

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

86th Legislative Day

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PRESIDING OFFICER: (SENATOR HALVORSON)

The regular Session of the 93rd General Assembly will please come to order. Will the Members please be at their desks? And will our guests in the galleries please rise? The invocation today will be given by Father John Ossola, Cathedral of Immaculate Conception, here in Springfield. Father.

FATHER JOHN OSSOLA:

(Prayer by Father John Ossola)

PRESIDING OFFICER: (SENATOR HALVORSON)

Please remain standing for the Pledge. Senator Link.

SENATOR LINK:

(Pledge of Allegiance, led by Senator Link)

PRESIDING OFFICER: (SENATOR HALVORSON)

Madam Secretary, Reading and Approval of the Journal.

SECRETARY HAWKER:

Senate Journal of Thursday, February 26, 2004.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Haine.

SENATOR HAINE:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Haine moves to approve the Journals just read by the Secretary. There being no objection, so ordered. Madam Secretary, Resolutions.

SECRETARY HAWKER:

Senate Resolution 442, offered by Senator Risinger and all Members.

And Senate Resolution 443, offered by Senator Shadid and all Members.

They're both death resolutions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Consent Calendar.

SECRETARY HAWKER:

And Senate Resolution 444, offered by Senator Geo-Karis.

Senate Joint Resolution 64, offered by Senator Schoenberg.

And Senate Joint Resolution 65, offered by Senator Schoenberg.

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And they're all three substantive.

PRESIDING OFFICER: (SENATOR HALVORSON)

Madam Secretary, Committee Reports.

SECRETARY HAWKER:

The following correction is made on the report from the Senate Judiciary Committee: On February 26, 2004, Senate Bills 2806 and 2946 were reported with a recommendation of Do Pass and should have been reported with a recommendation of Do Pass, as Amended.

PRESIDING OFFICER: (SENATOR HALVORSON)

Madam Secretary, Messages from the House.

SECRETARY HAWKER:

Message from the House by Mr. Mahoney, Clerk.

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

House Bill 3882.

Passed the House, February 26, 2004.

I have like Messages on House Bills 2977 {sic}(3977), 4020, 4098, 4441, 4469, 4531, 4705 and 5207.

All passed the House, February 26, 2004.

PRESIDING OFFICER: (SENATOR HALVORSON)

Madam Secretary, Introduction of Bills.

SECRETARY HAWKER:

Senate Bill -- pardon me, Senate Bill 3371, offered by Senator Halvorson.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Madam Secretary, Messages.

SECRETARY HAWKER:

A Message from the President.

Dear Madam Secretary - Pursuant to the provisions of Senate Rules 3-1 and 3-2, I hereby appoint Senator Kimberly Lightford as Vice-Chairperson of the Senate Education Committee, effective immediately.

Sincerely, Emil Jones, Jr., Senate President.

PRESIDING OFFICER: (SENATOR HALVORSON)

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At this time we're going to go to page 27, House Bills 3rd Reading. And on the Order of House Bills 3rd Reading, we have House Bill 989. Senator Shadid, do you wish the bill to be returned to 2nd Reading for the purposes of amendment? Senator Shadid?

SENATOR SHADID:

Yes.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Shadid seeks leave of the Body to return House Bill 989 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 989. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Shadid.

SENATOR SHADID:

Thank -- thank you, Madam President. Amendment No. 1 to House Bill 989 becomes the bill. The underlying bill that is deleted by this amendment was a vehicle bill. This amendment simply clarifies that when the majority of the Heart of Illinois Regional Port District Board is appointed, they may begin to go ahead and organize the Board. Currently, all nine members of the Board must be appointed before organization of the Board can begin. I would ask for adoption of this amendment and I would be glad to answer any questions on 3rd Reading.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Shadid moves the adoption of Amendment No. 1 to House Bill 989. Is there any discussion? Senator Risinger.

SENATOR RISINGER:

Yes. I want to rise in support of this amendment. It's an important amendment to get things moving with this port authority, and I wanted to assure the Members on this side of the aisle it's a good amendment.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Senator Shadid moves the adoption of Amendment No. 1 to Senate Bill -- House Bill 989. All those in favor will vote Aye. Opposed, Nay. The Ayes have

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

SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. We are now going to be proceeding to the Order of Senate Bills 3rd Reading. Page 18. All Members be at their desk. Senator Geo-Karis, for what purpose do you rise?

SENATOR GEO-KARIS:

On a point of personal privilege.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR GEO-KARIS:

Madam President and Ladies and Gentlemen of the Senate and friends and guests, last Wednesday evening I was privileged to attend the Black Caucus dinner honoring and celebrating Black History at the Mansion. I would like everyone to know that it was so well done and so well run. Kimberly Lightford was the Chairman from the Senate, with Calvin Giles -- Calvin -- Calvin, I believe it was, from the -- the House. They did an excellent job. Had a short presentation of a program. And I want to tell you that it was one of the most well-attended and best dinners I had ever attended. I want to commend the Black Caucus. They've bought their own building here in Springfield. And I am going to make a little donation to it because I admire and respect the work they've done and are doing. And I take my hats off and salute the Black Caucus of the House and Senate for a job well done on a wonderful, wonderful dinner at the Mansion last Wednesday evening. And God bless you, and keep on with your good work.

PRESIDING OFFICER: (SENATOR HALVORSON)

Thank you, Senator. I agree. The food was great and everybody who was there probably had to say the same thing. Senator Burzynski, for what purpose do you rise?

SENATOR BURZYNSKI:

Thank you, Madam President. Purposes of announcement.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR BURZYNSKI:

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Like the record to reflect that Senator Soden will be unable to attend Session today. He will be here tomorrow. He's on personal business. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Thank you, Senator. This will be final action. Members, please come to the Floor. On the Order of 3rd Readings, page 18. Senator Cullerton, on Senate Bill 950, do you wish to proceed? Senator Radogno, on Senate Bill 2103? With leave of the Body, we will return to Senate Bill 2106. Senator Demuzio, on Senate Bill 2108? Senator Demuzio, on Senate Bill 2109? Senator del Valle, on Senate Bill 2115? Senator del Valle, on Senate Bill 2122? Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2122.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Madam President. Senate Bill 2122 would require that on the registration form for the driver's license, that additional information be included that would include the name of the insurance company that the driver has, the policy number and the expiration date of that policy. This is an amendment that was worked out with the Secretary of State's Office. It would also cover applications for registration renewal. And the purpose here is to try and increase the rate of insured motorists on our road. I'll be glad to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he will.

SENATOR ROSKAM:

Senator, for the -- of us -- benefit of us who are not on the committee, could you just give us a brief background on -- on the -- underlying purpose of the legislation, what the

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current state of the law is and what we're changing in Senate Bill 2122?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator del Valle.

SENATOR DEL VALLE:

Well, currently, what the Secretary of State does, is it does a random check to see if those individuals applying for license plates have -- have auto insurance. What this does is that it adds one more step that will then increase the likelihood that individuals who are applying for a -- a -- driver's license plates will be insured. The law requires everyone to have liability insurance. This is an effort to try and increase that number.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

SENATOR ROSKAM:

So, in other words, someone now has to disclose that information to the Secretary of State. Is that what's in Senate Bill 2122?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator del Valle.

SENATOR DEL VALLE:

Right. The -- the form that you fill out for the license plate applications would have you list the name of your insurance company, your policy number, and the expiration date. That is currently not required on that form. This would add that to the form.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there further discussion? Senator Bomke.

SENATOR BOMKE:

Thank you, Madam President. I rise in support of this legislation. Nothing changes. There will be random testing as I understand. I think this is something that should have been done long ago, as many as -- uninsured motorists as we have on the highway. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator del Valle, to close.

SENATOR DEL VALLE:

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Thank you, Madam President. Senator Bomke, thank you for adding that. The random check will continue. This will ensure that more of our drivers on the road have insurance, which I think everyone agrees with. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 2122 pass. All those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 Ayes, none voting Nay, 1 voting Present. Senate Bill 2122, having received the required constitutional majority, is declared passed. Senate Bill -- Senator Welch, for what purpose do you rise?

SENATOR WELCH:

Purpose of an announcement.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your announcement.

SENATOR WELCH:

Senator Meeks is not going to be here today because of legislative business back in his district. I just wanted the record to reflect that.

PRESIDING OFFICER: (SENATOR HALVORSON)

Thank you, Senator.

SENATOR WELCH:

He's also ill at the same time.

PRESIDING OFFICER: (SENATOR HALVORSON)

Thank you, Senator. Well, he does have two titles, so I'm sure he can be doing two things. Senator Garrett. No. Senator Garrett, on 2140. Senator Demuzio, on 2141. Senator Garrett, on 2142. Senator Jacobs, on 2145. Senator Bomke, on 2151. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2151.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Bomke.

SENATOR BOMKE:

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Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 2151 simply changes the Illinois statute that allows a small unincorporated area to become an incorporated village by way of referendum. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Are there any questions? Seeing none, the question is, shall Senate Bill 2151 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 Ayes, none voting Nay, none voting Present. And Senate Bill 2151, having received the required constitutional majority, is declared passed. Senator John Jones, on 2156. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2156.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jones.

SENATOR J. JONES:

Thank you, Madam President. This is the Illinois Hunting Heritage Protection Act. This is a bill that we passed last year in the Senate. It got over to the House and kind of run out of time before we -- we got it passed in the House. It's a -- a very simple bill. Provides that State public land management decisions and -- and actions should, to the greatest practical extent, not result in a net loss of land available for recreational hunting opportunities. And provides that by October the 1st of each year, the Director of the Illinois Department of Natural Resources shall submit a written report detailing those hunting areas that have been closed to recreational hunting and the reasons for those closures and the areas that were open to recreational hunting in order to compensate for the areas that we lost. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Walsh.

SENATOR WALSH:

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Thank you, Madam President. I just stand in support of this piece of legislation. Senator Jones has been working on this for the last couple of years. And he's put together a good piece of legislation and it passed out of our committee unanimously. And I urge my colleagues to vote Aye.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, Senator Jones, would you like to close? The question is, shall Senate Bill 2156 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 45 Yeas, 4 voting Nay, 1 voting Present. And Senate Bill 2156, having received required constitutional majority, is declared passed. Senator Garrett, on 2158. Senator Petka, on 2165. Senator Viverito, on 2166. Senator Welch, on 2167. Senator Ronen, on 2171. Senator Haine, on 2172. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2172.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Haine.

SENATOR HAINE:

Thank you very much, Madam President and Ladies and Gentlemen of the Senate. This is a bill that's the initiative of the Secretary of State's Corporation Section. It changes some language as to limited partnerships, corporations. It was approved unanimously in committee. It's won the award for the best bill this Session by the Insomniac Society. And I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2172 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 -- Yeas, none voting Nay, none voting Present. And Senate Bill 2172, having received the required constitutional majority, is declared passed.

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Senator Jacobs, on 2173. Senator Jacobs, on 2174. Senator Link, on 2175. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2175.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link.

SENATOR LINK:

Thank you, Madam President. Basically what this bill does is allow an owner of a residential property who's lot is split between two municipalities or between a municipality and a county to disconnect a portion of the property so that this property is governed by just one municipality or one county. I don't know of any known opposition to this bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2175 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 Yeas, none voting Nay, none voting Present. And Senate Bill 2175, having received the constitutional majority, is declared passed. Top of page 20. Senate Bill 2190. Senator Jacobs. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2190.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 2190 is similar to a bill that we passed out of here 55 to nothing last year -- or, last spring, but was held in Rules because it included Cook County, which already has the provisions in it. We have excluded Cook County. And what it does, it allows that a fee is -- charged if a petition for a tax deed has been filed increases in all counties, except Cook,

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from thirty-five to seventy-five dollars. The fee charged if a sale and redemption notice has been filed increases from four dollars to ten dollars in all counties. And a new fee of up to seventy-five dollars in all counties is imposed for a title search and to identify and locate owners and interested parties of the specified real estate. This is, of course, endorsed by the Downstate Tax Purchasers Association and the Illinois County Treasurers Association mainly because it -- it allows for more money to come into the counties on a quicker basis. Ask for your support.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you, Madam President. Just a question for the sponsor. First of all, have enormous respect for the sponsor of the legislation...

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR LAUZEN:

Can you tell me -- Cook County has opted out of this. Can you tell me what their objection to participating was?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jacobs.

SENATOR JACOBS:

Because in most cases their -- their fees are higher than what these fees are, and also because of -- of the -- the language that covered the process server or sheriff. They already have a procedure in effect.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Lauzen.

SENATOR LAUZEN:

Thank you very much. Just -- just one other question. Can you tell me, is the perception accurate that basically in the end -- I -- and I know that this isn't like huge dollars that we're talking about, but an objection that I mentioned in committee. Isn't it true that we're shifting from the tax buyer, who usually pays this as a cost of doing business, aren't we shifting this expense over to the person who's trying to recover their home?

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PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jacobs.

SENATOR JACOBS:

Yes. That's only if the property is redeemed. At that point, yes. But, again, this is three years. It's been twenty years since there's been any increase in this and I -- I think it's probably justified.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, Senator Jacobs, would you like to close?

SENATOR JACOBS:

Just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 2190 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 bill, there are 30 Yeas, 18 voting Nay, none voting Present. And Senate Bill 2190, having received the required constitutional majority, is declared passed. Senator Meeks... Oh! Senator Welch, I'm sorry. For what purpose do you rise?

SENATOR WELCH:

Purpose of an announcement.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your announcement.

SENATOR WELCH:

I would -- like to announce, there are two Senators here today who are celebrating a birthday. Senator Halvorson's birthday was yesterday. Senator Larry Walsh's birthday is tomorrow. Senator Walsh and Senator Halvorson are very close friends. Some of Senator Larry Walsh's children went to school with Senator Halvorson. And -- and -- and -- and -- that is true, isn't it? In honor of -- of their birthday, we have a cake for Senator Halvorson and there will be some stale popcorn passed around for Senator Walsh.

PRESIDING OFFICER: (SENATOR HALVORSON)

You know, as a person who has the -- the -- being the President, I can tell you, Senator Welch, I'm going to protect

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Senator Walsh on this one. He's not that old. Senator Walsh, for what purpose you rise?

SENATOR WALSH:

Well, thank you, Madam President. It's always great to have a guy that's older than me to announce the fact that it was my birthday, and what great fun we have with Senator Welch, you know, when he gets -- gets in the mood to have fun. So, thanks for the -- thanks -- thanks for the -- thanks for the birthday wishes, Senator.

PRESIDING OFFICER: (SENATOR HALVORSON)

Thank you. Okay. Next bill. Senate Bill 2196. Senator Garrett. Senate Bill 2197. Senator DeLeo. Out of the record. Senator Jacobs, on 2203. Senator Jones. 2205. Senator Jones. 2206. Top of page 21. Let's see -- half way down. Senator Jacobs. 2272. Senator Righter. 2274. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2274.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President and Ladies and Gentlemen of the Chamber. Senate Bill 2274 is an initiative of the Mineral Law Section Council of the Illinois State Bar Association. Would make changes to Illinois law with regards to mineral rights. First, it would clarify the rights of partition between owners and nonowners of mineral rights in surface area. Second, it would change current common law and no longer require the appointment of three commissioners for the hearing on a petition action and simply require the appointment of a -- disinterested commissioner and one surveyor. Finally, it would repeal the Oil and Gas Recovery Act Sections that have already been superseded by previously passed legislation from the General Assembly.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any questions? Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR BURZYNSKI:

Thank you. Senator, I -- I'm just curious, because the only thing I see in the -- in the synopsis is the fact it talks about it's taking out redundant language. Is that all it does, is take out redundant language, or does it make substantive changes?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

Thank you. It does make substantive changes in clarifying rights of property owners that this General Assembly attempted to clarify two years ago. Since then, the Mineral Law Section Council of the State Bar Association has evaluated the practitioners and said, "We don't think that it's clear enough. There's still some courts having some difficulty with it." And that's -- that's what this legislation changes substantively. The repeal part of the Section is redundancy.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Then -- then am I to understand this is favoring the property owner's rights, the surface owner's rights? Or is there something I'm missing? Are there any opponents to the bill?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

There are no known opponents to the bill, and it doesn't necessarily favor one person's rights over another. It clarifies whose -- who has rights and what has to be -- what has to happen in court when there's a partition action.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Senator Righter, to close. The question is, shall Senate Bill 2274 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have

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all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Ayes, none voting Nay, none voting Present. And Senate Bill 2274, having received the required constitutional majority, is declared passed. Senator Shadid, on Senate Bill 2275. Senator Peterson, on 2277. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2277.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Peterson.

SENATOR PETERSON:

Thank you, Madam President. Senate Bill 2277 has to do with shopping sales tax from one village to another. Under current law, some businesses are shopping their local sales tax generation to the municipality that gives -- becomes the highest bidder. For example, certain lumber retailers have their stores in one municipality which receives no taxes, but establishes corporate offices in another municipality that agrees to rebate sales tax revenues back to the retailer. This is an agreed bill. The Illinois Retail Merchants support it, and I ask for your support.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2277 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Ayes, none voting Nay, none voting Present. And Senate Bill 2277, having received the required constitutional majority, is declared passed. Senator DeLeo, on 2285. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2285.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator DeLeo.

SENATOR DeLEO:

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Thank you very much, Madam President, Ladies and Gentlemen of the Senate. As some of us that were in the Licensed Activity Committee will remember, this is a cumulation of many hearings over the summer with the Illinois Dental Society and the hygienists. This is an agreed bill. It defines what the hygienists can do in their scope of practice, and I ask for an affirmative roll call.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2285 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 Yeas, none voting Nay, none voting Present. And Senate Bill 2285, having received the required constitutional majority, is declared passed. Senator Jacobs, on 2293. Senator Jacobs, on 2296. Senator Jacobs, on 2299. Senator Brady, on 2301. Senator Brady, on 2306. Top of page 22. Senate Bills 3rd Reading. Senator del Valle, on Senate Bill 2317. Senator Welch, on 2320. Senator Shadid. 2323. Senator Walsh, on Senate Bill 2327. Senator Hunter, on 2335. Senator Cullerton, on Senate Bill 2337. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2337.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator -- Senator Cullerton.

SENATOR CULLERTON:

Thank you, Madam President, Members of the Senate. This is an initiative of the Cable Television and Communications Association of Illinois, and it adds to the Criminal Code, with regard to theft of online services, stealing communication services for the purpose of disrupting the delivery of any communication services. So really it's -- it's a crime that deals with the intentional disruption of the delivery of communications, like network piracy. But it's worth noting that this is not changing the current statute that applies to someone who is attempting to become an unauthorized subscriber by

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tapping into a cable system. When they do that, it's still against the law, but that remains a Class A misdemeanor. This is aimed at the type of activity which is involved with sabotaging a cable, a -- telephone or Internet system. Be happy to answer any questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2337 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Yeas, none voting No, none voting Present. And Senate Bill 2337, having received the required constitutional majority, is declared passed. Senator Cullerton, on 2339. Senator Welch, on 2350. Senator Lightford, on 2360. Senator Sullivan, on 2362. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2362.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sullivan.

SENATOR J. SULLIVAN:

Thank you, Madam President. Last year's tax amnesty program brought in more money than anticipated and some of those monies, approximately forty -- forty-one million dollars, went to the local school districts. Senate Bill 2362 prohibits any funds a school district received as a result of that tax amnesty program from being used in the calculation of the Available Local Resources in a school district's calculation of general State aid.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he will.

SENATOR ROSKAM:

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Senator, on the tax amnesty fund, was the legislation which the General Assembly passed, did the -- did it direct monies to go specifically to schools, or did the money go into the General Revenue Fund and then were distributed from there?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sullivan.

SENATOR J. SULLIVAN:

It's my understanding, Senator, that it went into the General Revenue Fund.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

SENATOR ROSKAM:

Okay. It looks like on my analysis, it says fifty-fifty between the Common School Fund and the General Revenue Fund. What is it that this bill does in terms of restricting local schools? What -- what is the issue that you're trying to protect?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sullivan.

SENATOR J. SULLIVAN:

It's my understanding that the State Board of Education made a ruling that these funds would have to be paid back within two years. And so what this legislation does is clarifies the fact that these funds would not be used in -- in the calculation of the State aid formula.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, Senator Sullivan, do you wish to close? The question is, shall Senate Bill 2362 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Yeas, none voting Nay, none voting Present. And Senate Bill 2362, having received the required constitutional majority, is declared passed. Senator Shadid, on Senate Bill 2374. Senator Ronen. Senator Ronen. Top of page 23. Senator Ronen. Oh, Senator Burzynski, I'm sorry, for what purpose do you rise? I didn't see your light.

SENATOR BURZYNSKI:

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That's okay. Thank you. For purposes of an introduction, please.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your...

SENATOR BURZYNSKI:

Thank -- thank you. If the Chamber could bear with me for just a moment, this is -- Music Educators Month. And historically we have groups that have come down to Springfield and perform in the Rotunda. For those of you that don't know it, I'm a former music educator. I taught band and choir in a middle school. I'm very pleased today to -- introduce a group to you from Senator Rauschenberger's district who are performing, and they are up in the gallery behind me. This is the Larkin High School choir from Elgin, Illinois, under the direction of Suzanne Smentowski. And I'd like for them to stand and be recognized by the Members of the Senate.

PRESIDING OFFICER: (SENATOR HALVORSON)

Thank you for being here. Rise and be recognized. For a moment there I thought you were here to sing "Happy Birthday" to Senator Walsh. Okay. Senator Silverstein. 2380. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2380.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you, Madam President. This is similar to the bill that I passed out last year. What it does, it's regulating private collection agencies of what they can collect on child support. The -- the -- the bill addresses several concerns. They cannot collect on current support. We put the amount of contingency they can collect on past child support between twenty-five and thirty-five percent. And they have to document all payments that are received. I'll answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2380 pass. Those in favor, vote Aye. Those

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opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 Yeas, 2 voting Nay, none voting Present. And Senate Bill 2380, having received the required constitutional majority, is declared passed. Senator Watson, for what purpose do you rise?

SENATOR WATSON:

Yes. Madam President, point of personal privilege, if I might.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR WATSON:

I'd like to introduce once again, as I did last week, a group here who is from the Vandalia Correctional Center and from correctional centers throughout this State in support of Vandalia and St. Charles as the -- that the Governor's attempting to or at least announced, as far as his budget is concerned, that there's a possible closure. We have an Appropriations Committee meeting today. These members that -- or, the -- the -- our guests from Vandalia and the surrounding area will be present at the Appropriations Committee. And I also would like to have the opportunity, if I could, to introduce the Mayor of Vandalia, Ricky Gottman, and the County Board Chairman from Fayette County, Dean Black, who will both be there to testify. And, of course, I could go around and start introducing all of our friends in the red shirts, but I won't want to do that. They're going to be here many times throughout the next several weeks as we proceed down this way of hopefully saving the Vandalia Correctional Center. So, thank you, Madam Chairman.

PRESIDING OFFICER: (SENATOR HALVORSON)

Will our guests rise and be recognized? Thank you. Senator Munoz, on Senate Bill 2381. Senator Munoz.

SENATOR MUNOZ:

Yes. Madam President, if we could bring it back to 2nd Reading for an amendment, Floor amendment.

PRESIDING OFFICER: (SENATOR HALVORSON)

We'll have to take that out of the record at this time, Senator. We'll come back to that. Senator Shadid, on 2386.

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Senator DeLeo, on Senate Bill 2397. Senator DeLeo, on -- oh --
Senator DeLeo, on 2398. Senator Althoff, for what purpose you
rise?

SENATOR ALTHOFF:

Thank you. Just to note for the record, please, my button
did not work on the 2380 vote. I'd like the record to reflect a
Yes vote for me, please.

PRESIDING OFFICER: (SENATOR HALVORSON)

The record will so reflect. Senator Jacobs, on 2401.
Senator Jacobs. 2404. Senator Shadid. 2429. Mr. Secretary,
read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2429.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Shadid.

SENATOR SHADID:

Thank you, Madam Chairman. This bill was -- this bill was
requested by the State Police and simply adds a provision in
current law that it is unlawful to operate upon any highway in
this State a vehicle with a front bumper height that exceeds
twenty-eight inches or a rear bumper height that exceeds thirty
inches, regardless of the gross vehicle weight rating. This
bill is identical to a bill that passed out of here last year
with 54 votes. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Bomke.

SENATOR BOMKE:

Thank you, Madam President. I simply rise in support. As
the sponsor indicated, it passed out last year with no No votes.
It's a good bill. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Shadid, would you like to close? The question is,
shall Senate Bill 2429 pass. Those in favor, vote Aye. Those
opposed, Nay. And the voting is open. Have all voted who wish?
Have all voted who wish? Have all voted who wish? Take the
record. On that question, there are 54 Yeas, none voting Nay,
none voting Present. And Senate Bill 2429, having received the

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required constitutional majority, is declared passed. Senator Clayborne, on Senate Bill 2442. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2442.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Madam President. Senate Bill 2442 brings the Municipal Code in line with the Illinois Department of Transportation regulations which mandate that municipalities or public utilities owning public facilities, when vacating streets or alleyways, must reserve rights to the property right of way and rights to easements that the municipality believes may be necessary or desirable for continuing public service or for the maintenance, renewal, or reconstruction of those public facilities. Generally, reserving the rights allows access beneath the surface of the vacated area for the purpose of maintaining water mains, sewer lines, cable and power lines. I -- I'm open for any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2442 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Yeas, none voting Nay, none voting Present. And Senate Bill 2442, having received the required constitutional majority, is declared passed. Senator Clayborne, on 2444. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2444.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Madam President. Senate Bill 2444 grows out of a concern. I have a military base in -- in my district, and

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basically, when the families move to the area, they are usually based -- housed in temporary housing on the base. And they're not allowed to go to the school district that they -- may eventually move into in the next weeks or so, and that's not the school district that the -- that they're -- that they're going to be in, so they're required to pay out-of-district fees. This would allow them to be able to attend that school district and be counted in in the State Aid Formula if they can show that they will be able to move in within sixty days by way of a lease or -- or closing on a home or something to that effect. I know of no known opposition.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2444 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Yeas, none voting Nay, none voting Present. And Senate Bill 2444, having received the required constitutional majority, is declared passed. Senator Roskam, on 2448. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2448.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 2448 passed unanimously out of the Health and Human Services Committee. It essentially puts the State of Illinois into compliance with the Keeping Children and Families Safe Act of 2003. It requires the Department of Children and Family Services to train child protective investigators concerning the statutory rights of those who are accused and also requires child protective investigators to -- inform individuals subject to a child abuse and neglect investigation. This was essentially debated in Congress and we're doing our best to comply. I urge its passage.

PRESIDING OFFICER: (SENATOR HALVORSON)

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Is there any discussion? Seeing none, the question is, shall Senate Bill 2448 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Yeas, none voting Nay, none voting Present. And Senate Bill 2448, having received the required constitutional majority, is declared passed. Senator Bomke, on 2453. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2453.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Bomke.

SENATOR BOMKE:

Thank you, Madam President and Ladies and Gentlemen of the Senate. Senate Bill 2453 would allow a recipient of the Gold Star -- not a recipient, someone who has a Gold Star license plate, which incidentally is a surviving spouse or a parent of one who was lost -- lost their lives fighting in a war for the United States, this simply would allow the Gold Star plate to qualify for the Circuit Breaker, not unlike many other military plates. And be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2453 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Yeas, none voting Nay, none voting Present. And Senate Bill 2453, having received the required constitutional majority, is declared passed. If you'd please turn to page 24. Top of the page. Senator Haine. 2469. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2469.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Haine.

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SENATOR HAINE:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This is an initiative of the AARP. It is a bill designed to clarify and add to the orders of -- of -- of protection remedies for an elderly person who's victimized by a caregiver, not family or friend, who is terminated from employment in a nursing home, for example. There have been some incidents where people are continued to be harassed by that person and the order -- the orders of protection are not available to them. It also clarifies some definitions as to who might be disabled. And I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2469 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Yeas, none voting Nay, none voting Present. And Senate Bill 2469, having received the required constitutional majority, is declared passed. Senator Shadid, on 2480. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2480.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Shadid.

SENATOR SHADID:

Thank you, Madam Chairman. Senate Bill 2480 deletes the current requirement within two Sections of the Highway Code that requires approval by the county superintendent of highways of certain construction projects by the township or road district commissioner before they can proceed. This bill is simply a follow-up to House Bill 1455 of last year that deleted some obsolete Sections in the Highway Code; that removed the requirement that township road commissioners get the approval from the county engineer prior to entering into certain construction projects or equipment purposes {sic}. Inadvertently, two Sections of the Highway Code were left out that made similar changes. This bill accomplishes that. This

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bill is supported by the Township Officials of Illinois and Department of Transportation. And I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Bomke.

SENATOR BOMKE:

Thank you, Madam President. Simply rise in support of this bill. Good sponsor. Good bill. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Shadid, would you like to close? The question is, shall Senate Bill 2480 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Yeas, none voting Nay, none voting Present. And Senate Bill 2480, having received the required constitutional majority, is declared passed. Senator Cullerton, on 2491. Senator Cullerton, on 2503. Senator Cullerton, on 2517. Senator Jacobs. 2525. Senator del Valle, on Senate Bill 2528. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2528.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Madam President. This is a bill that the Chicago Teachers Union requested, but it's a bill that has the support of the IEA and the Chicago Public Schools, as well as the Special Education Administrators Alliance. It simply adds language that would allow for seniority to be determined on a district-wide basis, rather than just based on an individual school. It adds that to the list of subjects that would go under collective bargaining. It would be an area or a point of interest that would be subject to collective bargaining. That's all it does.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Cronin.

SENATOR CRONIN:

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Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR CRONIN:

Senator del Valle, we discussed this issue in our committee and, as you know, or as you may know, we -- we raised some concerns on our side just because we didn't see the necessity of this new law. We were advised and -- that there's a court case, Bart versus Board of Education that pretty much spells out the -- the rights and -- and so forth without a need for this statutory provision. Furthermore, there was questions about what the principals' position was on this issue and I don't know that those questions were ever answered. So, I put that to you and ask for your thoughts.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Madam President. Senator Cronin, as far as I know, the principals - and I -- I'm in constant contact with the Chicago Principals Association - as far as I know, they don't have any problems with this bill. They have not indicated to me that they are in any way opposed, and they certainly have had plenty of opportunity to -- to do that. And -- and number two, the -- this simply allows for seniority to be determined on a district-wide basis rather than on an individual school, allowing for flexibility. It is subject to -- collective bargaining. If CPS does not want to do this, even though they did sign in in support of this bill, then they certainly don't have to do it.

PRESIDING OFFICER: (SENATOR HALVORSON)

Any further discussion? Senator Luechtefeld.

SENATOR LUECHTEFELD:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR LUECHTEFELD:

You know, Chicago's a pretty big place and -- and those school buildings are spread out miles and miles apart. And I -- I take it that this particular bill basically allows -- you

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know, you could be fifteen miles away in a school. Since you're under the same system, you could bump someone in a school fifteen miles away. Is that right?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator del Valle.

SENATOR DEL VALLE:

This bill would allow for seniority to be determined based on a district-wide basis rather than on an individual school basis, therefore allowing the flexibility for individuals to move from school to school.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

It would also allow -- you -- you talk about flexibility, and -- and -- and I know that that's certainly a plus. But it would allow, you know, a teacher, let's say, who has more seniority to bump a teacher in another school ten, fifteen, twenty miles away. Is that right?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator del Valle.

SENATOR DEL VALLE:

Well, I -- I understand what you're asking, but given that we have a -- a teacher shortage in the Chicago public schools, I don't see a problem with teachers being able to go to a school where they want to be and do so without having to affect the position of those who are already at that school. I just don't see that happening.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

You're -- you're really not -- you know, this bill does nothing as far as teacher shortage is concerned. Am I right? It's basically a seniority issue. It's not a teacher shortage issue.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator del Valle.

SENATOR DEL VALLE:

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No. It's not a teacher shortage, but you were asking about bumping and my response to that was that it's not likely because of the shortage of teachers that we have across the City.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, Senator del Valle, would you like to close? The question is, shall Senate Bill 2528 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 37 Ayes, 12 voting Nay, 3 voting Present. And Senate Bill 2528, having received the required constitutional majority, is declared passed. Senator Link, on 2552. Senator Harmon, on Senate Bill 2560. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2560.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Harmon.

SENATOR HARMON:

Thank you, Madam President. Senate Bill 2560 amends the Insurance Code with respect to the procurement of surplus line insurance. It is almost identical to Senate Bill 318, which passed the Senate and the House unanimously last year. It was vetoed by the Governor because of some very particular concerns. The proponents are continuing to work with the Governor's Office to see if we can address those concerns. I would like to move the bill over to the House to continue those conversations. I'm aware of no opposition and the bill enjoys bipartisan support. I'd ask for your Aye votes.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Sieben.

SENATOR SIEBEN:

Well, thank you, Madam President. I rise in support of Senator's legislation. He's done an excellent job in responding to the Governor's concern from the -- legislation that we passed unanimously last year. I think this bill -- deserves an Aye vote from all the Members.

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PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, Senator Harmon, do you wish to close? On that question, shall Senate Bill 2560 pass, those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, none voting Nay, none voting Present. Senate Bill 2560, having received the required constitutional majority, is declared passed. Senator Lauzen, for what purpose do you rise?

SENATOR LAUZEN:

Thank you very much, Madam President. Point of personal privilege.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your point.

SENATOR LAUZEN:

The Governor has announced that he's going to be closing, along with Vandalia, the St. Charles youth correctional facility. That's going to have a very -- very major and negative impact on three hundred and fifty State employees, as well as many inmate families. We have with us today a number of the representatives from the people who will be affected. Behind me in the gallery are representatives from the St. Charles, Illinois youth facility. They're wearing yellow and red shirts -- gold and red shirts. They're led today by the Vice President of the Local AFSCME Union 416, Pete Mianowski. I would just ask you to help me welcome them to Springfield.

PRESIDING OFFICER: (SENATOR HALVORSON)

Welcome to Springfield. Will our guests please rise? Senator Cullerton, on Senate Bill 2577. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2577.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

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Thank you, Madam President, Members of the Senate. This is a bill for a theater in my district, which is owned by a Catholic -- Roman Catholic parish of St. Alphonsus. It's a very large theater. It seats almost a thousand people, and it's been leased by a not-for-profit arts corporation for the last ten years. And during those ten years, there's been over eight hundred performances. It serves about seventy-five thousand people from throughout the Chicagoland area. The theater's been able to sell beer and wine at intermissions the last ten years, but only through special events liquor licenses approved by the Mayor's Liquor Commission and approved by the Illinois Liquor Control Commission. Last year, for example, they had approximately sixteen special events where these licenses were issued. But even though there's been no incidents at any of these events, because of the E2 nightclub disaster that occurred last year, the Mayor's Office has stopped issuing these licenses. So we've come here to the Legislature to ask for relief. This is certainly supported by the Catholic Church, St. Alphonsus, as well as my community -- my local community group, the South Lakeview Neighbors community organization. There's no opposition to the bill, and I'll be happy to answer any questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he will.

SENATOR ROSKAM:

Senator, could you just address two questions that came up in committee? One is, this is a bill that has to do with liquor sales in and near churches, so it's one that tends to get people's attention. If you could sort of specifically address people's questions about that. And then secondly, in -- in light of the City's decision not to issue these licenses, why -- you know, why should the Legislature -- not -- not take up our time, but isn't this a City thing, in other words? And shouldn't we just defer to the City, and don't they have the

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discretion and the ability to deal with this problem? And isn't that really where it's best placed?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

Yes. I'll attempt to answer. First of all, this is -- just so you understand, this is a -- a not, obviously, in the church, but it's in church-owned property, next to the church, within a hundred feet. It's actually a large theater, thousand seats. It was built for the German community about 1910. The -- the State law, which if you look at the bill, has the Act that we're amending, is a State law which prohibits the -- a license from being issued within a hundred feet of a church. And over the course of time, we have made certain exceptions. The way I count 'em, there's about seven of 'em here so far, that because of unique situations, we've had to pass a law. I remember one, for example: On Michigan Avenue, there's a church right across from the Hancock Building and the -- there was a big hotel being built right next door to it that had a liquor license, so we -- we passed a bill for that. So it's a rare occasion. It's something which, obviously, we take with great caution. That's why, in fact, there's a more controversial measure that was defeated over in the House earlier this year. This one is not controversial in that the Mayor's Office has said, "We don't want to give special licenses anymore because of the E2 -- nightclub disaster." We -- we have precedent here in the General Assembly where we've issued these licenses. It's -- it's not something where people are going into restaurant or a bar. It's -- it's only to be served, as you might know from going to theater, in the intermission. There's not even much -- much time to have more than one drink. And they -- they've had this for ten years and they've had no incidences, and they've had it for this course of time. It's just that the City has chosen not to issue those special permit licenses and they've asked us to come to the Legislature.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Senator Hendon.

SENATOR HENDON:

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Thank you, Madam Chairman. I rise in support of Senator Cullerton on this issue. And there are times when we, as -- as Senators, have to use our common sense even if it does supersede some local law. And I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SENATOR CULLERTON:

Hope I answered the questions and be happy -- I would urge you to give me an Aye vote, please. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 2577 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 38 Yeas, 17 Nays, none voting Present. And Senate Bill 2577, having received the required constitutional majority, is declared passed. Senator Cullerton, on 2578. Senator Clayborne, on 2601. Senator Clayborne, 2602. Senator Silverstein, 2620. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2620.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you, Madam President. This prohibits an insurance company from refusing to insure, refusing to continue to insure, limit coverage, or charge a different premium to an -- premium to an insured based upon the insured's past lawful travel practices.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2620 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Yeas, none voting Nay, none voting Present. And Senate Bill 2620, having received the

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required constitutional majority, is declared passed. Senator Welch, on 2682. Turning the page to -- we're on page 25. Senator Welch. 2689. Senator Welch. 2689. Senator Munoz, on 2701. Senator Demuzio, on Senate Bill 2732. Senator Hunter, on 2744. Senator Sullivan. 2755. Senator Maloney, on 2768. Senator Maloney, on 2809. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2809.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Maloney, before I let you speak, Senator Demuzio has something he wants to say. Out of the record. Senator Maloney.

SENATOR MALONEY:

Thank you, Madam President. Senate Bill 2809 will provide more guidelines and procedural uniformity as it relates to a prosecutor's ability to request source of bail. There have been many well-documented and highly publicized cases in which people charged with serious crimes and have no visible means of financial support have paid large cash bond. This -- this bill is not limited to any particular crime. While the focus is on gangs, it can be used in one of the fastest-growing types of crime, which is identity theft. This bill will -- as it's presented will protect the public safety and -- it will help ensure the public safety. And I'm happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Haine.

SENATOR HAINE:

Madam President, Ladies and Gentlemen of the Senate, I rise in support of this bill. It's -- the law has precedent for this in -- in our bail bond statutes, to deny bond in some heinous murders and other things. This would bring the light of day to many courtroom proceedings which -- in which a criminal can use ill-gotten gains to post for bond, which subverts the administration of justice. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

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Thank you. Is there any further discussion? Seeing none, Senator Maloney, do you wish to close?

SENATOR MALONEY:

Appreciate support on Senate Bill 2809. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall Senate Bill 2809 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, none voting Nay, none voting Present. And Senate Bill 2809, having received the required constitutional majority, is declared passed. Senator Bomke, on 2810. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2810.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Bomke.

SENATOR BOMKE:

Thank you, Madam President. Ladies and Gentlemen of the Senate, Senate Bill 2810 simply changes certain ballot formats used to elect school board members, for clarification purposes. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2810 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, none voting Nay, none voting Present. And Senate Bill 2810, having received the required constitutional majority, is declared passed. Senator Demuzio. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2827.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Demuzio.

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SENATOR DEMUZIO:

Thank you very much, Madam President, Ladies and Gentlemen of the Senate. 2827, Senate Bill, is the Auditor General's audit expense transfer bill. This is where you transfer various amounts for various agencies that are to be audited. It's the usual, ordinary and customary transfer bill. I would ask for your support.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2827 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, none voting Nay, none voting Present. Senate Bill 2827, having received the -- required constitutional majority, is declared passed. Senator Roskam, on Senate Bill 2830. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2830.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 2830 is an attempt to correct a factual situation where, under some circumstances, someone can have underinsured motorist coverage and not have access to that in actually presenting a claim. This effort is supported, ironically, by the Illinois Trial Lawyers Association and State Farm Insurance Company. You don't get to vote on a lot of those every day. I urge its passage.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he will.

SENATOR GEO-KARIS:

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I listened to your explanation and it's no clearer to me than mud right now. Now, I will you tell us exactly what the bill purports to do?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

SENATOR ROSKAM:

I'd be happy to. Have a seat. This will take a couple minutes. Under certain scenarios, Senators -- Senator, there is -- take for example, somebody has a million dollars in uninsured motorist coverage. The law currently says that in order for someone to access a million dollars and present the uninsured motorist coverage, the defendant or the adverse driver can't have a million dollars in coverage. So here's the scenario: You're a soccer mom driving a minivan full of children who is injured by an adverse driver who's completely at fault. The injured children have, let's say, one hundred thousand dollars of medical bills each. If the -- or, you know, say two hundred thousand dollars of medical bills each. If the adverse driver also has a million dollars in coverage, even though the underlying claim is worth more than a million dollars, each individual plaintiff doesn't have the ability under the current law to make that claim. So what we're trying to do is say to our constituents, "If you want to insure against an uninsured risk, you can do it. It's predictable. You can buy the coverage and you have access to the coverage and it is not dependent on the amount of coverage that the adverse driver has."

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, the question is, shall Senate Bill 2830 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Yeas, none voting Nay, none voting Present. And Senate Bill 2830, having received the required constitutional majority, is declared passed. Senator Welch, on 2861. Senator Maloney, on 2879. Senator Shadid. 2894. Senator Garrett. 2900. Senator Sandoval. 2919. Senator Clayborne. 2924. Mr. Secretary, read the bill.

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Senate Bill 2924.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Clayborne. Out of the record. Senator Haine, on 2932. Senator Haine, on 2933. Senator Hunter, on Senate Bill 2940. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2940.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hunter.

SENATOR HUNTER:

Thank you, Mr. President. Senate Bill 2940 amends the School Code and the Illinois Health Statistics Act. It expands data collection for the school board exam to include information pertaining to obesity. Such data collection will be -- will be collected such as date of birth, gender, height, weight, blood pressure. And the purpose of Senate Bill 2940 is to assist the Illinois Department of Public Health in better coordinating and -- managing childhood obesity data. I ask for a favorable vote. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Then the question is, shall Senate Bill 2940 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 Yeas, 4 voting Nay, 1 voting Present. Senate Bill 2940, having received the required constitutional majority, is declared passed. With leave of the Body, we will return to page 25, Senator Shadid's 2894. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2894.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Shadid.

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SENATOR SHADID:

Thank you, Madam Chairman. Senate Bill 2894 requires those who are authorized to use blue oscillating, rotating, or flashing lights to carry an identification card or letter identifying him or her as a member of a fire department, fire district, rescue squad, ambulance -- unit, or emergency management services agency. This bill was suggested by the State Police as a means to verify that persons using emergency blue lights are actually current members of a bona fide fire department or rescue squad when police agencies come in contact with them. I'd appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Sponsor yield?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR GEO-KARIS:

Have you included police departments in there?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Shadid.

SENATOR SHADID:

...hear the question.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Geo-Karis, could you repeat your question, please?

SENATOR GEO-KARIS:

Have you included the police in there?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Shadid, are police included?

SENATOR SHADID:

Are the police included in the -- in the bill? No.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Why not?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Shadid.

SENATOR SHADID:

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Normally, the -- it's my understanding that when the police have blue oscillating lights, they're in uniform in a squad car.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Senator Shadid, would you like to close? The question is, shall Senate Bill 2894 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Yeas, none voting Nay, none voting Present. Senate Bill 2894, having received the constitutional majority, is declared passed. Back on page 26. Senator Link, on 2980. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 2980.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link.

SENATOR LINK:

Thank you, Madam President. Basically what this bill does is amends the Illinois Tollway {sic}(Toll) Highway Act and requires the Authority to establish an amnesty program for the toll -- toll... What's...

PRESIDING OFFICER: (SENATOR HALVORSON)

Excuse me, Senator. The board -- there you go. 2980. Thank you. Senator Link.

SENATOR LINK:

Okay. From the beginning. This amends the Toll Highway Act. Requires that -- the Authority to establish an amnesty program for toll violations. Establishes the procedures for, and the limitations on, and -- the amnesty. Sets the procedures for the administrative end of the violations and the record for the photo of surveillances. Provides that the toll offenses -- the Authority administration systems and are not subject to the fine range for the petty offense. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2980 pass. Those in favor, vote Aye. Those

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opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Yeas, none voting Nay, none voting Present. Senate Bill 2980, having received the required constitutional majority, is declared passed. Senator Garrett, on Senate Bill 3013. Senator Walsh, on 3064. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 3064.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Walsh.

SENATOR WALSH:

Thank you, Madam President and Ladies and Gentlemen of the Senate. Senate Bill 3064 amends the Election Code in regards to extending the canvassing periods, changing the dates of the county convention and the appointment of precinct committeemen. This is an initiative of the State Board of Elections. It's a housekeeping bill and it -- it -- these changes are to accommodate the provisional voting requirements established by the federal America -- or Help America Vote Act. I'd be more than glad to answer any questions. No known opposition to this piece of legislation.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

Thank you, Madam President. To the bill: I rise in strong support of Senate Bill 3064. It puts us in compliance with the federal law and I urge its passage.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Walsh, do you wish to close? On that question, shall Senate Bill 3064 pass, those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, none voting Nay, none voting Present. And Senate Bill 3064, having received the required constitutional majority, is declared passed. Senator Jacobs, on 3065. Senator Brady. 3077. Senator Schoenberg, on

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3083. Senator Harmon, on 3090. Senator Watson. 3091. Senator del Valle. 3107. Senator Garrett. 3112. Senator DeLeo. 3184. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

Senate Bill 3184.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator DeLeo.

SENATOR DeLEO:

Thank you very much, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 3184, what this does is the Department of Revenue already sends out the Secretary of State list of all individuals who qualify for benefits under the Circuit Breaker Program, regardless of whether they actually claimed it or received the property tax grant. This bill simply makes a technical change and codifies the current practice. I ask for an affirmative roll call in this -- and Madam -- Mr. Clerk, could we -- there we go. Thank you. The bill -- the board will so reflect Senate Bill 3184?

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Roskam. Seeing no discussion, the question is, shall Senate Bill 3184 pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, none voting Nay, none voting Present. And Senate Bill 3184, having received the required constitutional majority, is declared passed. Senator Trotter, for what purpose you rise?

SENATOR TROTTER:

Thank you very much, Madam President. For purposes of announcement.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your announcement.

SENATOR TROTTER:

I would like to announce that at 1:30, immediately following adjournment, I should say, we'll be meeting -- Appropriations I will be meeting in Room 212. And we would like all Members to come real fast. We have a big agenda.

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PRESIDING OFFICER: (SENATOR HALVORSON)

Thank you, Senator. Madam -- Madam Secretary, Resolutions.

SECRETARY HAWKER:

Senate Resolution 445, offered by Senator Demuzio,
President Jones and all Members.

It is a death resolution.

PRESIDING OFFICER: (SENATOR HALVORSON)

Resolutions Consent Calendar. Madam Secretary, House Bills
-- 1st Reading.

SECRETARY HAWKER:

House Bill 3882, offered by Senators Haine and Shadid.

(Secretary reads title of bill)

House Bill 4020, offered by Senator Trotter.

(Secretary reads title of bill)

And House Bill 4441, offered by Senator Garrett.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR HALVORSON)

There being no further business to come before the Senate,
the Senate stands adjourned until the hour of 9:30 a.m., on
Wednesday, March 3rd, 2004. The Senate stands adjourned.