system remains competitive, remains open to other CLECs and other carriers who -- who look to invest and provide services to our constituents. This is a bill that is about jobs. It's about further investment, and it's about technology. Again, this bill deals with two directives that we would like to give to the ICC, who will set the rates. I'll repeat that again: ICC will set the wholesale rates as it relates to this bill. There are two factors that we're asking that ICC consider. One is the fill factor at a reasonable projection of actual usage, and the other one is accelerated depreciation because of the

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

rapid changes in technology and improvements that need to be made to the network. There's been plenty of discussions as it relates to the smaller companies. If there are -- if those smaller companies have less than thirty-five thousand lines, for two years they will stay at the same rate. If they are fortunate enough to go over that -- those thirty-five thousand lines, any lines over will be adjusted to the new rate, but those lines that -- that were in existence at the time where they did not go below but increased up to thirty-five, they will still receive the lower rate, as well as AT&T and MCI will also receive the lower rate on those thirty-five thousand initial lines that are set when this bill passes and ICC sets the rates. Again, why do this now? Because SBC had a nine-percent reduction in their revenues last year, and they're -- they're expensive -- expenses have increased by over eleven and a half percent over the -- over -- over that same period of time last year. We have to stop the bleeding and make sure that a company here in Illinois who has twenty-one thousand employees and who is investing about three and a half billion dollars a year in the Illinois economy, that we put them in a firm foundation where they can continue to be productive and continue to be a good citizen here in Illinois. I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? That's the proponent. The opponent, Senator David Sullivan, Ladies and Gentlemen.

SENATOR D. SULLIVAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As we all recall, we had extensive debate on this last night, but I would genuinely ask you to please listen to these points. They are several and they are valid, and they really go to the core of what we are trying to do here. This bill, as it stands right now, is bad policy. It is bad politics, and it has been a bad process. The policy, without question - and nobody, really, is going to be excited to do this - but without question, this is raising rates. You are raising the wholesale rates company to company. Those companies will survive. What you are doing in this legislation is making it so that the wholesale rates that one company charges another can be higher than their own retail rights -- rates. I'm not sure how you can

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

continue to compete when those wholesale rates are higher. The highest-ranking law enforcement official in this State, our former colleague, our Attorney General, Lisa Madigan, has said -- addressed the -- the docket that we are getting rid of. So, we are, in effect, becoming commissioners of the ICC, if that's the job you want. In this bill, we state that we -- that the ICC must use the cost models and methodology set forth by SBC. The Attorney General, in commenting on that, says that those models and methodology are not credible. Her words, in her document. If the little guys, the CLECs -- not the AT&Ts and MCIs of the world, but all those other competitors, all those other jobs, at least seven thousand in the State -- if this doesn't really bother them, if this really doesn't affect them, why are they, without exception, against this bill? Their entire coalition is against this bill. Why would that be? There's a two-year exemption in this thirty-five-thousand-line item. How are you going to -- if you are one of those companies, how are you going to -- even if you can get -- finally get up to thirty-five thousand lines, how are you going to get any capital, any loans, any investment to your company if you know that in two years, you're going to have to double your rates and you'll be out of business because your customers aren't going to take that? The politics of this: This is an anti-consumer bill. Make no mistake of it. AARP, Citizens Utility Board, Citizen Action, the Attorney General are all against this. I was just told also that our Cook County State's Attorney, Dick Devine, is against this legislation. This is not good for the consumer. So, what is being perceived as just this fight between big guys -- AT&T, SBC and MCI -- has all the little guys and all the consumer groups opposed to it. They know what they're doing. They know this is bad for them. The sponsor mentioned that we need to stop the bleeding. I'm not sure if you can count bleeding as -- I read in my Saturday Tribune a couple of weeks ago that SBC declared net income -- not income; net income, which I think some would say another word for that could be profits -- for the first quarter of this year, five billion dollars, with a B. Doesn't sound like a lot of bleeding to me. And I know that we've all been told -- if I ask for a show of hands, how many people have been told that we have the

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

highest UNE-P -- the lowest UNE-P rates in the country? We've all been told that a million times. I have a document from SBC Indiana, which states, amazingly, that SBC -- in Indiana, SBC has the lowest UNE-P rates. Illinois is the third-lowest. I thought we were the lowest in Illinois. According to SBC Indiana, we're the third-lowest. Again, I mentioned this last night, in Texas, SBC - again, SBC Texas - said it would be no surprise that you would have lower rates, UNE-P rates, in a state that is more dense, like Illinois, than Texas. And their rate is twenty dollars and forty-seven cents in Texas. This bill will take this somewhere over twenty-one dollars. The process: When we had that hearing on Monday, SBC's own expert witness stated that this should be -- this process should be in the Commerce Commission, which is where it is unless this bill passes. If this bill passes, we will take it out of the Commerce Commission. Their own expert witness, under questioning from Senator Rauschenberger and myself, stated that the ten-month process that the ICC is going through - we are halfway through that right now - is the place that this should be. But we have a huge rush on this. I'm sure -- well, maybe some day we'll all find out what the real reason is for that huge rush. There is no huge rush. We all know adjournment is not for a couple of weeks. No other state is doing this. Out of respect to what the process should be in this Senate and has been in this Senate: I know that when Senator Barack Obama dealt with the police videotaping issue, he didn't just come in here and say, "This is it", "This is what we're going to do." He spent a lot of time and got a lot of negotiation done on that and got a bill that I believe all of us supported. When Senator John Cullerton took on the death penalty issue and tried to bring all the people together, all the interested groups to discuss it, that's what happened there. That has not happened here. Senator Link just most recently did that on the firefighter issue. We have a compromise package ready to go. It still would be good for SBC - this compromise would be good for SBC - but unlike the process as it should be in here, they don't want to address it. Let's go for talking with everybody. Let's go for negotiations. Let's vote for the consumer. I ask for a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

All right. WCIA has sought leave to videotape. Is leave granted? Leave is granted. Question is, shall the Senate concur with House Amendment 1 to Senate Bill 885. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 24, 2 voting Present. The Senate does concur with House Amendment 1 to Senate Bill 885, and the bill, having received the required constitutional majority, is declared passed. Senator Sullivan, for what purpose do you rise?

SENATOR D. SULLIVAN:

Request verification on that last roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Sullivan has requested a verification. All Members will be in their seats. Madam Secretary, would you please read the names of the Members who voted in the affirmative.

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sullivan, do you question the presence of any Member who voted in the affirmative? Senator Sullivan.

SENATOR D. SULLIVAN:

Senator DeLeo.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeLeo on the Floor? Yeah, he's in the back of the Chamber.

SENATOR D. SULLIVAN:

No -- no.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. On a verified roll call, the Ayes are 30, the Nays are 24, 2 voting Present, and House Amendment No. 1 to Senate Bill 885 is adopted. All right. If you will turn back

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

now. With leave of the Body, we'll go back to the regular order of business on page 26. Page 26. Senator Clayborne, on 362? On 414, Senator Schoenberg? 429. Senator Garrett? Okay. Bottom of page 26, House Bills 3rd Reading, is House Bill 429. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 429.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Garrett.

SENATOR GARRETT:

I don't -- I don't have my -- I don't have my bill here. So, take it out of the record.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Let's take it out of the record. Senator Welch, on 430. Bottom of -- okay. Page -- page 27. 463. Senator Garrett? 468. Senator DeLeo? 469. Senator Cullerton? 495. Senator Garrett? 499. Senator Cullerton? I'm going too fast. All right. House Bill 499. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 499.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Cullerton. Senator Cullerton. We read the bill, have we not, Madam Secretary? Yeah. We -- we just -- we're just waiting.

SENATOR CULLERTON:

Just waiting for my mike to come on. That's all. And now it's on. Thank you, Mr. President, Members of the Senate. This bill changes the requirement for a person who's under the age of eighteen to operate a motorcycle to include successful completion of a motorcycle training course approved by the Illinois Department of Transportation, instead of just completing the course. Supported by ABATE. So I'm carrying an ABATE bill. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)



STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

All right. Is there discussion? Question is, shall House Bill 499 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 499, having received the required constitutional majority, is declared passed. Senator Jones -- Emil Jones. Mr. President, 514? 515. Senator Roskam. 524. Senator Cullerton. Senator Cullerton? On the Order of -- House Bills 3rd Reading is House Bill 524. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 524.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. This bill is supported by the Juvenile Justice Initiative, Cook County Judicial Advisory Council, Voices for Illinois Children, Chicago Area Project and the John Howard Association. Basically it says that a minor who's seventeen years of age who has a delinquency petition filed against him, right now he -- it -- it's mandated that he be confined in an adult detention facility. What this bill is, makes that permissive so it'd be up to the county to decide that. So, I know of no opposition and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall House Bill 524 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 2, none voting Present. House Bill 524, having received the required constitutional majority, is declared passed. 528. Senator Walsh. 531. Senator Clayborne. 532. Senator Munoz. Madam Secretary, 532, read the bill.

SECRETARY HAWKER:

House Bill 532.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Munoz.

SENATOR MUNOZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 532 amends the Code of Criminal Procedure of 1963 regarding arrests. An officer on duty may make arrests in jurisdiction outside his or her -- her principal jurisdiction if a law enforcement official from the outside jurisdiction requests his or her assistance. Ladies and Gentlemen of the Senate, the -- the intent of this bill is to have the smaller police departments in the suburbs being able to work together if there's -- any problems should arise, mainly like having 9-1-1 as an example. If they need additional help, the two chiefs would work together. It might be for a day or it could possibly be for a week, depending what the need would be for law enforcement personnel. There's no opposition to the bill that I know of, and I will attempt to answer any questions if necessary.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall House Bill 532 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 532, having received the required constitutional majority, is declared passed. House Bill 536. Senator Ronen. Madam Secretary, House Bill 536.

SECRETARY HAWKER:

House Bill 536.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Ronen.

SENATOR RONEN:

Thank you, Mr. President, Members of the Senate. This bill provides that survivors of domestic violence and sexual assault may sue their attacker in civil -- civil court for monetary

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

damages or injunctive relief. It's an important tool, we think, for women who have been victims of these crimes. It's supported by the Chicago Bar Association, the Illinois Women's Bar Association. And I think with the changes we made, there are no objectors to this. And I would -- urge all my colleagues to vote Aye.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. I just want to thank the sponsor of this bill for working with us, and while the statute of limitations is probably a little long to be comfortable for some of us, I'm going to vote for this. And I just want to thank Senator Ronen for amending the statute of limitations and working with us to some degree on this, and want to thank her.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Ronen, do you wish to close?  
Senator Ronen.

SENATOR RONEN:

I would just ask all my colleagues to vote Aye. Thank you.  
Thank you, Senator Dillard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Question is, shall House Bill 536 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 536, having received the required constitutional majority, is declared passed. 538. Senator Cullerton. Madam Secretary, 538, please.

SECRETARY HAWKER:

House Bill 538.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. A very simple bill for the State's Attorney of Cook County that amends

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

the Gang Crime Witness Protection Act by changing the date of repeal from July 1st, 2004 to July 1st, 2012. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 538 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 538, having received the required constitutional majority, is declared passed. 539. Senator Cullerton. Madam Secretary, read the bill. 539.

SECRETARY HAWKER:

House Bill 539.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This bill is an initiative of the Illinois Press Association, and it deals with the Freedom of Information Act. There's certainly defined information called computer geographic information systems, which, under current law, are not accessible for noncommercial purposes and this bill would allow the -- under the Freedom of Information Act, allow an inspection of this information. It is a response to a bill that was passed some years back by the Cook County Assessor, and they have worked out an agreement with the Assessor. And again, be happy to answer any questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, question is, shall House Bill 539 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 539, having received the required constitutional majority, is declared passed. 547. Senator Silverstein. Ladies and Gentlemen, before we leave this page,

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

on page 27, I normally don't go back, but I -- apparently I missed a Member who indicated that he was frantically trying to get my attention. I doubt that. But with leave of the Body, we will go back to the order of 468. The top of page 27. 468. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 468.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeLeo.

SENATOR DeLEO:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. House Bill 468 amends the Barber, Cosmetology, and Nail {sic} Act of 1985. It changes the graduation requirement from fifteen hundred hours of study to fifteen hundred -- completion hours. It also changes the continuing ed option in the grandfather provision for electrologists from seventy-five continuing education units to thirty. That changes the grandfather of the current electrologists, and that's all it does.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion?

SENATOR DeLEO:

I ask for a favorable roll call on -- House Bill 468.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall House Bill 468 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. How's that? Have all voted who wish? Is it going to register? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 468, having received the required constitutional majority, is declared passed. Let the record reflect that the Chair dinged the bell for Senator DeLeo. On page 28 is 553. Senator Haine. Madam Secretary, 553, please.

SECRETARY HAWKER:

House Bill 553.

(Secretary reads title of bill)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Haine.

SENATOR HAINE:

Thank you very much, Mr. President and Ladies and Gentlemen of the Senate. This bill rectifies a mistake in Public Act 90-590 in which a paragraph listing criteria to be used to transfer a minor to adult court was inadvertently placed instead of the - - criteria to extend juvenile court jurisdiction. And what this Act does, simply, is rectify that mistake. And I ask for an Aye vote. This came from the State's Attorneys Association and the Honorable Dick Devine, Cook County State's Attorney. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall House Bill 553 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 553, having received the required constitutional majority, is declared passed. Let the record reflect that the Chair did not have to ding the bell for Mr. Haine. 556. Ladies and Gentlemen, with leave of the Body, we will jump some of these vehicle bills here and go to the Order of 556. Madam Secretary, read the bill, please.

SECRETARY HAWKER:

House Bill 556.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hunter.

SENATOR HUNTER:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 556 amends the DCFS Act where it makes changes in several Acts to address the issue of transitional housing for homeless minors. It allows a court to grant the partial emancipation of a homeless minor for the purpose of allowing the minor to consent to transitional housing services. It -- according to the Chicago Coalition for the Homeless, an estimated twenty-six thousand youth between the ages of -- of

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

fourteen and twenty-one experience homelessness each year in Illinois. Most homeless youths come from families suffering from poverty, abuse and instability. Long-term supportive living arrangements are necessary to assist homeless minors in developing the skills necessary to mature into adulthood and live productive, self-sufficient lives. This Act permits DCFS to license youth transitional housing programs to furnish services, shelter or housing to homeless minors who are at least sixteen years of age, but less than eighteen years of age, and who are given partial emancipation under the Emancipation of Minors Act. There is no fiscal impact to this budget. This bill passed unanimously the other day out of the Health and Human Services. The proponents are DCFS, the Chicago Coalition for the Homeless, the Illinois Coalition on Youth, Lutheran Child and Family Services, Child Care Association, the Night Ministry, the Teen Living Programs, the Illinois -- Collaboration on Youth, and Voices For Illinois Children. Mr. President, I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Lauzen. If not, the question is, shall House Bill 560 {sic} pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. ...56. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, 1 voting Present. House Bill 556, having received the required constitutional majority, is declared passed. 560. Madam -- Senator Hunter. 560? All right. I'm sorry. It is. 560. 561. It's my understanding that House Bill 561 is -- been assigned now and properly noted for Senator Shadid. Senator Shadid, do you wish to have that bill called? He's moving his hand in a circle. Madam Secretary, 561, please.

SECRETARY HAWKER:

House Bill 561.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Shadid.

SENATOR SHADID:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

Thank you, Mr. President. Senate Amendment 1 to House Bill 561 deletes all and becomes the bill. Makes a -- makes a technical change, adds to the definition of "explosive compound" or "incendiary device" and -- a meth manufacturing chemical as defined in the Illinois Controlled Substance Act. I'd appreciate an Aye vote. Be glad to try to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, question is, shall House Bill 561 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. House Bill 561, having received the required constitutional majority, is declared passed. 562. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 562.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. House Bill 562 amends the Criminal Code. Under current law, if an adult commits criminal sexual assault or aggravated criminal sexual abuse against a child, he would face a minimum of three to four years in prison and a maximum of thirty years. The exception to that is if the victim happens to be a child in his own family, in which case the abuser is eligible for probation and counseling. This bill closes what we call the "incest loophole". It's a good bill, and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall House Bill 562 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 562, having received the required constitutional majority, is declared passed. 567.



STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

Senator Haine. All right. Ladies and Gentlemen, with leave of the Body, we'll jump over to page 35. Page 35 is 684. Senator Link. Senator Link, you wish to proceed? All right. Madam Secretary.

SECRETARY HAWKER:

House Bill 684.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. Senate Bill -- or, House Bill 684 creates the Disabled Service {sic} (Disabilities Services) Act of 2003. The purpose of the bill, as amended, is to develop a comprehensive State service plan for Illinois residents with disability to bring Illinois into compliance with the Americans for Disabilities Act and the 1999 U.S. Supreme Court decision in the Olmstead -- decision. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall House Bill 684 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill -- 684, having received the required constitutional majority, is declared passed. 685. Senator Link. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 685.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. This is a follow-up on 684. This amends the Illinois Public Aid Code Medicaid spend-down. Persons who fail to qualify for the basic maintenance on basis of need because of excessive income or assets, or both, may

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

establish a proposed eligibility for basic maintenance by prepaying their monthly spend-down amount by the Department of Public Aid or by having a third party pay to -- the amount of the Department. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Roskam.

SENATOR ROSKAM:

Senator Link, what's the fiscal impact of this bill, and is it in the Governor's budget?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Link.

SENATOR LINK:

I'm checking that right now. And I think we're... I don't think we have the exact numbers on the total financial impact of what it will be because we don't now the exact numbers of what it'll -- impact on there. So I -- I -- I can't answer that right now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Roskam.

SENATOR ROSKAM:

Just briefly then, Senator, to the bill: Our staff informs me that there was a companion piece of legislation that mirrored this in the House. The fiscal note on that bill is eight hundred and seventy-six thousand dollars for the first year and a hundred and seventy-seven thousand dollars every year after that. In light of the fact that we've got a huge budget hole - it's not in the Governor's budget apparently - I would urge my colleagues to vote No. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Wendell Jones. Will you break up the conference in front of Senator... Senator Jones, your light's on. Do you -- your light's off? Turned it off? Good. Good. Further discussion? Senator Link, you may close.

SENATOR LINK:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

I just think this is a positive step forward, that it's a -  
- a needed step into helping those who need this in the Medicaid  
spend-down in our -- citizens. Its proponents are Coalition of  
Citizens for Disability {sic}, our health and disability  
advocates, our Community Behavioral Healthcare Association. I  
think this is a positive step forward. I understand the  
concerns of my colleagues, but I think this is a step forward  
and I would ask a affirmative vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 685 pass. Those in favor  
will vote Aye. Those opposed will vote Nay. The voting is  
open. Have all voted who wish? Have all voted who wish? Have  
all voted who wish? Take the record. On that question, the  
Ayes are 38, the Nays are 15, 4 voting Present. House Bill 685,  
having received the required constitutional majority, is  
declared passed. Turn to page 36. Page 36. The top of page 36  
is 691. Senator Welch on the Floor? All right. Leave of the  
Body, we'll go down to 703. Senator Crotty. Madam Secretary,  
read the bill.

SECRETARY HAWKER:

House Bill 703.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Crotty.

SENATOR CROTTY:

Thank you, Mr. President and Ladies and Gentlemen of the  
Senate. House Bill 703 adds anti-hemophiliac factor  
concentrates to a list of drugs that the Department of Public  
Aid shall not impose requirements for prior -- prior approval  
based on a preferred drug list until thirty days after it has  
conducted a study of the impact of such requirements on a --  
patient care and submitted that report to the Speaker of the  
House and the President of the Senate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Roskam. Senator Roskam. I'm sorry.

SENATOR ROSKAM:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

Thank you, Mr. President. To the bill: I rise in support. It passed unanimously out of the Executive Committee, and I urge its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 703 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 703, having received the required constitutional majority, is declared passed. All right. With leave of the Body, we'll now go to page 37. Again, we're skipping over the vehicle bills. Page 37. In the middle there is 714. Senator Shadid. Let's -- with leave of the Body, we'll skip over to -- 741 on page 38. Page 38 is House Bill 741. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 741.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 741 amends the Liquor Control Act of 1934. Basically 741 does four things. 741 provides a uniform expiration date for all licenses. 741 allows the sale of alcoholic beverages at the culinary school and banquet hall operated by Joliet Junior College. It also allows the alcohol -- allows that alcoholic beverages may be sold and consumed at the Bilandic Building. And Floor Amendment No. 1 {sic} that we put on just the other day will allow distributors the ability to apply for one supplemental warehouse permit. I'd be more than willing to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. I rise in support of the bill. It passed unanimously out of the Executive Committee, and I urge its passage.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 741 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 49, the Nays are 6, none voting Present. House Bill 741, having received the required constitutional majority, is declared passed. All right. With leave of the Body, we will now skip over to page 39, Ladies and Gentlemen. Page 39, at the bottom, is House Bill 760. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 760.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Crotty.

SENATOR CROTTY:

I'd like to hold that one and go to 761. Sorry.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Let's take it out of the record. House Bill 761. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 761.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Crotty.

SENATOR CROTTY:

Thank you very much. House Bill 761 amends various Acts prohibiting school districts, public universities and public community colleges from providing a student's name, address, phone number, social security number, e-mail address or other personal identifying information to a business organization or financial institution that issues credit or debit cards.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall House Bill 761 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

record. On that question, the Ayes are 52, the Nays are none, none voting Present. House Bill 761, having received the required constitutional majority, is declared passed. With leave of the Body, let's go to page 40. Page 40. In the middle. Senator Halvorson, on House Bill 771. Madam Secretary.

SECRETARY HAWKER:

House Bill 771.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President and Members of the Senate. House Bill 771 amends the Illinois Act on Aging to create the Illinois Long-Term Care Council which will be comprised of eighteen to twenty-five members appointed by the Director of the Department of Aging. This bill came -- it was -- came out of the House. It was House Bill 1240, and it came over to the Senate by a vote of a 115 to nothing. However, it came over after the deadline date, and so we took that language and put it on House Bill 771. This is a lot of work that's been done between Citizen Action, AFSCME, the Illinois Association of Long-Term Care, Coalition of Consumer Rights, Illinois Retired Teachers Association and many, many more people. So it's something that we've all been working on for a long time, and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Roskam. Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. I just wanted to stand up and congratulate the sponsor on her work through this. This bill came out of Health and Human Services 9 to nothing. I would encourage an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 771 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 771, having received the required

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

constitutional majority, is declared passed. Okay. Let's go to page 41. Leave of the Body, we'll go to the... Senator Jones, for what purpose do you rise?

SENATOR E. JONES:

Thank you, Mr. President. Just to inform the Body, it is our intent to go to approximately 2 o'clock today, return Monday at 3 p.m. And we will work 2nds and Recalls and maybe some 3rds. All depends upon the attendance of the Body. And the following weekend, the 17th and 18th, we will cancel those days so you can make plans and extend the deadline to the 31st of May. Hopefully without any opposition, we will be able to do the appropriation and fund State government and conclude our services by the 31st of May. Hopefully. So, the 17th and the 18th that is on the Calendar as a Session day, we are going to cancel those days. And you can make plans accordingly.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR SILVERSTEIN:

For the purpose of an announcement, Mr. President. On Monday, the Senate Executive Committee will have a subject matter hearing on O'Hare modernization. Will be held in Room 212 between 6:30 p.m. and 8:30 p.m. I am inviting all Members of the Senate to attend if they -- so desire. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Ladies and Gentlemen, let's jump over to page 45. 45, Ladies and Gentlemen. At the bottom of page 45 is House Bill 858. Senator Welch, do you wish to have that bill -- Senator Welch requests -- Senator Welch seeks leave of the Body to return House Bill -- 858 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 858, Madam Secretary.

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

Thank you, Mr. President. Floor Amendment No. 1 is brought to us by the Joliet Arsenal Development Authority, and what it does is restores a real estate tax exemption that they used to have to them. At the time, the exemption was taken away because of a property ownership issue. They lease the property, but apparently there was still a claim for the -- the deduction. So what this bill does is it doesn't affect any State revenue whatsoever. It's only a local impact in Will County. And I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there discussion? Senator Welch has moved the adoption of Floor Amendment No. 1. Those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment is adopted. Further Floor amendments?

SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. All right. Ladies and Gentlemen, if you'll now skip over to page 46. Page 46 is Senator Link on 862. 862. All right. 865. Is there leave to have Senator Viverito handle that? Leave is granted. Senator Viverito requests to return House Bill -- House Bill 865 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 865, Madam Secretary.

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

With leave of the Body, Senate -- Senator Viverito.

SENATOR VIVERITO:

Thank you, Mr. President. This amends the Department of Veterans Affairs. Creates a fund. Amends the Income Tax - World War II Veterans Memorial Fund checkoff.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there discussion? If not, Senator Viverito has moved the adoption of Amendment No. 1 to House Bill 865. Those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment is adopted. Further amendments?

SECRETARY HAWKER:



STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

No further amendments reported.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. Ladies and Gentlemen, let's go to page 47. Page 47. The bottom of the page. Page 47. Senator Cullerton. Senator -- 891. It's the -- on the bottom of page 47. Consumer... All right. Ladies and Gentlemen, page 49. With leave of the Body, we'll go to the Order of House Bills 3rd Reading on page 49. 914. 914. At the top of the page on page 49. Senator Link. Senator Link. Last call. All right. ...of the Body, page 51. Leave of the Body is 943. Senator Sullivan. John Sullivan. On the Order of House Bills 3rd Reading is House Bill 943, on page 51. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 943.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sullivan.

SENATOR J. SULLIVAN:

Thank you, Mr. Chairman, Members. House Bill 943, as amended, provides the dependent spouse of a State employee at the time of retirement the choice of continuing participation as a dependent or becoming an eligible member with their own health benefits. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senate -- Senator Brady.

SENATOR BRADY:

Thank you, Mr. President. Will sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Brady.

SENATOR BRADY:

Senator Sullivan, can you tell me if there's a reason you're sponsoring this legislation? A constituent or a concern or a situation you're trying to resolve?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sullivan.

SENATOR J. SULLIVAN:

It was brought to my attention by a constituent in my district. As a matter of fact, I'd like to read a little

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

paragraph that -- that she wrote. I am -- this is from my constituent, a lady in McDonough County: I'm currently a dependent on my husband's State university retirement plan, which costs one thirty nine a month. A hundred and thirty-nine dollars a month. This month I turned sixty and am -- and am eligible for my State employee retirement pension. However, since I only have eight and a half years with the State -- State employees retirement, I would have to pay sixty percent of the health insurance premium, which would be about three hundred and twenty dollars a month. My State employee retirement pension will be about four-thirty, and as you can see, my health coverage will quickly eat up my pension. So, yes, this was brought to my attention by a -- a constituent.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brady.

SENATOR BRADY:

Senator, if -- in order -- without this legislation, wouldn't your constituent be able to take a lump sum payment from the retirement system and then be a dependent and receive the dependent coverage?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sullivan.

SENATOR J. SULLIVAN:

Yes, they could, but, obviously, that would be unfair. You know, why -- why would they have to do that? Why would we ask them to do that? If they -- if their spouse worked for any other private company, obviously, they wouldn't have to do it. So, I feel like this would be -- very unfair to have them do that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brady.

SENATOR BRADY:

Senator, no question in your mind that there's some fiscal impact, although a fiscal impact has not been -- or, pension impact has not been filed. No question in your mind. And I think it's fair to the Members of the General Assembly that they know that there will be a cost associated with this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sullivan.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

SENATOR J. SULLIVAN:

It will have a fiscal impact to the State. It's impossible to determine at this time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brady.

SENATOR BRADY:

Thank you. Senator Sullivan, thank you for your response to the questions. I voted for this bill in committee. Intend to vote for it here on the Floor. I think it's a fair thing to do, but I think it's important people understand there's a cost associated with it. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall House Bill 943 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 943, having received the required constitutional majority, is declared passed. All right. Ladies and Gentlemen, leave of the Body, let's jump over to page 53. Page 53. 975. Senator Garrett. 983. Senator Schoenberg. Madam Secretary, 983, please.

SECRETARY HAWKER:

House Bill 983.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 983 makes a technical change in the certification of kosher food. In response to a New York State court case, it was felt by the Jewish Federation that this would be necessary to protect our own existing statute from any legal challenge. There are no known opponents. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator John Jones.

SENATOR J. JONES:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

Thank you, Mr. President. I would just rise in strong support of this. This passed out of the Ag and Conservation Committee unanimously and -- and I would encourage everybody to give an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there further discussion? If not, the question is, shall House Bill 983 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 1, none voting Present. House Bill 983, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, page 56. Page 56. Leave of the Body is 1031. No? Okay. Page 57, Ladies and Gentlemen. Page 57. Senator Halvorson. ...Halvorson is not here. Page 58. 1065. Senator Jacobs. No. 1067, which is on page 59, Ladies and Gentlemen. Senator Jacobs. No. '68? Senator Jacobs. '69? 1070. 1071. 10, 982? 1072. 1073. Senator Geo-Karis. 1073. It -- it's on page 59. Page -- page 60. Jump over to page 60. 1089. Senator DeLeo. Madam Secretary, read the bill. Ladies and Gentlemen, we are on page 60 at the top. House Bills 3rd Reading is House Bill 1089. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 1089.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeLeo.

SENATOR DeLEO:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. House Bill -- 1089 is a -- a bill proposed by the State's Attorney of Cook County. It mandates forfeiture of monies or real property interests acquired for -- from or used from animal fighting. The person must forfeit any interest that affords a person that -- any enterprise that is established or conducted, in relation, traceable to anything that has been acquired from animal fighting. The State's Attorney and the Attorney General may seek forfeiture of real property after the arrest. I ask for affirmative roll call on House Bill 1089.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall House Bill 1089 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 1089, having received the required constitutional majority, is declared passed. Senator DeLeo, on 1091. There's a -- an amendment pending. Do you wish to have that returned? Senator -- Senator Haine, I cannot see. Senator -- Senator. Pardon? All right. The amendment's not -- not out yet. Take that one out of the record. 1118. Senator Maloney. On the Order of House Bills 3rd Reading, page 60, in the middle, is 1118. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 1118.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maloney.

SENATOR MALONEY:

Thank you, Mr. President. House Bill 1118 provides that the tuition charged to undergraduate students in the State of Illinois at their universities shall not exceed the amount that the student was charged at the time he or she first enrolled in the university. This will begin with the 2004-2005 school year. The -- it also will take into consideration those academic programs which typically require five years of academic attendance. And the -- the universities are also in support of this particular bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of this bill. It passed unanimously out of the committee, and I urge its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall House Bill 1118 pass. Those in favor will vote Aye. Those opposed,

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 1, none voting Present. House Bill 1118, having received the required constitutional majority, is declared passed. 1119. Senator Garrett. 1164. Senator Brady. 1180. Senator Woolard. 1189. Senator John Sullivan. On the Order of House Bills 3rd Reading, bottom of page 60, is -- is House Bill 1189. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 1189.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sullivan.

SENATOR J. SULLIVAN:

Thank you, Mr. President. The bill changes the exempt vehicle plate from a plate that must be renewed every other year to a permanent, non-transferable plate. We're talking about road graders. These are the types of vehicles: road graders, tow dollies, front-end loaders. Supported by the Secretary of State. More than -- more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Bomke.

SENATOR BOMKE:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Bomke.

SENATOR BOMKE:

Just one quick question, Senator Sullivan. Why would someone want to register a vehicle and license it if it is -- it's already exempt?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sullivan.

SENATOR J. SULLIVAN:

Couldn't hear your question, Senator Brady -- Bomke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bomke.

SENATOR BOMKE:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

Why would anyone want to register a vehicle that's currently exempt from registration?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sullivan. It's like a funeral parlor in here. I wonder where the body is. Senator Sullivan.

SENATOR J. SULLIVAN:

Basically, Senator, the bill exempts -- changes the exempt vehicle plate from a plate that must be renewed every other year to a permanent, non-transferable plate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bomke.

SENATOR J. SULLIVAN:

And that's current law. Yeah.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh, wait a minute. Senator -- Senator Bomke.

SENATOR BOMKE:

The -- the question is, why would you want a plate on a vehicle that's currently exempt from registration?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sullivan.

SENATOR J. SULLIVAN:

These are -- these are plates that are on these vehicles that they are renewing every other year. And what we're wanting to do is make them so that they don't have to renew 'em every year -- every other year.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bomke.

SENATOR BOMKE:

But -- but as I understand the legislation, they're currently exempt from registration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sullivan.

SENATOR J. SULLIVAN:

That's true, but they're currently -- they -- they're currently plated and exempt from registration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bomke.

SENATOR BOMKE:

Why?

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sullivan.

SENATOR J. SULLIVAN:

They've been exempt since 1975, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bomke.

SENATOR BOMKE:

Okay, maybe I'm not clear, Senator, but let me read the synopsis I have. "Under current law certain vehicles which are exempt from registration may, at the option of the owner, be identified as exempt vehicles by displaying registration plate issued by the Secretary of State. These plates cost thirteen dollars. They're good for two years." My question is, why would someone want to license a vehicle that's currently exempt from registration and licensing?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sullivan.

SENATOR J. SULLIVAN:

Senator Bomke, the Secretary of State's Office feels that more vehicles will have plates as a result of this permanent status that is added by this bill. And that -- and that will more than offset any revenue costs that might be exempted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bomke.

SENATOR BOMKE:

I -- I guess just back to the same question, John. Why would you want to register and plate a vehicle that's currently exempted by law?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sullivan.

SENATOR J. SULLIVAN:

Senate -- Senator, under current law they are plated, and what we're doing is exempting them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bomke.

SENATOR BOMKE:

...sorry. I don't -- this is -- I'm not necessarily against this bill. My -- my question is, under current law they're not required to be registered or plated. Your bill will allow



STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

certain vehicles to be registered and plated. What kind of vehicles are we talking about, and why would someone want to do this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sullivan.

SENATOR J. SULLIVAN:

Senator, are you talking about vehicles that -- that are currently not plated?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bomke.

SENATOR BOMKE:

Bingo.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bomke, the Chair would like to inform you that this is not bingo here. Senator Sullivan.

SENATOR J. SULLIVAN:

I -- I think I understand your question, Senator. The -- they've been exempted since 1975, but they've also been plated with a two-year renewal. So, basically, what we're doing is -- is stating that they do not have to be renewed every two years. It's a one-time exemption. And I think, obviously, the Secretary of State apparently wants these vehicles plated.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bomke, your time's just about up. Senator Bomke.

SENATOR BOMKE:

Well, I -- I guess the question is, and I'm -- I'm not going to beat this to death, but I'm not sure we understand why you'd want to plate a vehicle that by -- under current law doesn't require to be as exempted, and would continue to be exempted. It would be up to the owner to determine if they wanted to register and plate that vehicle. I don't think we understand why.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Sullivan may close.

SENATOR J. SULLIVAN:

The vehicles are currently plated. They are exempted, but they're currently plated with a two-year renewal. What we're

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

saying is that -- what this legislation does is makes it a permanent one-time renewal, period.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 1189 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 1, none voting Present. House Bill 1189, having received the required constitutional majority, is declared passed. 1192. Senator Clayborne. Page 61. 1193. Senator Garrett. Madam Secretary, House Bills 3rd Reading. Ladies and Gentlemen, we're on page 61, at the top. 1191. Madam Secretary, read the bill. I beg your pardon. 1193.

SECRETARY HAWKER:

House Bill 1193.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Garrett.

SENATOR GARRETT:

Thank you, Mr. Speaker. House Bill 1193 establishes the Health Improvement Plan Act, and basically what it does is provides that the Governor shall appoint a separate Task Force within the Office of the Governor for each Statewide Health Improvement Plan. It provides that each Task Force shall consist of up to thirty members. It provides for the appointment of the members and of the co-chairs of each Task Force, and requires that this Task Force hold up to at least three public hearings on drafts of a plan in representative a geographic areas of the State. This is supported by the Department of Public Health, as well as many other groups in the State. I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Just to inform the Body that this bill did pass out of Health and Human Services Committee unanimously, and I would urge an Aye vote. Thank you.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 1193 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 1193, having received the required constitutional majority, is declared passed. With leave of the Body, we'll return to the -- 1194 and 1195 a little later. Leave is granted. 1235. Senator DeLeo. I'm sorry. 1205. I missed one. Senator DeLeo. 1205? Madam Secretary, 1205, please. Read the bill.

SECRETARY HAWKER:

House Bill 1205.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeLeo.

SENATOR DeLEO:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. As you note, House Bill 1205 is as simple as it gets. It allows a naprapath to put a lien on a personal injury case when an injured party -- fails to pay the entire bill. And we worked out -- we excluded the workmen compensation cases. Ask for a favorable roll call on 1205.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 1205 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 1205, having received the required constitutional majority, is declared passed. 1235. Senator DeLeo. 1235. Madam Secretary, read the bill, please.

SECRETARY HAWKER:

House Bill 1235.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeLeo.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

SENATOR DeLEO:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1235 establishes a professional personnel leadership committee in each of the Chicago public school districts. As you remember, those of you who were in the Executive Committee, we had Deborah Lynch, President of the Chicago Teachers Union. Many of the groups and the Chicago education reform groups joined and asked for support of this - Designs for Change, pure. And what this basically does, it's -- this committee -- the current committee now serves as an advisory committee to the local school council and its principal. This changes the title and it's called professional personnel leadership committee, and it has teachers-members who work with the LSC and principals in determining matters of curriculum and school improvement plan development. This bill was identical to House Bill 3705, which passed last year in the House and Senate. I -- just -- Mr. President, just for legislative intent, I'd like to just say that the total number of certified personnel to be elected to serve on the committee during the school -- year shall be determined by the certified personnel present at the meeting in which the members of the committee are to be elected. I ask for a favorable roll call on House Bill 1235.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President. I rise in support of this fine piece of legislation and want to commend the sponsor, Senator DeLeo, for his diligent effort to bring the different sides together in this negotiated compromise. Nice job, Senator DeLeo.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 1235 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 1235, having received the required

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

constitutional majority, is declared passed. House Bills 3rd Reading is House Bill 1237. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 1237.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Haine.

SENATOR HAINE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This House bill creates the offense of operating a watercraft under the influence of -- of alcohol, drugs or intoxicating compounds. Provides for similar offenses -- similar penalties to the DUI -- statute. It makes conviction of DUI a -- an offense which would cause a felony to be filed for operating a motor craft. I ask for a favorable vote. It's supported by a number of law enforcement associations, as well as MADD.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Just one question, Senator Haine. Is there an additional fine or penalty if there's no safety reflective tape on the boat?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Haine. Must have been a rhetorical question..

SENATOR HAINE:

I don't think that's an aggravating factor, Senator. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is -- further discussion? If not, the question is, shall House Bill 1237 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. That question, the Ayes

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

are 55, the Nays are none, none voting Present. House Bill 1237, having received the required constitutional majority, is declared passed. 1246. Senator Walsh. Mr. Secretary, 1246, please.

ACTING SECRETARY HARRY:

House Bill 1246.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 1246 amends the Counties Code in regards to bidding for contracts. Basically what the bill says is that any purchase of services, materials, equipment or supplies, by a county with fewer than two million population, in excess of twenty thousand dollars shall be contracted by bid. The -- this increases the threshold from ten thousand dollars to twenty thousand dollars. I'll answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Mr. President. Local Government passed this one out nearly unanimously. We had two Democrats who didn't vote for it, but we think it's a pretty good idea. So, would urge a Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

That causes me some pause. Further discussion? If not, the question is, shall House Bill 1246 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 3, none voting Present. House Bill 1246, having received the required constitutional majority, is declared passed. On the Order of House Bills 3rd Reading is House Bill 1250. Madam Secretary, read the bill. I mean, Mr. -  
- Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 1250.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

It's Mr. Secretary. Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1250 creates the Facility Planning Area Rules Act. Requires the Illinois Environmental Council -- Illinois -- Illinois Environmental Protection Agency to propose rules and procedures for facility planning area amendments. It gives guidelines and has a sunset of 2007. I ask for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Risinger.

SENATOR RISINGER:

Yeah. I rise to just say that the bill passed out of committee unanimously, and -- and we would propose an Aye vote on this side.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 1250 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. House Bill 1250, having received the required constitutional majority, is declared passed. On the Order of House Bills 3rd Reading is House Bill 1267. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 1267.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 1267 amends the Fire Protection District Act in regards to annexation of unincorporated territory. This piece of legislation has been brought to me by the Illinois Fire Protection Districts and what it states is that it eliminates

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

the requirement that the annexation of a fire protection district of less than sixty acres be approved by a referendum by a majority of the voters in the area to be annexed. Preserves the other steps required of a fire protection district to annex unincorporated area of less than sixty acres. Be -- answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Why is this bill necessary? Why do fire protection districts want to expand their scope without allowing the people that are going to reside in that area to have a vote?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Walsh.

SENATOR WALSH:

Thank you, Senator Burzynski, for that question. What this is, is up in -- up in the areas that is rapidly changing, there are -- there are unique circumstances where fire protection districts -- or, there's areas that -- that receive fire protection from the closest fire protection district that literally do not pay into a fire protection district. And it is my understanding that these areas now, due to growth, have been completely circled, surrounded, by a fire protection district through either -- other annexations. And what the fire protection districts are asking, that if they -- and one fire protection district is the sole encompasser of -- of this area, and it leaves an area that is less than sixty acres, that they who have been receiving services without having to pay for them, now have the opportunity to annex them without having to go through a referendum.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Well then, it sounds like this is drafted for one particular area, if we're talking about an area of sixty



STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

acres. I mean, where did that number come around? And -- and then the second question, just a follow-up and then I'll sit down and listen: Didn't we just increase the fees just earlier today, it seems like, for fire protection districts to provide services? I -- I thought we had a bill like that today, earlier.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Walsh.

SENATOR WALSH:

Senator, I think the -- the -- Senator Shadid just had a -- had a bill that if a fire protection district went out and provided additional services, that they were allowed to be able to charge for those services. It is my understanding that -- that there are unique circumstances in -- in -- up -- more importantly, in our area that -- that growth has taken place that, believe it or not, that there are areas that are not serviced by a fire protection district. They literally are -- they cannot be refused fire protection, but they do not pay into a fire protection district. So, basically, its service -- they basically do not have to pay for that service. And that once the time comes that this area now is completely encompassed by -- by a fire protection district, that they can have the right to go in and do -- do the -- the annexation. And the other areas -- the other areas of -- and we're talking about fire protection districts, not -- not municipality fire departments. We're just talking about fire protection districts.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Mr. President. I just wanted to rise in strong support. This came out of our fine Local Government Committee 10 to nothing, and I'd ask for a favorable roll call. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Walsh, do you wish to close?

SENATOR WALSH:

I ask for an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

Question is, shall House Bill 1267 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 5, none voting Present. House Bill 1267, having received the required constitutional majority, is declared passed. On the Order of House Bills 3rd Reading is House Bill 1273. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 1273.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Viverito.

SENATOR VIVERITO:

Thank you, Mr. President, Members of the Senate. House Bill 1273 simply moves the Village of Willow Springs from the Southwest Region to the Central Region for the purpose of representation on the Suburban Bus Board. Currently, Willow Springs is part of the Southwest Region, which includes areas of suburban southwest -- western Cook County. The -- came out of the House a 115 to nothing. Unanimously in the Transportation. I would appreciate a Yes vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Roskam.

SENATOR ROSKAM:

Senator Viverito, it's my understanding that the Cook County Board, did they just make an error and they -- somebody was appointed, and two people were appointed within the same district? Is that really the problem here?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Viverito.

SENATOR VIVERITO:

Yes, Senator. That's exactly what happened. And this is only rectifying it and putting him into the district where he

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

belongs. It's the Mayor of the -- Western Springs. I mean -- I'm sorry. Willow Springs.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Roskam.

SENATOR ROSKAM:

Senator, wouldn't the better solution be to just say, "You know what? You're not appointed 'cause you're not in the district, and we're going to appoint somebody in the district that you represent." It's kind of like when we give out our legislative scholarships and we award those. I know we're all very careful to call the Board of Elections to make sure that the students live inside our legislative districts, 'cause once we award those, they're gone. We're not able, if we make a mistake, to go to the student and say, "You know, I -- I'm going to go down to the General Assembly and I'm going to change the program." And I understand you're gracious and you're trying to do your -- your folks a favor here, but wouldn't the better solution be to leave the districts the way they are and do the appointments in the right way?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Viverito.

SENATOR VIVERITO:

Senator, this is really a request from the Suburban Bus Board. The Suburban Bus Board consists of twelve directors. Six are chief executive officers of a municipality located within each of the six regional offices. Suburban Bus Board governs the Pace system. And actually this individual, frankly, is one of your side of the aisle that I'm trying to do this for, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Roskam.

SENATOR ROSKAM:

You know, Senator, if -- if -- if that's your feeling, there's a whole lot of other opportunities to -- to -- to have that good, warm feeling for helping Republicans. We got a couple other bills in the Rules Committee we'd love to have your help on.

PRESIDING OFFICER: (SENATOR DEMUZIO)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

All right. Let's confine our remarks to the subject. Question is -- Senator -- Senator Viverito, do you wish to -- all right. The question is, shall House Bill 1273 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 43, the Nays are 12, none voting Present. House Bill 1273, having received the required constitutional majority, is declared passed. 1279. On the Order of House Bills 3rd Reading is House Bill 1279. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 1279.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Garrett.

SENATOR GARRETT:

Thank you, Mr. President. House Bill 1279 adds technical rescue teams to the list of local emergency response agencies eligible to receive reimbursement under the State's Hazardous Material Energy Reimbursement Act for costs incurred responding to hazardous material emergencies. The proponents are the Illinois Fire Chiefs and the Illinois Fire Protection Districts, and I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator David Sullivan.

SENATOR D. SULLIVAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill came out of the Energy and Environment Committee unanimously. I recommend an Aye vote on this side of the aisle.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 1279 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 1279, having received the required constitutional majority, is declared

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

passed. 1281. Senator Cullerton. 1284. Senator Peterson. I'm sorry. Couldn't find you. House Bills 3rd Reading, Mr. Secretary, is 1284, please.

ACTING SECRETARY HARRY:

House Bill 1284.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President and Members of the Senate. House Bill 1284 amends the Abused and Neglected Child Reporting Act. Adds licensed professional counselors and licensed clinical professional counselors to the list of persons required to report possible child abuse or neglect. It's supported by DCFS, the Illinois Mental Health Counselors Association, Illinois Behavioral Health Association and the Jewish Federation. I know of no opposition. I ask for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall House Bill 1284 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 1284, having received the required constitutional majority, is declared passed. 1285. Senator Garrett. On the Order of House Bills 3rd Reading, bottom of page 61, is House Bill 1285. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 1285.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Garrett.

SENATOR GARRETT:

Thank you, Mr. President. House Bill 1285 is actually an initiative from Lake County, and it amends the Agricultural Areas Conservation and Protection Act. It provides that any agricultural area shall not be less than three hundred and fifty

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

acres in all counties with a population of less than six hundred thousand and not less than a hundred acres in all counties with a population of six hundred thousand or more. This has had bipartisan support in the House.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator John Jones.

SENATOR J. JONES:

Thank you, Mr. President. Questions of -- of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates she will yield. Senator John Jones.

SENATOR J. JONES:

Senator Garrett, the bill states a population of six hundred thousand, and one of my questions would be, why not lower this population requirement to five hundred thousand in order to include Will County?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Garrett.

SENATOR GARRETT:

Thank you, Senator. We did talk about this in committee. This is a Lake County initiative. And what is happening in the northern part of Illinois, is that we're seeing a lot of growth, and what we'd like to do is -- is capture the farmland and make sure that it doesn't get subdivided. So, this is really a northern Illinois initiative, and as I said in committee, I would be happy -- or, maybe somebody from Will County would be happy to amend this legislation to include other counties if they -- if they deem it's necessary. We haven't heard from any other counties.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR J. JONES:

Well then, why not reduce the threshold requirement in the largest counties when it's arguably that those counties need the most agriculture land protection?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Garrett.

SENATOR GARRETT:

Senator, again, this is an initiative from Lake County. And there was no other counties that showed an interest in this

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

or a concern. Certainly would have been amended in the -- in the House if -- if this had been brought up. And that doesn't mean that next year those changes can't be made. There is no reason why they shouldn't be made, actually. It's a good point.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR J. JONES:

Well then, one of my -- my final question then would be, why not change the current permissive language to language which would require the formation of agriculture areas within all the counties?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Garrett.

SENATOR GARRETT:

We don't -- this, by the way, is -- supported by the Lake County Farm Bureau, and the Illinois Farm Bureau does not have any problems with it. What is happening in Lake County and other areas of the State, I'm sure you understand, is that we're seeing a lot of housing development. We're losing our farm space. And what we're trying to do is prevent that from happening and ensuring that the farmers are able to stay in business. Albeit they may be small -- smaller farmers than in southern Illinois and other areas of the State, it's not for us -- or, for me to go to other areas of the State and change these qualifications and rules, and I think that that is something that should be addressed by other areas.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Jones.

SENATOR J. JONES:

Thank you, Mr. President. One final statement, more than anything. But -- but you said that Farm Bureau supported this. They did not put a slip in, in Agriculture and Conservation Committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. All right. Further discussion? Senator Luechtefeld.

SENATOR LUECHTEFELD:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

She indicates she will yield. Senator Luechtefeld.

SENATOR LUECHTEFELD:

Is this really just a -- is this a bill to stop urban sprawl, basically, initiated by the county?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Garrett.

SENATOR GARRETT:

This bill's actually supported by the Home Builders, and -- and they said they were going to work your side of the aisle. So, I don't know if that happened or not, but this bill really is to ensure that farmers in northern Illinois are allowed to stay in business. And quite frankly, it gives them an incentive to maintain at least a part of their farm if, in fact, they want to sell off another part of it for development.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Well, from -- from what I understand, really, the Farm Bureau was more neutral on this. They weren't a proponent, were they? And I also noticed that the Corn Growers, the Soybean Association, the Feed and Grain are also not necessarily supporting this. So this is -- really would be -- maybe to describe this as something to help farming is really not what we're talking about, are we? Or are we just talking about stopping urban sprawl.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Garrett.

SENATOR GARRETT:

I guess you could look at it that way. But this is the Lake County -- this is an initiative from the Lake County Board. Again, the Home Builders are in support of this, and I'm not sure if -- if all the farm associations are neutral or proponents. Lake County Farm Bureau is a proponent, and I think you're right, the Illinois Farm Bureau is neutral. The -- our intent certainly is to ensure that farmland -- farmers can still maintain a farm if, in fact, they want to sell off part of their land for development. We're trying to find a balance in Lake County, and this really seems to be the best way to do it.



STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

There's no malicious intent here at all. It really has broad-based support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Luechtefeld.

SENATOR LUECHTEFELD:

Are there a lot of farmers in Lake County?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Garrett.

SENATOR GARRETT:

Senator, I'm sure there are more farmers in Lake County than you probably would agree to. But we -- you know, I don't know how many there are, but there are farmers in Lake County. And at one point in time, Lake County was a farming county.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

At one time Cook was also. I -- also the Home Builders, in our analysis, show that they are really not for this, that they're neutral. Is that -- is that -- am I wrong about that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Garrett.

SENATOR GARRETT:

You know, I saw them. They came up to me and said they were for the bill and they were going to work the bill. I haven't heard otherwise. So, I don't know.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates she will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

Is the Lake County Farm Bureau for this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Garrett.

SENATOR GARRETT:

Senator, the Lake County Farm Bureau is a major proponent of this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

Senator Geo-Karis.

SENATOR GEO-KARIS:

In that case, Mr. -- Mr. President and Ladies and Gentlemen of the Senate, I urge a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will yield. Senator Righter.

SENATOR RIGHTER:

Thank you. Senator, you have local zoning in Lake County, don't you? County zoning?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Garrett.

SENATOR GARRETT:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Righter.

SENATOR RIGHTER:

Then what protection does establishing an agriculture area and conservation protected area provide that simply zoning the area as agriculture not provide?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Garrett.

SENATOR GARRETT:

It provides that there -- just like with farms anywhere in the State, that they will continue to receive tax benefits.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Righter.

SENATOR RIGHTER:

What -- what's the -- okay. I guess I should step backwards then. What's the benefit of being designated one of these areas?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Garrett.

SENATOR GARRETT:

I guess what I'm -- you know, it's no different than in any other area of the State. This land would be set aside for

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

agricultural purposes. It cannot be developed, and it would be used for the pure purpose of farming.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Righter.

SENATOR RIGHTER:

A moment ago you said -- you talked about tax benefits. Like there would be a tax benefit that would accrue to an area that's protected under this. I mean, I -- that's not what you meant, clearly. Then I'll go back. If an area is zoned agriculture in county zoning, doesn't it -- doesn't it have the same protection, then, than an area designated under here? Because if it's zoned agriculture, then it has to be used for agricultural purposes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Garrett.

SENATOR GARRETT:

That's correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Righter.

SENATOR RIGHTER:

So, go back to my original question. What's the difference between areas zoned agriculture in Lake County and the protection they receive currently and areas that would be under this Act?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Garrett.

SENATOR GARRETT:

I'm not sure exactly what you're saying, but really what this does is just reduce the size requirement from three hundred and fifty acres to a hundred acres, I guess.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Righter.

SENATOR RIGHTER:

I'm a -- if I'm a -- I'm a farmer there in Lake County and -- and the -- and the area that I farm is zoned agriculture by the Lake County Board. Okay? Why would I enter into one of these agreements if the zoning Act already protects me from that land being used as anything other than for agricultural purposes? Why -- why would I do this?

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Garrett.

SENATOR GARRETT:

Apparently, Senator, what this does is allow for the flexibility of zoning. So if you owned -- if you were a Lake County farmer and you wanted to sell part of your property and have it developed, you could do that and -- and you would have protection for a certain number of acres under the Agricultural Act so you could maintain a farm less than three hundred and fifty acres, which is currently the way it is now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Righter.

SENATOR RIGHTER:

Well, moving on to another issue, it's my understanding that currently the law already provides for the formation of these under three hundred and fifty acres because the law specifically says that the area -- the three hundred and fifty acres needs to be contiguous or compact as feasible. In other words, they don't really -- they don't have to be connected. They have to be connected to the extent possible. So if I own forty acres over here and then, you know, a quarter mile away I own another eighty acres, nothing prohibits me from joining in those two pieces of land to form an area already. Is that -- is that your understanding of the law now?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Garrett.

SENATOR GARRETT:

Senator, I have to be honest with you. I don't know the law as well as what you're saying, but if you're saying that's the law, I would agree with you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Righter, can you bring your remarks to a close, please? Thank you. Senator Righter.

SENATOR RIGHTER:

I just did, Mr. President. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Garrett, you wish to close?  
Senator Garrett.

SENATOR GARRETT:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

This is an important initiative from Lake County. It has been supported and I think voted almost unanimously in the House. Bipartisan support. And there is nothing malicious or - - or -- or devious about this legislation. It is simply to ensure that our farmers in Lake County can continue to farm and have the same kind of protection and benefits of farmers in other areas of this State who have basically committed more land to the same business industry.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 1285 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 48, the Nays are 7, none voting Present. House Bill 1285, having received the required constitutional majority, is declared passed. For what purpose Senator Clayborne rise?

SENATOR CLAYBORNE:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point, sir.

SENATOR CLAYBORNE:

Behind you in the President's Gallery I have some of the -- our finest firefighters in -- not only in the State of Illinois, but in the United States, from -- the Chief from Washington Park and -- and the Chief from Church Road, and other members with them. I'd like for them to be -- to stand and be recognized.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, let me -- would our guests -- I think Senator Crotty has a similar identification, so let's do Senator Crotty and we'll do it all at the same time. Senator Crotty, for what purpose do you rise?

SENATOR CROTTY:

I also wanted to welcome some of the State's finest firemen up there from my region. I know none of us were able to get out to the ceremony today and many of us have done that before. And I know they're also having the Medal of Honor Awards this afternoon, and I don't know if we'll get there. But we do want to thank you very, very much for all you do. Thanks.

PRESIDING OFFICER: (SENATOR DEMUZIO)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

Will our guests in the gallery please rise and be recognized by the Senate? I... All right. With -- all right. With leave of the Body, before we leave page 61, we'll return to the order of bills that we sought leave on. And that was 1193. Senator -- I'm sorry. 1194. Senator Jacobs. Mr. -- Mr. Secretary, 1194.

ACTING SECRETARY HARRY:

House Bill 1194.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. It's appropriate that this bill is being presented today when we are recognizing the fallen firefighters in the State of Illinois. House Bill 1194 would overturn what is commonly referred to as the "fireman's rule". Since 1890 firefighters have been the only class of citizen - and I want to repeat - the only class of citizen in Illinois which is excluded and denied the right to file a lawsuit against negligent property owners. House Bill 1194 would only allow a firefighter to hire a lawyer, file a lawsuit and prove willful and wanton misconduct and/or gross negligence if he were injured, not from the risk of fighting a fire, but from the negligence of the property owner, just as any other citizen is entitled to in this State. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator -- Senator Wendell Jones. Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. To the bill: You know, this came up in the Executive Committee, and when I first heard about it and the testimony, I voted against it, or I think I voted Present. But on further reflection and conversations with Senator Jacobs, I've come to see his point and urge its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Jacobs, you wish to close?

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

SENATOR JACOBS:

Just ask for an Aye vote. And -- and want to say thank you to all of our firefighters who've done such an excellent job.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 1194 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 1194, having received the required constitutional majority, is declared passed. Mr. Secretary, House Bills 3rd Reading, is House Bill 1195, please.

ACTING SECRETARY HARRY:

House Bill 1195.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. As a result of intensive negotiation on House Bill 1195 -- and anybody that knows about this bill, knows there's been a lot of negotiation. I think this bill has lasted about nine years. But we finally, after some long hours and long negotiations, have adopted an amendment which removes all the opposition of the municipal groups. The key components of this bill, as amended, are: 1195 affects only full-time fire departments that have existing collective bargaining agreements. The provision of this Act may be waived by mutual agreements of municipalities and collective bargaining units, thus allowing those municipalities with agreements in place, which both labor and management are comfortable with, to remain in effect. The Act sets a minimum standard and does not limit collective bargaining agreements between the parties to achieve affirmative action objectives. Employees affected by this Act include those within collective bargaining unit, one rank above, provided that this rank is not the only rank between the bargaining unit and the fire chief. In addition, those ranks exempt by a municipality prior to January 1, 2002, are not affected. Promotional lists remain in effect and unaltered for

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

no less than two years and no more than three years. The top candidate for promotion may be passed over by the appointing authority one time for substantial shortcomings in work performance or misconduct. The Act, in no way, affects the initial hiring list. The compounds -- the components of the testing process of the subject monitoring by two non-departmental persons chosen by a bargaining unit if desired. Two persons chosen by appointing authorities. Eligibility to take written exam cannot be conditioned on passing of any other testing compound -- component. I'll be okay. Written exams, which are to be graded on site. Scores released the day of exam unless graded off-site by a bona fide testing agency. Anyone who violates a provision of this Act is subject to charges for official misconduct and disciplinary action. As you can see, there has been numerous changes made to this Act. There has been agreement between the Municipal League. There has been agreements between the Illinois Chiefs of -- or -- Fire Chiefs. There have been agreements by the firefighters. This -- this work has been done to get us a unified bill. I commend all of those who worked together to get this bill into the state it is -- is. I look forward to answering any questions that may be asked on this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Obama.

SENATOR OBAMA:

Thank you very much, Mr. President. I stand in strong support of this bill and want to commend not only Senator Terry Link for his diligence on this, but also the firefighters who I know have been trying to push this bill forward for many years now. This has been a top priority of theirs to ensure that there was a fair, regular, standardized process with respect to promotions. I want to personally thank them for the important work that they do in all of our districts, but also the degree to which they crafted this bill to address the concerns of a broad range of interests, including the minority communities, to make sure that structuring this process of promotions would not, in any way, inhibit the ability to further diversify our ranks within the fire departments. So, I really commend them. They



STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

do important work for all of us. I think that they are deserving of our strong support, and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Mr. President. I rise in support of this bill. And in representing the Local Government Committee, this has been a work in progress. I congratulate Senator -- Link and the firefighters. This has been something we've been talking about for several years. I personally have voted against this bill at least three times. But due to Senator Link's diligence and hard work in this Committee, taking the legislative process along the track that we all like to see, where there's give-and-take, where there's time, where there's a -- a good discussion and a free flow of ideas, I can stand today, as a former municipal official and a former mayor, and vote proudly for this piece of legislation, which I think will help the -- the whole situation with our firefighters in Illinois. A year ago I couldn't have done that. The Municipal Conference in my area was totally opposed to it until Terry Link took over this bill and did an outstanding job. And I rise in strong support. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Roskam.

SENATOR ROSKAM:

Thank you. Senator Link, I got calls, I think, maybe from an older version of this bill, but calls and letters from mayors and so forth. One of their big concerns -- and I didn't -- didn't quite track on that fascinating recitation earlier and maybe you could just highlight this question. They were concerned about the -- the notion of seniority being used and -- and how it -- and I -- and I see you're shaking your head, and you can just clear this up. How is seniority used in the promotion system? Can you just briefly discuss seniority versus merit?

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Link.

SENATOR LINK:

Thank you. You -- you are looking at the older version. In the amendment what we did is that there will be -- at the -- the original way it's set up right now, the top three people that are, in effect, the chief, or whoever, they could pick out -- or, the -- the police and fire commission can pick the -- one of the top three. Well, after -- the -- the original bill would say that the top person with seniority automatically would be picked for that position. Well, after compromising and working on this, there will be two people that will be the top two selections that will be picked from, and if you pick Peter Roskam over Terry Link, for example, you have to show why you didn't pick Terry Link was the compromise, and that was the only situation it was. So that was what the agreement was on, but that I could then not be passed over the next time on it. So, if I qualify as one of the top two recipients the next time or -- if there was that promotion within that two-year period of time, I would automatically get it then.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President. I, too, stand in strong support of this piece of legislation and commend Senator Link, who took this bill and put the parties in -- in a room and closed the door and worked on 'em for -- for hours and hours and hours in order to come to a -- a compromise. And as any good compromise, nobody gets what they want, but they end up with a good piece of legislation. I, too, commend Dave Foreman and Eddy Crews, from Fire Fighters, and -- and all the firefighters and participants that took place and former -- or, the former President of the Illinois Municipal League, Mayor Roger Claar from Bolingbrook, who also took a major part in -- in working on this negotiations to make sure that the interest of the municipalities was still intact. So, to Senator Link, a job well done, and I think this is a good piece of legislation that we all can get behind and help out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

Further discussion? If not, Senator Link may close.

SENATOR LINK:

Now -- now that Senator Walsh took most of my closing remarks, I -- I -- I want to say first of all, I want to -- I want to thank, especially, former President of the Illinois Municipal League, Mayor Roger Claar, of Bolingbrook. Without his leadership from the Illinois Municipal League, of being in the room, I don't think we could have come to that conclusion. I especially want to thank Dave Foreman and the Illinois Fire Fighters and their endurance in that room. And I know that that room, after five and a half hours of a closed-door room, when I told them that there would be no restroom breaks, there would be no refreshments, there would be nothing for 'em and I turned the heat up a little bit higher, and they all had their coats on and I did not, and that should have gave 'em the hint that -- what we were going to here. But we stood there and we gave and we take a little bit on this bill, and I think we crafted a bill that we all can be happy with. We all can go back to our districts. We all can be proud of this bill and it's a very deserving bill of today. And I just want to tell the firefighters one thing: I'm not wearing blue today to get a promotion; I'm wearing blue because I'm proud of the firefighters. I salute you and we could not do a better service to our firefighters today but to pass this out unanimously. And I thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 1195 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 1195, having received the required constitutional majority, is declared passed. All right. Ladies and Gentlemen, turn the page. Page 62. With Leave of the Body, we will -- Senator Clayborne. 1338? Senator Clayborne, we're on page 62. It's 1338, in the middle. Mr. Secretary, House Bill 1338, please.

ACTING SECRETARY HARRY:

House Bill 1338.

(Secretary reads title of bill)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank -- thank you, Mr. President. 1338 creates the County -- County Air Corridor Protection Act. It provides that any county with a U.S. Air Force installation with runways at least seventy-five hundred feet in length has the authority to protect the safety of the community by controlling the use of the land around the installation. It further provides that the county's land use authority is limited to the area designated in the Air Installation Compatible Use Zone Study adopted by the United States Air Force for that installation and the runways it occupies or uses. It provides that if a land use exists or a municipality approves a land use that is incompatible with the Air Force study, any portion of the affected land is within an area designated in Air Force study as having a high potential for aircraft accidents or in an area with a high noise level, the county may use eminent domain to acquire either the fee simple title to or easement rights in that portion of the affected area. It also provides that if a -- municipality within the designated area controls the use of the land in a manner compatible with the Air Force study, the county does not have eminent domain authority. Basically, we have an airport in our area that's close to -- joint use with an Air Force base called Scott Air Force Base, and the county wants to be able to control the usage right around the -- the airport. I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Wendell Jones.

SENATOR W. JONES:

Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Jones.

SENATOR W. JONES:

Senator Clayborne, does this allow one municipality to use eminent domain to take property from another municipality?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Clayborne.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

SENATOR CLAYBORNE:

No. This allows the county to take eminent domain if the land use is inconsistent with the rules and regulations of a U.S. Air Force base.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR W. JONES:

But it does not allow one municipality to use its eminent domain powers in the land of another municipality?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Clayborne.

SENATOR CLAYBORNE:

No. No. Nothing to do with the -- no. No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Roskam. I'm sorry, Senator Jones, were you -- had you concluded? Senator Jones. I beg your pardon.

SENATOR W. JONES:

I would just like to make sure that we continue that throughout the rest of this Session. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. To the bill. This came out of committee unanimously and I urge its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Sullivan. David Sullivan.

SENATOR D. SULLIVAN:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Sullivan.

SENATOR D. SULLIVAN:

As a follow-up to Senator Jones' question, I believe you said that a county could use eminent domain. Would that apply in the Cook or DuPage County area?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Clayborne.

SENATOR CLAYBORNE:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

I don't think it would. This strictly deals with land around an Air Force base. In -- in -- in our area - that used to be Frank's -- Frank's district, the Minority Leader's district - we have what is called joint use. There is an Air Force base and a county -- airport that are connected.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sullivan.

SENATOR D. SULLIVAN:

At O'Hare there used to be some military operations, so that I just want to make sure that we're not talking about any land that may still qualify as -- as in -- within that kind of description at O'Hare.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Clayborne.

SENATOR CLAYBORNE:

No. No. This is, as I understand it, strictly limited to Scott -- Scott Air Force Base.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Clayborne may close.

SENATOR CLAYBORNE:

I just ask for your favorable vote. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 1338 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 1, 1 {sic} voting Present. House Bill 1338, having received the required constitutional majority, is declared passed. Page 62. Bottom, 1353. Senator Trotter. 1356. Senator Munoz. On the Order of House Bills 3rd Reading, bottom of page 62, is House Bill 1356. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 1356.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Munoz.

SENATOR MUNOZ:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1356 amends the Medical -- Practice Act of 1987. Voting rights of public members of the Medical Disciplinary Board. Gives two public members of the Medical Disciplinary Board voting rights. Public members can now be considered in determining a quorum. There's no opposition to the bill, and I will attempt to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 1356 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill 1356, having received the required constitutional majority, is declared passed. 1359. Mr. Secretary, 1359 on the Order of House Bills 3rd Reading, the bottom of page 62.

ACTING SECRETARY HARRY:

House Bill 1359.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this bill requires the Prisoner Review Board to -- to establish a toll-free number that may be accessed by the victim of -- of a violent crime to present information for consideration by the Board at the parole hearing or at a proceeding on determining conditions of mandatory supervised release or at a hearing on revocation of mandatory supervised release of a person sentenced to a determinate sentence who committed the crime against the victim. I certainly urge favorable passage because some people may not have the means and -- who have been victimized, and I think we should try and help them. And I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall House Bill 1359 pass. Those in favor will vote Aye. Those opposed,

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

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, the Ayes are 55, the Nays are none, none voting Present. House Bill 1359, having received the required constitutional majority, is declared passed. 1377. Mr. Secretary. At the bottom of page 62 is House Bill 1377. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 1377.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Petka.

SENATOR PETKA:

Thank you, Mr. President, Members of the Senate. House Bill 1377 would prohibit the sale of firearms by anyone who does not have a federal firearms dealer license. It would -- under the federal Gun Control Act of 1968. It -- it simply incorporates by reference the licensure of gun dealers under federal law into the Illinois Criminal Code. The reason for that is that it -- it would permit the -- the counties of our State, the county prosecutors of our State to use their resources to go after these individuals where -- where they may be actually too small a fry for the federal government to be targeting them for prosecution. I'm not aware of any opposition to this, except perhaps from criminals, and I would ask for your affirmative vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? If not, the question is, shall House Bill 1377 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 1377, having received the required constitutional majority, is declared passed. Top of page 63 is 1385. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 1385.

(Secretary reads title of bill)



STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 1385, as amended, amends the Township Code in regards to notice of intent to sell. It raises the threshold at which a township is required to adopt a notice of attempt to sell or lease property and raises the threshold at which townships are subject to specify competitive bidding procedures. Raises the threshold from two hundred to twenty-five hundred dollars. I know of no opposition and be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Wendell Jones.

SENATOR W. JONES:

Thank you, President Demuzio. I rise in strong support of this bill as the Spokesman of our Local Government Committee. This bill started out at five thousand, was reduced because Senator Sandoval requested that maybe twenty-five hundred would be more reasonable, and we agreed. And I think this is certainly a reasonable bill and ask for a lot of Yes votes on this side of the aisle. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall House Bill 1385 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 1385, having received the required constitutional majority, is declared passed. 1387. 1389. Senator Viverito. On the Order of House Bills 3rd Reading, top of page 63, is House Bill 1389. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 1389.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Viverito.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

SENATOR VIVERITO:

Thank you, Mr. President and Members of the Senate. This is a good bill. House Bill 1389 eliminates the additional two-dollar fee for renewal of the Korean War, Bronze Star Veterans, U.S. Veterans, Silver Star Veterans, Vietnam Veterans, U.S. Army Combat, Gold Star license plate. And what it does, it gives them relief -- for the two dollars. I'll answer any -- any questions that might want to be answered.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 1389 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are none, none voting Present. House Bill 1389, having received the required constitutional majority, is declared passed. Bottom of page 63 is 1412. Senator Crotty. Madam Secretary. Beg your pardon. I skipped -- I beg your pardon. I skipped 1400. Senator Cullerton. All right. 1412. All right. Senator Cullerton wishes to have 1400 called. Madam Secretary, read the bill. Senator Viverito, in the Chair.

SECRETARY HAWKER:

House Bill 1400.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. Currently, Illinois law provides that a person who is battered or sexually assaulted or harassed by a family or household member may seek an order of protection under the Illinois Domestic Violence Act. This remedy is not available to an individual who's battered or sexually assaulted by a stranger or an acquaintance in -- in a non-dating relationship. And so this is a new tool which is devised to assist rape victims who are not able to obtain an order of protection. It is a civil no contact order. Again, it is supported by the Illinois Coalition

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

Against Sexual Assault. And know of no opposition. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? Senator, to close. Oh, I'm sorry. Question is, shall House Bill 1400 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? 56 Yea -- oh, excuse me. Excuse me. Take the record. On the question, there are 56 Yea, no Nays, no voting Present. House Bill 1400, having received the required constitutional majority, is declared passed. Sorry for the little interruption. It had been a while since I had been up here. House Bill 1412. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 1412.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Crotty.

SENATOR CROTTY:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1412 allows certain types of independent living facilities to obtain a floating assisted living facility license for a portion of their units. Any facility requesting such a license must provide assisted living services, such as meals or housekeeping, laundry. In addition, the entire facility must meet the life safety provisions of the Assisted Living Act. I really want to take the time to commend so many groups and organizations for this bill. What it really does is it allows the license to follow that senior citizen so he or she may be able to stay in her room without being pulled out of her room to go into a licensed room. It just makes them feel more comfortable to be able to stay in their own home. So this is a great piece of legislation for seniors.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Very briefly, to the bill. This bill passed out of Health and Human Services unanimously and

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

appreciate the sponsor's hard work on the legislation. I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator, to close. The question is, shall House Bill 1412 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 56 Yeas, no Nays, 9 voting Present -- none voting Present. Having -- 1412, having received the necessary -- received the required constitutional majority, is declared passed. House Bill 1423. Senator Welch. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 1423.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this bill would do would expand the Illinois Veterans' Home at LaSalle by creating a minimum of eighty new beds. This bill is the number one priority of the -- of the Veterans in the State, as I've been informed by the head of the Veterans of Foreign Wars. Currently, there are over two hundred and eighty-one veterans on the waiting list for a bed at the LaSalle facility, not to mention the ones on the waiting lists at other facilities throughout the State who could also attend -- or, be a -- a patient at the LaSalle Veterans' Home. The bill itself is subject to an appropriation, and I would be glad to answer any questions.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. I would just like to rise in support and congratulate the sponsor on his hard work on this. It's a very important need back home.

PRESIDING OFFICER: (SENATOR VIVERITO)

Thank you, Senator. Senator Halvorson.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

SENATOR HALVORSON:

Thank you, Mr. President. I agree with Senator Welch in his bill, but I also want to reiterate, Manteno Veterans' Home is in my district and it has an entire wing that's already there that is vacant because we can't afford to staff it. So I believe that that should be a priority since we already have something there. We're looking for the money, and we want to make sure that we take care of the veterans. There's about two hundred and some on the waiting list in Manteno to get in. So, I'd like to also see that we find the money to be able to open that entire wing at the Manteno Veterans' Home. Thank you.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Risinger.

SENATOR RISINGER:

Yes. This bill passed out of the State Government Committee -- unanimously. We think it's a good bill, except the -- the sponsor told us in the committee that he had a plan to come up with the money. I look forward to seeing that plan.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Welch, to close.

SENATOR WELCH:

Yes. I have several plans to come up with money and I'll be unveiling them the next couple of weeks. But let me just respond to Senator Halvorson's point. She's correct. We do need to get money for the beds at the Manteno Center, but we shouldn't be pitting one veterans' hospital against the other. Her issue is one about General Revenue funds. My issue is one about Capital Development Board funds. They're two different issues. In my bill, if we get the money, we get sixty-percent reimbursement -- sixty-five-percent reimbursement from the federal government back. So, both can be accomplished. I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR VIVERITO)

The question is, shall House Bill 1423 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, 1 Nay, none voting Present. Having -- House Bill 1412 {sic}, having received the required constitutional majority, is

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

declared passed. 1423. Thank you. All right. House Bill 1425.  
Senator Garrett. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 1425.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator.

SENATOR GARRETT:

Thank you, Mr. President. House Bill 1425 amends the Freedom of Information Act by exempting from inspection and copying the names, addresses, or other personal information of participants and registrants in park district, forest preserve district or conservation district programs.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? Seeing none, the question is, shall House Bill 1425 -- House Bill... All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 55 Ayes, no Nays, 4 not voting -- no, none not voting -- none voting Present. On... House Bill 1425, having received the required constitutional majority, is declared passed. Wow. 1437. Senator Hunter. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 1437.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Hunter.

SENATOR HUNTER:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 1437 amends the Voluntary Payroll Deductions Act. State and university employees hired at any time after the official eight-week voluntary payroll deductions campaign period may make voluntary contributions through payroll withholding. In addition, informational materials from prior SECA campaign may be provided for each employee contributing. The proponents are the American Red Cross, Community Health -- and Community

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

Health Agencies of Illinois. The official campaign period time is September 1 through November 30th of each even-numbered year. This bill passed unanimously from State Government, and I ask for -- for a favorable vote.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? Senator Risinger.

SENATOR RISINGER:

Yes. I stand in support of the bill, and it did pass unanimously out of the State Government Committee. And I ask for green votes on this side.

PRESIDING OFFICER: (SENATOR VIVERITO)

The question is, shall House Bill 1437 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 the question, there are 55 Ayes, no Nays, none voting Present. House Bill 1437, having received the required constitutional majority, is declared passed. House Bill 1447. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 1447.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. President and Members of the Senate. House Bill 1447 basically addresses an issue where townships are providing transportation for children without specific authorization to do so. Townships already have legislative authority to provide transportation services to seniors and would like matching authorization for youth services. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? If not, the question is, shall House Bill 1447 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 56 Nays -- Yeas, no Nays, none voting Present. House Bill 1447, having received the

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

necessary votes, is declared passed -- having received the required constitutional majority, has passed. We'll get it soon. 1448. Senator Righter. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 1448.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President and Ladies and Gentlemen of the Chamber. House Bill 1448, which passed the House unanimously and Education Committee unanimously also, would simply make it unlawful to produce a false academic degree for sale and would also make it unlawful for someone to use false academic credentials, such as transcripts or a diploma, in order to gain admission into an institution of higher learning. It would create the offense, make it a Class A misdemeanor. The reason for the legislation is the State Board of Higher Education is telling us that approximately two hundred million dollars a year is being spent on the production and sale of these kinds of documents and people who are subject to this are having trouble dealing with it. This will give the opportunity for law enforcement officials to give them a helping hand. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR VIVERITO)

Yes, he will.

SENATOR BURZYNSKI:

Does this mean that Senator Rutherford would have to send his degrees back?

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator -- Senator Righter. Senator Rutherford, I'm sorry, Senator Rutherford.

SENATOR RUTHERFORD:



STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

Question of the sponsor. My assumption, if that -- if a contract was completed, cash was paid, product delivered, that there is -- this is not a grandfathering in of this -- of this process. Is that correct?

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Meeks.

SENATOR MEEKS:

Will the sponsor yield? Will the...

PRESIDING OFFICER: (SENATOR VIVERITO)

Yes, he will.

SENATOR MEEKS:

Senator, does this also cover lip-synching? I -- I -- I made an album and I was not really the real singer. Someone else was doing the singing, and I just wanted to know if this covers lip-synching as well?

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Righter, to close.

SENATOR RIGHTER:

Appreciate an Aye vote. Thank you very much, Senator.

PRESIDING OFFICER: (SENATOR VIVERITO)

All right. The question is, shall House Bill 1448 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Yeas, no Nays, none voting Present. House Bill 1448, having received the required constitutional majority, is declared passed. 1455. Senator Shadid. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 1455.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Shadid.

SENATOR SHADID:

Thank you, Mr. President. House Bill 1455 removes the requirement that township and road district commissioners have the permission of the county engineer before they let out competitive bids and before an emergency contract can be --

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

entered into. This bill also removes the provision that requires the county treasurer to have the permission of the county engineer before turning over surplus moneys collected for road and bridge purposes to the highway commissioner. This bill is supported by the Township Officials of Illinois, and the Illinois Association of County Engineers are neutral. Be glad to answer any questions.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? Senator, to close.

SENATOR SHADID:

Appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR VIVERITO)

The question is, shall House Bill 1455 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? ...all voted who wish? Take the record. On that question, there are 56 Yeas, no Nays, none voting Present. And House Bill 1455, having received the required constitutional majority, is declared passed. House Bill 1457. Senator Ronen. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 1457.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Ronen.

SENATOR RONEN:

Thank you, Mr. President, Members of the Senate. This bill would change the definition of employee. Currently the Illinois Educational Labor Relations Act defines a part-time employee as one who teaches at least six credit hours. This bill would take that threshold down to three credit hours. I would urge an Aye vote and I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? Senator Wojcik.

SENATOR WOJCIK:

Yes, Mr. President. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR VIVERITO)

She will yield.

SENATOR WOJCIK:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

Senator, do the community colleges generally hire several teachers for only one three-hour class per semester?

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Ronen.

SENATOR RONEN:

I'm not sure what your question -- what you mean by that.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Wojcik.

SENATOR WOJCIK:

Teachers are -- with only three semester hours are usually filling a spot. So are they one-hour class teachers? What -- I mean, how many hours are these teachers involved with?

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Ronen.

SENATOR RONEN:

It would allow the -- would take the threshold down to three hours if -- if they choose, but of course, a whole process has to then be implemented before they become part of the collective bargaining process. This just changes the threshold.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Wojcik.

SENATOR WOJCIK:

So you're saying only three hours or you're bringing them down to one hour?

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Ronen. Senator Wojcik.

SENATOR WOJCIK:

So three hours equals one class in most institutions, correct?

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Ronen.

SENATOR RONEN:

Yes.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Wojcik.

SENATOR WOJCIK:

I do have to rise in opposition to this bill. I think it would bring a hardship to the community colleges if we started doing something like this.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Ronen, to close.

SENATOR RONEN:

Thank you, Mr. President. Let me just say that the -- the community colleges have not registered any opposition here and that this bill does not mandate collective bargaining for part-time faculty. Members of the faculty would have to file a petition with the board, hold an election and a majority of the faculty members would have to vote for representation. This just merely changes the threshold to allow part-time faculty who are denied the right to decide whether or not they want to be represented, and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR VIVERITO)

The question is, shall House Bill 1457 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 41 Yeas, 13 Nays, and 2 voting Present. House Bill, having received the required constitutional majority, is declared passed. House Bill 1459. Senator Demuzio. Senator Demuzio. House Bill 1469. Senator Cullerton. Senator Cullerton. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 1469.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This bill is an initiative of the Chicago Bar Association and the Center for Dispute Resolution. There exists in Illinois dispute resolution centers, and they -- they provide free services for disputants who are referred there from the court system, and the -- the cost to pay for this free mediation services are paid for by court costs paid by litigants in civil cases. This has proven to be very successful. So now there is a -- reason for the bill is to allow non-court referred cases to also use this center and they would be litigants who can afford to pay for the

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

services. So -- so this would amend the Dispute Resolution Act to broaden the definition of dispute resolution centers so that they may be able to charge a fee to disputants of non-court referred cases. Happy to answer any questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? Senator, to close? The question is, shall House Bill 1469 pass. All those in favor who vote -- all those in favor who -- 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 the question, there are 56 Yeas, no Nays, none voting Present. House Bill 56 {sic}, having received the required constitutional majority, is declared passed. House Bill 1469 was declared passed. All right. We -- Senator... With leave of the Body, we will return to House Bill 1459. Senator Demuzio. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 1459.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. I stepped off the Floor for a moment. I appreciate you going back. Illinois Development Finance Authority - extends the bond limit authorization. It -- apparently it makes this identical to Senate Bill 1046 that Senator Schoenberg had -- had earlier. It passed unanimously out of the Senate Committee and as well as the Senate. I know of no opposition. Ask for your support.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. To the bill. For the benefit of the Members on my side of the aisle, these are not GO bonds; they're revenue bonds. Came out unanimously from committee and I urge its passage.

PRESIDING OFFICER: (SENATOR VIVERITO)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

Senator Demuzio, to close. The question is, shall House Bill 1459 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 56 Ayes, no Nays, none voting Present. House Bill 1459, having received the required constitutional majority, is declared passed. WAND Television from Decatur seeks to -- leave to photograph or videotape the proceedings. Is there any objections? Leave is granted. House Bill 1475. Senator Shadid. House Bill 1484. Senator Halvorson. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 1484.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President and Members of the Assembly. 1484 is identical to 1067 that we passed out of here unanimously, which makes a few changes to the definition of the State Long Term Care Ombudsman Act. Basically puts this in compliance with the -- the federal legislation. The -- it requires the Department of Aging, in -- in consultation with the ombudsman issues -- to develop some rules and -- and take care of some of the ombudsman issues that are out there.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any -- any discussion? If not, the question, shall House Bill 1484 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 55 Yeas, there are no Nays, and none voting Present. Having received the required constitutional majority, is declared passed. 1484 has passed. House Bill 1486. Senator Welch. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 1486.

(Secretary reads title of bill)

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This is a House bill that duplicates a Senate bill that we passed unanimously, 58 to nothing, earlier. What it does is change the heading of Article 16G in the statutes from "Financial Identity Theft and Asset Forfeiture" to the title, "Identity Theft Law". What it does is it removes the restriction limiting this identity theft law solely to financial identity and actually encourages the -- the implementation on a -- on a broader level so that it expands it to include a person's date of birth, other identifying numbers or information used to identify a person. Includes a document-making implement to make a document that contributes to identity theft, and the identity theft crime itself is using that information to commit a felony, a theft felony, obtain it, to record it, purchase it, to help and obtain -- help in committing a theft or felony, and the violation would be a Class 4 felony. I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? If not, the Senator, to close. The question is, shall House Bill 1486 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 55 Ayes, no Nays, none voting Present. House Bill, having received the constitutional majority, is declared passed. House Bill 1486, having received the constitutional majority, is declared passed. Senator Demuzio. Senator Demuzio, what purpose do you rise? His light was on. Someone hit his light. I don't know. House Bill 1487. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 1487.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Cullerton.

SENATOR CULLERTON:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

Thank you, Mr. President, Members of the Senate. This is identical to a Senate bill which we already passed over to the House. When we have executions for the death sentence in Illinois, we have lethal injection. Current law provides for the licensed physician to be the one to pronounce death. This bill substitutes the coroner for the licensed physician. It's a request of the Illinois State Medical Society, and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? Senator Petka.

SENATOR PETKA:

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

PRESIDING OFFICER: (SENATOR VIVERITO)

Sponsor will yield.

SENATOR PETKA:

Senator, if, in fact, all health care practitioners are removed from the process in being able to administer lethal injection, who is left to do it?

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Cullerton.

SENATOR CULLERTON:

The law would read that the -- the defendant shall be executed by administration of a lethal quantity of a certain barbiturate and -- or other effective substance sufficient to cause death until death is pronounced by a coroner who is not a licensed physician. So, right now I don't think the law spells out who actually performs or administers the lethal injection. All the law says and the only thing we're changing is who shall pronounce the death. So -- and that would be changed to the coroner.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Petka.

SENATOR PETKA:

Senator, I understand that the coroners can still pronounce death. I'm working on -- from the other end of this and that is that, as I understand it, it is illegal for a person other than the health care practitioner, except under very limited circumstances, to be administering barbiturates to anyone by injection. So, who would be qualified in this State, if this



STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

legislation passes, to administer a lethal dose to a person who is under a lawful sentence?

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Cullerton.

SENATOR CULLERTON:

Well, I take it from your question that you're assuming and you may know this - I don't - that -- that this lethal injection is currently administered by a licensed physician, because as I read the -- the current statute, it doesn't say that. It just says they shall be executed. It says the warden of the penitentiary shall supervise such execution. So, I don't think the law right now, you know, states who it is that has to give this lethal injection. You've indicated that -- implied that it's -- it's a licensed physician and that they're the only ones that legally are allowed to do this. If that's the case, this - - this bill -- well, it does say also -- it goes on to say that the licensed physician is not allowed to participate in an execution. So, it does ban physicians from administering it. I, quite frankly, don't know the answer 'cause I don't know who it is that's -- that's performing this execution right now. It just says it's under the supervision of the warden. It may be, if you're correct, there would -- would have to be another amendment that would authorize whoever the warden designates to be the one to administer it. The motivation, of course, for the bill is just the physicians didn't want to be involved in the actual execution.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Petka.

SENATOR PETKA:

Thank you again, Mr. President. And I -- I certainly appreciate your -- your candid response in connection with not knowing exactly who can do this. It is my opinion that based upon the way that this bill is structured that excludes all health care practitioners from the process, that we do not -- we have not authorized anybody in this State, as a result of this, to -- to be able to lawfully inject a condemned person. While I can understand while the -- why the Medical Society wishes to be exempted from this process it seems to me that if we do not have an authorization for someone to administer a -- a lethal dose

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

then -- and perhaps an unintended consequence of -- of this legislation will -- that we will be, in effect, repealing the death penalty. I am confident that that's not what you seek to do. And just parenthetically, Senator, it was for that reason a number of years back, when you were on the Judiciary Committee, that I introduced legislation dealing with other forms of execution so that doctors would be removed from this process. The reason I voted No in committee is that -- because I am convinced that the passage of this legislation will leave the State without any person authorized to -- to, in effect, give a lethal dose to a condemned person.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Cullerton.

SENATOR CULLERTON:

Mr. President, what I'd like to do is take this out of the record now because I think the Senator raises a good point. The Senate bill is already in the House. I don't know the status of it, but it seems to me that since that's not my intention with this bill, to not allow anybody to administer this, that there must -- there might be the need for an amendment to specifically authorize someone, in this limited circumstance, to administer this lethal dosage. I don't know if it -- the warden wants it to be a Department of Corrections employee or if he wants to be the coroner. I don't know who that would be. So I -- I'm going to take it out of the record, work on an amendment for next week, and hope that the other bill, you know -- I'll check on the status of the Senate bill and maybe they can hold that up as well until we can resolve this.

PRESIDING OFFICER: (SENATOR VIVERITO)

Madam Secretary, out of the record. House Bill 1487 -- 89. Senator Walsh. House Bill 1491. Senator Walsh -- Welch. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 1491.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Welch.

SENATOR WELCH:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

Thank you. This is a bill proposed by the Secretary of State. What it -- what it's purpose is, to take care of those situations that have happened in the past where students have signed up for driver's training and the driver's training school goes out of business. The bill does -- takes care of this by requiring all public schools and educational facilities to contract only with commercial driver training schools licensed by the Secretary of State. It increases the surety bond from ten thousand dollars to twenty thousand dollars, which will cover those situations where the driver training school goes out of business. There is a change in the fee from two hundred to five hundred dollars for a -- for a school, but the fee covers two years instead of one year. So it's not an increase. I'd be glad to try to answer any questions.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? Senator, to close? The question is, shall House Bill 1491 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 52 Ayes, there are no Nays, none voting Present. House Bill 1491, having received the required constitutional majority, is declared passed. Senator Walsh.

SENATOR WALSH:

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

PRESIDING OFFICER: (SENATOR VIVERITO)

State your point.

SENATOR WALSH:

Mr. President and Ladies and Gentlemen of the Senate, on behalf of the occasion that our -- our State snack was passed by -- by the House this past week, this popcorn, even though it may be stale, is compliments -- compliments of Representative Jack McGuire and myself. So, thank you for the support and we look forward to making sure that everybody knows that Illinois, the second-largest producer of popcorn -- hopefully this will bring -- bring some added benefit to -- to our farmers out there that do specialty crops. And a thank you to the young men and women from the Cunningham School that brought this to our attention. Thank you.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

PRESIDING OFFICER: (SENATOR VIVERITO)

Thank you, Senator. House Bill 1516. Senator Lightford. Madam Secretary, read the bill. Senator -- Lightford. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 1516.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, House Bill 1516 amends the Illinois Credit Union Act. It's actually a clean-up bill for the credit unions. They're addressing their fees, changes some time lines and placing stipulations on board members. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? The question is, shall House Bill 1516 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all who voted a wish? Have all -- have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 1516, having received the required constitutional majority, is declared passed. Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President. A point of personal privilege, or actually to make an announcement.

PRESIDING OFFICER: (SENATOR VIVERITO)

What is your point?

SENATOR LIGHTFORD:

Thank you, Mr. President. I'd like to thank all of you for wishing me a very blessed happy birthday and there is cake being cut for you. And I'd like to have stricken from the record Senator Hendon's earlier comments that I was cheap, because there's nothing cheap about me.

PRESIDING OFFICER: (SENATOR VIVERITO)

The record will so reflect and happy birthday to you, Senator. House Bill 1529. Madam Secretary, read the bill.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

SECRETARY HAWKER:

House Bill 1529.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. I -- I just wondered if I can still get a piece of the cake. All right. I'll just eat -- I'll eat that stale popcorn then. That's okay. House Bill 1529 is an attempt to make sure that as we move people from welfare to work and they are living in public housing, that the -- the check that they receive will not be counted against their income so that they can stay in public housing until they get sufficiently on their feet to get off of welfare and out of public housing altogether. And I'd appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? Senator, to close? The question is, shall House Bill 1529 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all who -- voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 1529, having received the required constitutional majority, is declared passed. House Bill 1532. Senator Obama. Senator Obama. House Bill 1536. Madam Secretary, read the record.

SECRETARY HAWKER:

House Bill 1536.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President, Members of the Senate. House Bill 1536, basically a minor who is the subject of a delinquency petition that alleges a crime that would be a felony if the minor were an adult may not obtain a FOID card. However, ten years after being -- adjudicated delinquent, he can or she can

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

request relief from the circuit court to obtain a FOID card. I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? The question is, shall House Bill 1536 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. House Bill 1580 -- 1536, having received the required constitutional majority, is declared passed. House Bill 1543. Senator del Valle. House Bill 1574. Senator Rutherford. House Bill 1580. Senator Emil Jones. House Bill 1584. Senator Cullerton. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 1584.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This is a condominium bill supported by the Chicago Bar Association Condominium Subcommittee. This bill allows the -- a condo board to create a rule that states that unit owners may not vote by proxy in a board election. May vote only in person or by submitting an association-issued ballot by mail or by other means of delivery specified in the new rule. So it just authorizes them to set up rules whereby they can conduct their elections as it relates to proxies. Again, ask for an Aye vote.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? Senator David Sullivan.

SENATOR D. SULLIVAN:

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

PRESIDING OFFICER: (SENATOR VIVERITO)

Sponsor will yield.

SENATOR D. SULLIVAN:

Has Ellis Levin taken a position on this bill?

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Cullerton.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

SENATOR CULLERTON:

Well, as I understand it, Representative Levin used to put bills in dealing with condo legislation that would reverse adverse court decisions that he was involved in, and to my knowledge, this -- this is not something that was ever litigated. So I don't believe he has his hands involved with this. So I -- I think it's okay to vote for.

PRESIDING OFFICER: (SENATOR VIVERITO)

Any further discussion? The -- the question is, shall House Bill 1584 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 1584, having received the required constitutional majority, is declared passed. House Bill 1586. Senator Peterson. Madam Secretary, read the record -- read the bill.

SECRETARY HAWKER:

House Bill 1586.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President. Under current law, the highway commissioner -- township highway commissioner, upon consultation with the county engineer or county superintendent of highways, may propose a special service area for the purpose of repairing, reconstructing or maintaining streets and roadways. The corporate authorities of the county within which the streets and roadways are located may levy or impose additional taxes upon property within the area for the proposed special services and for the payment of debt incurred in order to provide these services, and this is subject to a backdoor referendum. This is current law. This is not what the legislation does. What the legislation does is allow the unincorporated area under the township which was initially platted before 1959, now would become 1995. It would reduce the amount of roads from two miles

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

to one -- one mile that would meet the current law. Know of no opposition. It's supported by Township Officials.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? The question is, shall House Bill 1586 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Who -- have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. House Bill 1586, having received the required constitutional majority, is declared passed. Senator Meeks. Madam Secretary, read the -- no? Senator Meeks.

SENATOR MEEKS:

Pushed the wrong button. I wanted to be voted as Yes.

PRESIDING OFFICER: (SENATOR VIVERITO)

The record will so -- will reflect. House Bill 1630. Senator Martinez. Senator -- Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 1630.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Martinez. Excuse me.

SENATOR MARTINEZ:

Thank you, Mr. President. House Bill 1630 is a mandate to establish a -- I'm sorry, Hispanic/Latino Teen Pregnancy Prevention and Intervention Initiative. The program must award grants to a qualified entity for conducting research, education and prevention activities to reduce pregnancy among Hispanic teenagers. This bill passed out of committee unanimously and I ask for a Aye vote.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Simply rise in support of the bill. The bill passed out of Health and Human Services unanimously. I congratulate the Senator on a good bill and would urge an Aye vote.

PRESIDING OFFICER: (SENATOR VIVERITO)



STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

All right. The question is, shall House Bill 1630 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 1630, having received the required constitutional majority, is declared passed. House Bill 1632. Senator Martinez. Senator Martinez. House Bill 1751. Senator Sieben. House Bill 1809. Senator DeLeo. Senate -- Madam Secretary, read the record.

SECRETARY HAWKER:

House Bill 1809.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator DeLeo.

SENATOR DeLEO:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. Let me tell you a little bit about House Bill 1809. 1809 is a very, very important bill. It's -- and it's also subject to appropriation, so nobody has to get excited about the money on this. It requires the Department of Human Services to establish an autism education program for young children. The program is to be implemented at three different sites in the State. This program will work to educate professionals on diagnostic criteria and best practices for treatment of young children with autism. The program will provide training of school personnel, day care providers, parents, and other community providers on appropriate diagnosis and treatment for autism. The Department of Human Services will provide a report to the Governor and General Assembly on the progress of the program before January 1st, the year 2006. And let me just say in closing, real shortly, autism is a very, very complex disability that basically appears in the first three years of a child's life. It's the result of a disorder that affects the functioning of a brain. Children and adults with autism generally have difficulties in verbal and nonverbal communication, social interaction and the leisure of play -- play activities. Let me just say this in closing: Autism is four times more prevalent in boys than girls. It knows no

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

racial, ethnic or social boundaries, or family income. Mr. President, I'd ask for a favorable roll call on a very important bill, on House Bill 1809.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Rise in support of the bill. It passed out of committee unanimously. It's my understanding there is a cost associated with the bill, but that cost is within the parameters of the Governor's proposed budget. Thank you.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Shadid.

SENATOR SHADID:

Thank you, Mr. President. I rise in strong support. This is long overdue. The children -- the parents that have autistic children have been waiting a long time for us to deal with this situation. And I thank Mr. -- Senator DeLeo for proposing this bill. Thank you.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator DeLeo, to close.

SENATOR DeLEO:

Thank you very much, Mr. President. I'd ask for a affirmative roll call on House Bill 1809.

PRESIDING OFFICER: (SENATOR VIVERITO)

The question is, shall House Bill 1809 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 55 Ayes, no Nays, none voting Present. House Bill 1809, having received the required constitutional majority, is declared passed. House Bill 1843. Senator Ronen. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 1843.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Ronen.

SENATOR RONEN:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

Thank you -- thank you, Mr. President, Members of the Senate. This bill requires all licensed hospitals to offer a pregnant patient the option to donate blood which is removed from the umbilical cord after the delivery of a newborn child to a publicly accessible cord blood bank. This can only occur if the donation can be made at no cost to the patient or hospital for collection or storage. This is, I think, a very important and interesting bill. We can do a lot on a -- using this volunteer basis to use cord blood stem cells in relation to curing and helping us find out about so many different diseases. It -- this -- if you will, you probably got letters from this. This has a wide array of support from groups that don't normally support my bills and I'm -- I'm pleased by that, and I would ask all my colleagues to vote Aye.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Once again, I rise in support of the bill. It passed out of Health and Human Services unanimously. Appreciate the sponsor's work on the legislation and would urge its passage.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Risinger.

SENATOR RISINGER:

Yes. I also stand in support of the bill. I appreciate the sponsor's work and I think it's maybe one of the more important bills that we'll pass this year.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Ronen, to close.

SENATOR RONEN:

Thank you very much. I thank my colleagues for those nice words and I want to give due credit here to Representative Dave Leitch, who passed this bill in the House and asked me to sponsor it in the Senate. So, I would just ask my colleagues to vote Aye.

PRESIDING OFFICER: (SENATOR VIVERITO)

The question is, shall House Bill 1843 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. House Bill 1843, having received the required constitutional majority, is declared passed. Senator Lauzen -- Senator Lauzen. No. Okay. House Bill 2136. Senator -- out of the record. 2146. Senator Cullerton. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 2146.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. Once again, this is a bill which is identical to a Senate bill which passed unanimously. It -- it creates the Uniform Mediation Act. The purpose of the bill is to give aggrieved parties incentives to resolve their disputes through mediation. Some parties might be reluctant to participate in mediation unless the mediation is confidential and privileged. By being privileged, the mediation communications are not subject to rules of discovery, may not be disclosed to the opposition during a legal dispute. This is a recommendation of the Uniform Laws Commissioners and, again, we've already passed it. I don't know the status in the House. And would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? The question is, shall House Bill 2146 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 55 Ayes, no Nays, none voting Present. House Bill 2146, having received the required constitutional majority, is declared passed. Senator Lauzen.

SENATOR LAUZEN:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR VIVERITO)

What is your point?

SENATOR LAUZEN:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

Mr. President, I'd like the record to reflect that my intention was to vote Yes on Senate {sic} Bill 1843.

PRESIDING OFFICER: (SENATOR VIVERITO)

The record will reflect your intention. House Bill 2188. Senator Schoenberg. House Bill 2202. Senator Garrett. Madam Secretary, will you read the bill?

SECRETARY HAWKER:

House Bill 2202.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Garrett.

SENATOR GARRETT:

Thank you, Mr. President. This bill was on the Agreed Bill List and it is -- it came from an initiative from Humana, that obviously there's a need to -- to assist health care consumers in making informed choices concerning health care quality and cost and also to be in compliance with HIPPA. And if you have any questions, I would be happy to answer them.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? The question is, shall House Bill 2202 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 55 Ayes, no Nays, none voting Present. House Bill 2202, having received the required constitutional majority, is declared passed. House Bill 2203. Senator Sandoval. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 2203.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. President and Members of the Senate. House Bill 2203, amends the Juvenile Court Act of 1997 {sic}. Basically it provides that a special immigrant minor who has been a ward of the court and who meets certain eligibility

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

criteria may be deemed eligible for long-term foster care due to abuse, neglect or abandonment and remain under the jurisdiction of the juvenile court until his or her special immigrant juvenile status and adjustment of status applications are adjudicated. This basically clarifies -- clarifies State language in regards to this issue. Federal law already protects these type of immigrant minors. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? If not, the question is, shall House Bill 2203 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. House Bill 2203, having received the required constitutional majority, is declared passed. House Bill 2205. Senator Cullerton. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 2205.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This amends the Lobbyist Registration Act. The bill requires registered lobbyists to notify State officials that they will be included in an upcoming semi-annual report not less than twenty-five days before the filing of the report. Officials are then allowed to return or reimburse any gift that is identified by such notice within ten days of recipient of the notice. The sole circumstance where this option is not -- is not available is where the official is informed by the lobbyist at the time the gift is delivered that it's a reportable expenditure under the Act. Under that circumstance, the official has thirty days from the receipt of the gift to return it or to reimburse. And then, finally, the bill mandates that upon timely return or reimbursement of a gift, a lobbyist shall not include a gift in a lobbyist expenditure report. Be happy to answer any questions.

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. I was just going to point out to Senator Cullerton that the title of this bill is "An Act concerning lobbyists", and I thought we addressed that earlier in Senator Clayborne's attempts to help Southwestern Bell Telephone. But I -- I just rise in support of this. This makes good sense and it's a reasonable change, and I think it's good for us. Thank you.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Cullerton, to close.

SENATOR CULLERTON:

Yes. I agree, and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR VIVERITO)

The -- the question is, shall House Bill 2205 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. House Bill 2205, having received the required constitutional majority, is declared passed. House Bill 2234. Senator Schoenberg. House Bill 2235. Senator Meeks -- del Valle, excuse me. Senator del Valle. Madam Secretary, read the record.

SECRETARY HAWKER:

House Bill 2235.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. This bill amends the School Code, requiring eleven percent, rather than eight percent, of the Early Childhood Education Block Grant dollars to be used to fund programs for children ages zero to three. This bill does not require additional spending and what it does is it -- codifies current spending practices on the part of the Board. They currently spend eleven percent. What we want to do is lock in that increased percentage to make sure that in the future, we

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

don't end up spending less than that of the block grant for the zero-to-three programs. I'll be glad to answer any questions.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. On this bill, and I realize this -- if I recall correctly from discussion in committee, that this is currently a standard practice State Board of Ed does. However, what I would point out to my colleagues is that it does set the standard higher, which, in effect, could take money away from other programs, other intervention programs that we already have in place, and so I just wanted to point that out to my colleagues.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator del Valle, to close.

SENATOR DEL VALLE:

Well, as -- as we know, the -- the proposed budget includes a significant increase for early childhood ed programs, so I don't see this change in percentage taking away dollars from -- from future programs. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR VIVERITO)

The question is, shall House Bill 2235 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 Ayes, 5 Nays, none voting Present. House Bill 2235, having received the required constitutional majority, is declared passed. House Bill 2246. Senator Peterson. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 2246.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President. House Bill 2246 provides that a housing opportunity area tax abatement program is created for the purpose of promoting access to housing near work and in



STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

order to promote economic diversity throughout Illinois and to alleviate the concentration of low-income households in the areas of high poverty. It provides that an owner of property located within a housing opportunity area who has a housing choice voucher contract with a housing authority may apply for a housing opportunity (area) tax abatement by annually submitting an application to the housing authority that administers the housing choice voucher contract. I know of no opposition. I ask for your support.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? Senator Lauzen. Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. I believe that in committee -- just for the information of people who might be interested, especially on the Republican side. I was a No vote in committee. In voting for this, we will shift property tax burden for, the testimony was, approximately five thousand homes at about seven hundred dollars apiece onto other taxpayers. And number two, how do we know that the landlord will pass these savings along to the people who we're trying to benefit with this legislation? I have enormous respect for the bill's sponsor, but I would suggest a No or a Present vote.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Peterson, to close.

SENATOR PETERSON:

Thank you, Mr. President. Yes, there is some cost to this bill, but it has to do with the tax abatement. It has to be applied for by the landlord. It would amount to a very small amount, less than one month's rent. And this is to encourage people who have property to take those who have vouchers so that they can rent the property. So, I understand there is a slight cost to this, but I think the benefits to families living in the -- in poverty and those trying to get out of those areas that are concentrated with public housing, this is -- this is a great bill, and I ask for your support.

PRESIDING OFFICER: (SENATOR VIVERITO)

The question is, shall House Bill 2246 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

who wish? Take the record. On that question, there are 42 Ayes, 9 Nays, none voting Present -- 2 voting Present. House Bill 2246, having received the required constitutional majority, is declared passed. Senator Rutherford.

SENATOR RUTHERFORD:

I did just a massive error. I voted Present. In my entire eleven years in the Illinois General Assembly, I have never, ever voted Present. The red button is for No; the green button is for Yes; and the yellow button means you're a chicken to vote one of the other two. It was a mistake. I apologize. I meant to be a bright red No.

PRESIDING OFFICER: (SENATOR VIVERITO)

The -- the record -- the record will reflect. House Bill 2273. Senator Walsh. Madam Secretary, read the record -- the bill.

SECRETARY HAWKER:

House Bill 2273.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 2273 amends the Recreational Trails of Illinois Act for off-highway vehicle trail funds. Requires that eighty-five percent, which is now sixty percent, of the money from the Off-Highway Vehicle Trails Fund to be allocated for motorized recreation. Just briefly, what this is, is that years ago a program was set up to derive money for purposes of providing grants and to operate, maintain and develop off-highway vehicle parks and trails. And over the course of the year, the administration has started to eat away at using more and more of this money for administration instead of what it was intended for, and we are asking that it goes back to at least eighty-five percent be used for what the original intent of the purpose was. I'll be glad to answer any questions.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? Senator Garrett.

SENATOR GARRETT:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

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

PRESIDING OFFICER: (SENATOR VIVERITO)

The sponsor will yield.

SENATOR GARRETT:

Senator, how -- how does DNR feel about this proposed legislation?

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Walsh.

SENATOR WALSH:

DNR is neutral on the legislation.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Garrett.

SENATOR GARRETT:

And -- and -- thank you, Senator. One more question. How will this affect their funding -- the way their funding is disseminated for other programs?

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Walsh.

SENATOR WALSH:

Well, that -- I understand that could possibly be a concern, that they evidently have -- have been using this source as -- as a source of administration. I would -- I would imagine that if they had a major, major problem with this and if this was going to really cause 'em major problems, they would have been neutral to ask us to -- to change it from what it was or what we were requesting. As it stands right now, they are neutral on it, and it is the belief of the sponsor that the money was originally set up that all one hundred percent was supposed to go to create these off-trail parks and -- and trails -- or, off-highway parks and trails. And gradually it had eroded down to being only sixty percent was going there, and so they have not voiced an objection.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Garrett, would you turn your light on, please?  
Senator Garrett.

SENATOR GARRETT:

I -- I just think that the General Assembly has to be aware that this is a piece of legislation that will have a major impact on the budget and how the funds that DNR currently has

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

will be disseminated for other programs. And it may provide a bias toward this kind of a program, whereas in the past, we haven't seen that. And so I would ask that my colleagues consider that when they vote.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President. Question or two of the sponsor, please.

PRESIDING OFFICER: (SENATOR VIVERITO)

The sponsor will yield.

SENATOR RAUSCHENBERGER:

I applaud Senator Walsh for bringing this bill. I just wondered if he included a prohibition on the administration or the Bureau of the Budget levying a five-percent administration fee. Is that included in this bill, or is this just on DNR's discretion?

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Walsh.

SENATOR WALSH:

I do not know that -- from the -- whether the budget -- the Bureau has put a five-percent on here or not, Senator.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I'm not -- I think the Governor's intention is to levy a five-percent administration fee on all these. What I asked was whether the bill contains a prohibition on levying on this -- this fund for outside administration, since, obviously, more than thirty-five percent of it's being used for administration already by the Department of Natural Resources.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Walsh.

SENATOR WALSH:

I -- I don't have an answer for you on that either, Senator.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Woolard.

SENATOR WOOLARD:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

Thank you, Mr. President. Having been the original sponsor of this legislation and -- and heard a couple of the comments that were made, I -- I think it's just imperative that I let the Body know that the intent of the legislator and those involved in the process several years ago when we passed this original legislation was for this to be using these funds specifically and totally for the purpose of the development of these recreational opportunities, and it was never intended to be used for the administration of an agency. I know that there has been and there probably will continue to be continued utilization of a part of that because of the requirement to have additional DNR staff working the areas of development, as well as policing those areas. We accept that. I think that the sponsor of this legislation accepts that. But for them to have the ability to take as much as forty percent of the money is wrong and we certainly stand in support of this great piece of legislation.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Walsh, to close.

SENATOR WALSH:

Thank you, Mr. President. I wish to thank Senator Woolard for those comments, and -- and it was his -- his piece of legislation that created this. And in regards to the comments, everybody came together to put this -- put this legislation together in order to derive funds to provide off-highway trails and parks. And it was the -- the intention that we take their own money to be able to use off-highway vehicles that would have the opportunity to -- to have recreation and not be on the -- on the roads. And, yes, it has, as I said, gradually eroded to where the administration was using as much as forty percent of this, taking away from the original intent. All we're asking -- we are still allowing them the -- the latitude of -- of using up to fifteen percent, but we would -- we would like to see at least eighty-five percent of the original intent going for what the purpose of the legislation was. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR VIVERITO)

The question is, shall House Bill 2273 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

Ayes, 4 Nays, none voting Present. House Bill 2273, having received the required constitutional majority, is declared passed. Senator -- Munoz, what do you -- point of...

SENATOR MUNOZ:

For the point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR VIVERITO)

What is your point?

SENATOR MUNOZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I have here with me today, behind me right here on the Senate Floor with us, Firefighter Raul Ochoa, who was involved in a fire -- high-rise, downtown Chicago, about a year and a half ago. There was a fire in the high-rise. There were flames above them. There was a blast that occurred. This firefighter saved the lives of his fellow firefighters with no disregard {sic} for his own safety. He -- they were -- all managed to get out. He was burned with third-degree burns, in a hospital for approximately twelve days and was off duty for three months. Right after that, he was given the highest award given by the Chicago Fire Department for his bravery. Today, here in Springfield, he was given the Medal of Honor, which is the highest award given by the State of Illinois to a firefighter for an act of outstanding bravery and heroism. Please, Ladies and Gentlemen, if you can welcome him, his wife, Angela, and his mom and dad and his brother here to the Senate.

PRESIDING OFFICER: (SENATOR VIVERITO)

Please stand -- stand forward. Congratulations and -- congratulations. We all recognize your wonderful work. What a privilege and honor to have the entire family here. Well done, Senator. With leave of the Body, we will go to page 72 of the Calendar. House Bill 2900. Senator Crotty. Madam Secretary, read the bill. Senator Crotty.

SECRETARY HAWKER:

House Bill 2900.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Crotty.

SENATOR CROTTY:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

Thank you very much, Mr. President. And, Ladies and Gentlemen of the Senate, I want to thank you very much for allowing me to call this bill. We had many people who have worked on this bill here today and we still have Barbara Shaw, and I didn't want to have them have to come back on Monday. But with the passing of House Bill 2900, we would be enacting Children's Mental Health Act of 2003. This Act would provide substantial and strategic direction for the building of an effective children's mental health system that addresses the prevention, the early intervention and the treatment needs of children from zero to eighteen years old. Funds granted and contracted by the Office of Mental Health would be allowed to be used for these services. A plan will be developed and implemented by the State Board of Education that incorporates social and emotional development standards into the Illinois learning standards. Policies will be developed by school districts that address that role. This would also establish a mental health fund in that -- in the State treasury to fund children's mental health prevention, early intervention and treatment services. I think I'd like to say that this is probably one of the most important pieces of legislation that I've seen in a very long time. Many groups - education groups, law enforcement, school groups, social service groups, mental illness -- mental health groups, pediatricians, physicians and it goes on and on and on - I want to give credit to those people for coming together, and this will certainly prevent the duplication of many services that we have out there and have a very seamless program for children from zero to eighteen years. Thank you.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Mostly for the Members on our side of the aisle, there were three No votes in committee on this based on what we believed was going to be somewhere in the neighborhood of a ten-million-dollar cost that was not in the Governor's budget. As the bill is drafted, we've been advised by the Department, there is no fiscal impact. I appreciate the

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

sponsor very much, her work on this bill, and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Crotty, to close. The question is, shall House Bill 2900 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 54 Ayes, no Nays, none voting Present. House Bill 2900, having received the required constitutional majority, is declared passed. With leave of the Body, we will go to House Bill 2954. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 2954.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Jacobs.

SENATOR JACOBS:

Thank -- thank you, Mr. President, Ladies and Gentlemen of the Senate. We'll try to make this quick. The reason I asked for this bill to be heard today is because we need to get it through the process, to the Governor's desk, get it signed so that the Director of Natural Resources can show off his new building at the Springfield Fairgrounds come next Saturday, which allows him to serve alcoholic liquor in -- in that facility during that event. There was some questions in the -- the committee because they felt that -- that it may have a problem. I think we have worked that out with the -- the other parties involved. We have a trailer bill that we're going to clarify the language, and I ask for a Aye vote.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. To the bill: As Senator Jacobs pointed out, in the Executive Committee there was a question that was raised as to how broadly the Department could distribute alcohol on various premises, and we had asked for an amendment. But in light of these -- the expedited nature of this, because of this event that the Director needs to put on,



STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

Senator Jacobs asked that if we -- we would withdraw the request for the amendment, which we have agreed to do, and he's going to do a trailer bill that'll take care of any ambiguities. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Jacobs? The question is, shall House Bill -- 2954 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 Ayes, 1 Nay, 2 voting Present. House Bill 2954, having received the required constitutional majority, is declared passed. Madam Secretary, Messages from the President.

SECRETARY HAWKER:

Message from the President, dated May 9, 2003.

Dear Madam Secretary - Pursuant to Senate Rule 2-10, please be advised that the Senate will not be in Session on May 17, 2003, and May 18, 2003. Also, the Senate will be in Session from May 27, 2003, through May 31, 2003.

Very truly yours, Emil Jones, Jr., Senate President.

PRESIDING OFFICER: (SENATOR VIVERITO)

All right. We -- we will now proceed to the Order of Resolutions Consent Calendar. I'm sorry. Madam Secretary, Resolutions.

SECRETARY HAWKER:

Senate Resolution 146, offered by Senator Lightford and all Members.

Senate Resolution 147, offered by Senator Geo-Karis and all Members.

And Senate Resolution 148, offered by Senators Peterson, Silverstein and all Members.

They're all death resolutions.

PRESIDING OFFICER: (SENATOR VIVERITO)

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

SECRETARY HAWKER:

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

There have been no objections filed, Mr. President.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? If not, the question is, shall the resolutions on the Consent Calendar be adopted. All those in favor, say Aye. Opposed, Nay. The Ayes have it. The motion carries, and the resolutions are adopted. Messages from the House.

SECRETARY HAWKER:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has adopted the following House joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Joint Resolution 35

(Secretary reads HJR No. 35)

Adopted by the House, May 9, 2003.

PRESIDING OFFICER: (SENATOR VIVERITO)

On the Order of Resolutions, Senator Demuzio, do you wish to proceed on House Joint Resolution 35? Senator Demuzio.

SENATOR DEMUZIO:

Yeah. I think it was just read by the Secretary, and this is the adjournment resolution. Calls for us today, upon the conclusion of our business, to return on Monday at the hour of 3 o'clock, 3 o'clock in the afternoon, and then Senator Silverstein also has his informal meeting. I think he's sending out a memo to all the Members with respect to O'Hare at 6:30. But this is the -- the adjournment resolution. I would move to suspend the rules for the immediate consideration of House Joint Resolution 35, Mr. President.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Demuzio moves to suspend the rules for the purpose of immediate consideration and adoption of House Joint Resolution 35. Those in favor will say Aye. Opposed, Nay. The Ayes have it, and the rules are suspended. Senator Demuzio moves for the adoption of House Joint Resolution 35. All in favor will say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. There being no further business to come before the Senate, pursuant to the adjournment resolution, the

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

42nd Legislative Day

5/9/2003

Senate stands adjourned until the hour of 3 p.m. on Monday, May 12, 2003. The Senate stands adjourned.