

STATE OF ILLINOIS
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REGULAR SESSION
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105th Legislative Day

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PRESIDING OFFICER: (SENATOR VIVERITO)

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 will be given by Reverend Jean Hembrough of Douglas Avenue United Church in Springfield.

THE REVEREND JEAN HEMBROUGH:

(Prayer by the Reverend Jean Hembrough)

PRESIDING OFFICER: (SENATOR VIVERITO)

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

SENATOR LINK:

(Pledge of Allegiance, led by Senator Link)

PRESIDING OFFICER: (SENATOR VIVERITO)

Reading, Approval of the Journal. Madam Secretary, Reading and Approval of the Journal.

SECRETARY HAWKER:

Senate Journal of May 4, 2004.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Haine.

SENATOR HAINE:

Thank you, Mr. President. Mr. 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 VIVERITO)

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

SECRETARY HAWKER:

Senate Resolution 522, offered by Senator Shadid and all Members.

It is a death resolution.

PRESIDING OFFICER: (SENATOR VIVERITO)

Resolutions Consent Calendar. Madam Secretary, Messages.

SECRETARY HAWKER:

A 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

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following title, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bill 6078.

Passed the House, May 4, 2004.

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

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

Senate Bill 2112, together with House Amendment No. 1.

Passed the House, as Amended, May 5, 2004.

I have like Messages on Senate Bill 2320, with House Amendment 1; Senate Bill 2327, with House Amendment 1; Senate Bill 2551, with House Amendment 1.

Which all passed the House, as amended, May 4, 2004.

PRESIDING OFFICER: (SENATOR VIVERITO)

Madam Secretary, House Readings -- 1st Reading.

SECRETARY HAWKER:

House Bill 4195, offered by Senator Syverson.

(Secretary reads title of bill)

And House Bill 6063, offered by Senator Petka.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR VIVERITO)

All right. Senator Cronin. Senator Cronin.

SENATOR CRONIN:

Sir, may I rise on a point of personal privilege?

PRESIDING OFFICER: (SENATOR VIVERITO)

What is your point of personal privilege?

SENATOR CRONIN:

May I introduce a very special group of people, introduce and welcome them to the Springfield? In the President's Gallery, we have twenty-seven men and women, very special men and women, from the mighty Westchester Chamber of Commerce. They're down here to share some of their thoughts about small business and what State government can do and is doing to small business. They're not happy at the moment about those policies, but we're happy to welcome 'em here and they're having a

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wonderful time in Springfield. Let's please give 'em a round of applause.

PRESIDING OFFICER: (SENATOR VIVERITO)

Let's give 'em a warm welcome. Welcome. Thank you, Senator Cronin. Senator Peterson, what purpose do you rise?

SENATOR PETERSON:

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

PRESIDING OFFICER: (SENATOR VIVERITO)

What is your point of personal privilege?

SENATOR PETERSON:

I'd like the Chamber to welcome Kevin Stith from the Mundelein Special Rec District, who is my Page for the Day.

PRESIDING OFFICER: (SENATOR VIVERITO)

Let's give Kevin a round of applause. Mayor -- no. Senator Risinger, for what purpose do you rise?

SENATOR RISINGER:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR VIVERITO)

What is your point of personal privilege?

SENATOR RISINGER:

I'd like for the Senate to give a warm welcome to my Page for the Day. He's here from Princeton. His name is Matt Denton.

PRESIDING OFFICER: (SENATOR VIVERITO)

Let's give a warm, warm welcome. Senator Geo-Karis, what purpose do you rise?

SENATOR GEO-KARIS:

On a point of personal privilege.

PRESIDING OFFICER: (SENATOR VIVERITO)

State your point.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I have a special -- two special people here. One is a young lady from Senator Link's district. Her name is Dominique Harris, who has won many scholarships because she's a brilliant mathematician, and she's been accepted at Vanderbilt University on scholarship. She is standing next to me. I'd like you to welcome her.

PRESIDING OFFICER: (SENATOR VIVERITO)

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Let's give her a warm welcome.

SENATOR GEO-KARIS:

And I have a special student here. And his name is Glenn Ryback. His sister, Corrina -- Karissa, rather, has been serving for six years in Kuwait. And she's a -- she's in the service. So, Peter Ryback is my constituent and I'm happy to have him. He spells his name R-Y-B-A-C-K. Right, Peter? And, Peter, you're a special boy today and we're happy to have you.

PRESIDING OFFICER: (SENATOR VIVERITO)

Let's give him a warm welcome. And we're happy to have you. Very happy. Thank you. Senator Radogno, what purpose do you rise?

SENATOR RADOGNO:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR VIVERITO)

Your point.

SENATOR RADOGNO:

Thank you, Mr. President. I also have a couple of special guests here today visiting here with us. I have Grace Summers, who is a seventh-grader at McClure Junior High in Western Springs, and she's just passed her Constitution test with flying colors. And Kyle Undbloom, from Homer Glen, who's visiting here today with the Tri-County Special Recreation Association.

PRESIDING OFFICER: (SENATOR VIVERITO)

Let's give them a warm welcome. Senator Jones, what is your purpose -- Senator Jones?

SENATOR W. JONES:

Over here.

PRESIDING OFFICER: (SENATOR VIVERITO)

Oh! I'm sorry, Wendell. Senator, what is your purpose?

SENATOR W. JONES:

A point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR VIVERITO)

What is your point?

SENATOR W. JONES:

Yes. I have with me today Pages from the great Village of Inverness, Illinois: Kyle and Austin Szela and their mother, Michelle.

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Let's give them a warm welcome. Welcome to the Senate.
Senator Althoff.

SENATOR ALTHOFF:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR VIVERITO)

What is your point?

SENATOR ALTHOFF:

I, too, have special guests with me today. I have Lindsey Gerstad and her schoolmate, as well as her friend, Briana O'Halleran from Woodstock. Both live in Wonder Lake. And I also have Colleen Mahoney, who is with the Northern Illinois Special Recreation Association. And Lindsey's mom is in the gallery behind you. We'd like to say hello to them as well.

PRESIDING OFFICER: (SENATOR VIVERITO)

Well, let's welcome all of them to the Senate. Thank you very much. Senator Link, what is your purpose -- point or purpose?

SENATOR LINK:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR VIVERITO)

What is your point?

SENATOR LINK:

I'd like to introduce my Page for today from the Central Lake County Special Recreation and from Vernon Hills High School, Bradley Nussbaum, who is from, also, my hometown of Vernon Hills. Bradley.

PRESIDING OFFICER: (SENATOR VIVERITO)

Welcome. Let's give them a welcome. Very nice. Senator Lauzen, what is your personal privilege?

SENATOR LAUZEN:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR VIVERITO)

Your point.

SENATOR LAUZEN:

Thank you, Mr. President. I'd just like to introduce to the Senate my youngest son, Robbie, who is here with his mom and my mother-in-law, who's in from Los Angeles, California. Where they went downstairs to get some lunch, but I would like to introduce Rob.

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PRESIDING OFFICER: (SENATOR VIVERITO)

Well, let's -- a special guest. Welcome. Welcome to the Senate. Senator Ronen, what is your personal privilege?

SENATOR RONEN:

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

PRESIDING OFFICER: (SENATOR VIVERITO)

Your point.

SENATOR RONEN:

I'd like to introduce in the President's Gallery to your -- to my right - they're standing up right now - members of the Howard Area Alternative High School in the great community of Rogers Park. It's Sister Cecelia Fandel, Hershhal Goff, Marisal Garcia, Eric Franklin, and Joshua Kunen. Please help me welcoming them to Springfield.

PRESIDING OFFICER: (SENATOR VIVERITO)

Will our guests in the gallery please rise and be recognized? Welcome to Springfield. Point of personal privilege. Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President. For a point of personal privilege.

PRESIDING OFFICER: (SENATOR VIVERITO)

What is your point?

SENATOR WALSH:

Mr. President and Ladies and Gentlemen of the Senate, I have three wonderful guests today. They're from the Will County Health Department. They all work on the Coalition -- Tobacco Coalition in Will County, model program throughout the State of Illinois that deals with our tobacco cessation programs. With me is Cindy Jackson, Karalyn Cass and Kelly Castaneda. And they're all members from the Will County Health Department.

PRESIDING OFFICER: (SENATOR VIVERITO)

Let's give them a warm welcome, from the Health Department. Senator Shadid, what is your point of personal privilege?

SENATOR SHADID:

Thank -- thank you, Mr. President. Seated in the President's Gallery are some Girl Scouts and leaders from Troops

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475 and 359 from Taylorville. Would you young ladies please stand up?

PRESIDING OFFICER: (SENATOR VIVERITO)

Will our guests in the galleries please rise?

SENATOR SHADID:

Mr. President?

PRESIDING OFFICER: (SENATOR VIVERITO)

Yes, please.

SENATOR SHADID:

These young ladies are constituents of the late Senator Vince Demuzio's. So, I'm very pleased that I'm able to introduce them. Thank you.

PRESIDING OFFICER: (SENATOR VIVERITO)

Thank you. Please rise and let us give special recognition. Senator Rutherford, what do you rise for?

SENATOR RUTHERFORD:

Mr. President, I'm actually going to rise on two points of personal privilege. Recognizing this Chamber is not partisan in -- in any way at any time, I do want to recognize in this -- on the President's side of the gallery, the Republican Women from Morton, Illinois.

PRESIDING OFFICER: (SENATOR VIVERITO)

Please rise in the gallery and be recognized. Welcome to Springfield.

SENATOR RUTHERFORD:

Okay. Now -- all right, now -- Mr. President, thank you. Some of you may remember back in the 1980s, a gentleman by the name of Don DePorter. He was an executive with the Hyatt Hotels. He was probably one of the most creative, energetic tourism and promotion individuals Illinois ever saw. In the early 1980s, under the Thompson administration, was the first time that ten million dollars, the largest budget ever, was put into the Department of Commerce's tourism and promotion efforts. The acorn don't fall -- far from the tree, and his son, Grant DePorter, is with us here today. Grant is the owner of the Harry Caray's Restaurants and who would have ever thought that this restaurant, this man, would have brought international fame to Chicago and Illinois by blowing up a baseball? Ladies and Gentlemen, welcome Grant DePorter.

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PRESIDING OFFICER: (SENATOR VIVERITO)

Welcome. Welcome from Harry Caray's. Welcome. Senator Righter, what purpose do you rise?

SENATOR RIGHTER:

Thank you, Mr. President. On a point of personal privilege.

PRESIDING OFFICER: (SENATOR VIVERITO)

Your point.

SENATOR RIGHTER:

Thank you, Mr. President. Senator Watson is not on the Floor right now. I would like to -- if the -- with the President's discretion, introduce two of his Honorary Pages for the Day. The young gentlemen standing beside me are Matt Thompson and Tyler Klinger, both from Sullivan High School in Sullivan, Illinois, and I would ask the Senate give them a warm welcome, please.

PRESIDING OFFICER: (SENATOR VIVERITO)

Let's give them a warm welcome. Thank you, Senator. Senator Burzynski, point of personal privilege.

SENATOR BURZYNSKI:

Thank you, Mr. President. Since we're on the order of introductions, I have a couple of introductions to make. I have with me today two very unsuccessful bidders at a Main Street benefit up in Belvedere, Illinois. They are Bill and Barbara Robertson, from Belvedere. I'd like for the Chamber to welcome them today.

PRESIDING OFFICER: (SENATOR VIVERITO)

Let's give them a warm welcome. Welcome. Senator Wojcik, what is your personal privilege?

SENATOR WOJCIK:

We have such an excitable house today, and I'm excited to introduce my little Page next to me. We have Christine Moytika. She's from Schaumburg. And she's also with the NSRA. So, let's welcome her to Springfield.

PRESIDING OFFICER: (SENATOR VIVERITO)

Welcome. Warm welcome for the young lady. Senator Harmon, your personal privilege.

SENATOR HARMON:

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Thank you, Mr. President. On a point of personal privilege. I'd like to introduce our Page for the Day, Michael Shuttleworth, from Harwood Heights, a constituent of Senator DeLeo and a participant in the West Suburban Special Recreation Association, which Senator DeLeo and I both represent. So, I'd like the Senate to join me in welcoming him.

PRESIDING OFFICER: (SENATOR VIVERITO)

Congratulations. Give him a warm welcome. Senator Hendon, what is your personal privilege?

SENATOR HENDON:

Thank you, Mr. President. In the President's Gallery we have some constituents from the west side of the City of Chicago, Meralick House. We'd like to welcome them to the Senate.

PRESIDING OFFICER: (SENATOR VIVERITO)

Please rise and be recognized. Welcome to the Senate. Senator Crotty, what is your personal privilege?

SENATOR CROTTY:

Thank you, Mr. President. I, too, have a guest. It's -- his name is Michael Cain. He lives in Oak Forest. He's a neighbor of mine. And I'd just like everybody to welcome my new friend, Michael Cain.

PRESIDING OFFICER: (SENATOR VIVERITO)

Let's give Michael a warm welcome. Senator Sullivan, what is your personal privilege?

SENATOR J. SULLIVAN:

Thank you, Mr. President. Actually two announcements. First of all, I'd like to introduce from my district some Girl Scouts and their parents and escorts. They're up in the gallery over here. You bet. There they are. Heather Smith, Kimberly Lichtsinn, Nancy Waters, Teresa Busen, Cindy Fleetwood, Brooke Fleetwood and KC Robbins.

PRESIDING OFFICER: (SENATOR VIVERITO)

Will our guests in the gallery please rise and be recognized? Welcome to Springfield. Personal privilege, Senator Sullivan.

SENATOR J. SULLIVAN:

Also I'd like to -- my daughter is visiting with me on the Floor today, and I want to welcome Emily to the -- Senate Floor.

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PRESIDING OFFICER: (SENATOR VIVERITO)

Well, welcome, Emily! Madam Secretary, Committee Reports.

SECRETARY HAWKER:

Senator del Valle, Chairperson of the Committee on Education, reports Senate Amendment No. 1 to House Bill 934 Be Adopted.

Senator Jacobs, Chairperson of the Committee on Insurance and Pensions, reports Senate Amendment No. 2 to House Bill 378, Senate Amendment No. 1 to House Bill 393, Senate Amendment 1 to House Bill 1269, and Senate Amendment 2 to House Bill 5928, all Be Approved for Consideration.

Senators Cullerton and Dillard, Co-Chairpersons of the Committee on Judiciary, report Senate Amendment No. 1 to House Bill 4027, Senate Amendment No. 1 to House Bill 4247, Senate Amendment No. 1 to House Bill 4426, Senate Amendment No. 1 to House Bill 4788, and Senate Amendment No. 1 to House Bill 6811, all Be Adopted.

Senator Shadid, Chairperson of the Committee on Transportation, reports Senate Amendment No. 1 to House Bill 722, Senate Amendment 2 to House Bill 728, and Senate Amendment 1 to House Bill 4489, all Be Adopted.

Senator Silverstein, Chairperson of the Committee on Executive, reports Senate Amendment 1 to House Bill 742 and Senate Amendment 3 to House Bill 4371, all Be Adopted.

Senator Obama, Chairperson of the Committee on Health and Human Services, reports Senate Amendment No. 1 to House Bill 679, Senate Amendment 2 to House Bill 1082, Senate Amendment 4 to House Bill 3589 and Senate Amendment 1 to House Bill 4481, all Be Approved for Consideration.

PRESIDING OFFICER: (SENATOR VIVERITO)

Madam Secretary, Motions.

SECRETARY HAWKER:

I have a motion pursuant to House Bill 6034.

Filed by Senator Righter.

PRESIDING OFFICER: (SENATOR VIVERITO)

Please place that motion on the Calendar. Senator Shadid, what is your personal privilege?

SENATOR SHADID:

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Make an announcement, Mr. President. A reminder, the baseball game tonight is at 5 o'clock. 5 o'clock Italy time.

PRESIDING OFFICER: (SENATOR VIVERITO)

Thank you, Senator Shadid. We are now proceeding to House Bills 3rd Reading. So, please get ready. All Members should be at their desks. All Members should be at the desks. We're going to be doing the 3rd Readings. House Bill 393. Senator DeLeo. Senator DeLeo. Senator DeLeo seeks leave of this Body to return Senate -- House Bill 393 to the Order of 2nd Reading for the purpose of amendment. Hearing no objections, leave is granted. Now on the Order of 2nd Reading is House Bill 393. Madam Secretary, are there any amendments -- approval for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator DeLeo, to explain your amendment.

SENATOR DeLEO:

Thank you very much, Mr. -- Mr. President and Ladies and Gentlemen of the Senate. House Bill 393, Floor Amendment No. 1, what this would do, it allows tax-exempt non-for-profit risk organizations establish an insurance company for insuring nonprofited charitable organizations. This bill would enable companies to focus solely on non-for-profit and charitable sectors. This legislation was introduced in response to rising insurance premiums and drop-off in charitable contributions in recent years. The amendment will become the bill. I ask for a favorable roll call on Floor Amendment No. 1.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? Seeing none, Senator DeLeo moves the adoption of Amendment 1 to House -- Senate -- to House Bill 393. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approval -- for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR VIVERITO)

3rd Reading. On House Bill 486, Senator Trotter, do you wish to proceed? Out of the record. On House Bill 575, Senator

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Emil Jones, do you wish to proceed? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 575.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Jones. Out of the record. House Bill 649. Senator Cullerton. Out of the record. House Bill 679. Senator Trotter. Senator Trotter. Out of the record. House Bill -- House Bill 718. Senator Emil Jones. Out of the record. House Bill 720. Emil Jones. Out of the record. House Bill 722. Senator Shadid. Senator Shadid seeks leave of the Body to return House Bill 722 in the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. Is there any -- on the Order of 2nd Reading is House Bill 722. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Shadid.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Shadid, to explain your amendment.

SENATOR SHADID:

Thank you, Mr. President. The amendment for House Bill 722 represents an agreement between the Department of Human Services and the Sheriffs' Association concerning the transport of mentally ill patients. I would be happy to answer any questions on 3rd Reading, and ask for adoption of this amendment. Thank you.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? Senator Shadid moves the adoption of Amendment -- 1 to -- to House Bill 722. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Is there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR VIVERITO)

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3rd Reading. House Bill 728. Senator Garrett. Senate -- Garrett, on House Bill 728. Senator Garrett seeks leave of the Body to return House Bill 728 to the Order of 2nd Reading for the purpose of an amendment. Having no objections, leave is granted. In the Order of 2nd Reading is House Bill 728. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 2, offered by Senator Garrett.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Garrett, to explain your amendment.

SENATOR GARRETT:

Yeah. Thank you very much, Mr. President. Senate Amendment No. 2 prohibits the use of the driver of a commercial vehicle of an engine braking system that emits excessive noise. The prohibition applies only where signs have been erected to prohibit the use of these engine braking systems. IDOT shall adopt the rules providing for these signs. Does not apply to the use of an engine braking system that has an adequate sound-muffling system in proper working order that prevents excessive noise. This amendment, which is now the bill, is supported by the Illinois State Police. I'd be happy to answer questions on 3rd Reading.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? Senator Garrett moves the adoption of Amendment 2 to House Bill 728. All those in favor will 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, Mr. President.

PRESIDING OFFICER: (SENATOR VIVERITO)

3rd Reading. On House Bill 742, Senator DeLeo. Senator DeLeo. Senator DeLeo seeks leave of this Body to return House Bill 742 to the Order of 2nd Reading of the purpose of amendment. Hearing no objections, leave is granted. On the Order of 2nd Reading is House Bill 742. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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Yes. Floor Amendment No. -- pardon me. Floor Amendment No. 1, offered by Senator DeLeo.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator DeLeo, to explain your amendment.

SENATOR DeLEO:

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

PRESIDING OFFICER: (SENATOR VIVERITO)

Could we have a little quiet here, please?

SENATOR DeLEO:

House Bill 742 -- thank you very much, Mr. President. House Bill 742 was just a vehicle bill. Amendment No. 1 actually becomes the bill. This is for a Jewel/Osco in my community. We're asking for an exception. Currently the store sits on the site. It's being torn down and remodeled for a new store. It was a hundred and some feet from a high school. Now with the new configuration of the building - it's on the same site, but it's just a new configuration of the building - it's now ninety some feet from the high school. So the amendment just asks for an exception for the same site, the same store, the same sales for Jewel/Osco on Belmont Avenue in the City of Chicago. So, I ask for adoption of Amendment No. 1 to House Bill 742, Mr. President.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? Senator DeLeo moves the adoption of -- Amendment 1 to House Bill 742. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR VIVERITO)

3rd Reading. On House Bill 750, Senator Meeks. Senator Meeks, do you wish to proceed? Out of the record. On House Bill 752, Senator Emil Jones. Out of the record. House Bill 921. Senator Emil Jones. Out of the record. House Bill 934. Senator Emil Jones. Senator Emil Jones seeks leave of the Body to return to -- House Bill 934 to the Order of 2nd Reading for the purpose of amendment. Hearing no objections, leave is

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granted. Is there any objections? In Order of the 2nd Reading is House Bill 934. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Yes. Floor Amendment No. 1, offered by Senator Emil Jones.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Emil Jones, to explain your amendment.

SENATOR E. JONES:

Thank you, Mr. President. Senate Amendment No. 1 increases the current membership of the -- of the Board of Trustees for Chicago State University and Northeastern Illinois University from nine to ten. That's all that it does, and I move for its adoption.

PRESIDING OFFICER: (SENATOR VIVERITO)

Please, can we have it just a little quieter? Please. Because we can barely hear up here. Is there any discussion? Senator Jones moves the adoption of Amendment 1 to House Bill 934. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Is there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR VIVERITO)

3rd Reading. House Bill 956. Senator Jones, do you wish to proceed? Out of the record. House Bill 958. Senator Emil Jones. Out of the record. House Bill -- no. House Bill 999. Out of the record. House -- Bill 1067. Senator Jacobs. Senator Jacobs. Out of the record. House Bill 1082. Senator Martinez. Senator Martinez seeks to -- leave of this Body to return Senate -- House Bill 1082 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objections, leave is granted. Is there any objections? No. In Order of 2nd Reading is House Bill 1082. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 2, offered by Senator Martinez.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Martinez, to explain your amendment. Explains -- is there any discussion?

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SENATOR MARTINEZ:

Thank you, Mr. -- Mr. President. This amendment requires physicians, medical students, advanced practice nurses, registered nurses and physician assistants to inform patients of their professions upon providing treatment or care, including all physical examinations. And in the case of an unconscious patient, all care must be related to the patient's illness, condition or disease.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? Senator Martinez moves the adoption of Amendment 2 to House Bill 1082. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR VIVERITO)

3rd Reading. On House Bill 1083, Senator Harmon. Out of the record. On House Bill 1083 -- no. 1086. We're still reading 1083... On House Bill 1086, Senator Jones. Out of the record. On House Bill 1269, Senator Cullerton. Senator Cullerton seeks leave of this Body to return to -- House Bill 1269 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objections, leave is granted. On the Order of 2nd Reading is House Bill 1069 -- 1269. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Cullerton.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Cullerton, to explain the amendment.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. This bill deals with the Chicago Teachers Pension Fund. Current law allows for the Board to defray health insurance costs for its annuitants determined by the Board. Currently, the subsidy is set at eighty-five percent of premiums. This -- this amendment statutorily brings the reimbursement rate to seventy-five percent so that it's consistent with the Downstate --

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Teachers Fund. Be happy to answer any questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR VIVERITO)

All right. Is there any discussion? Senator Cullerton moves for the adoption of Amendment 1 to House Bill 1269. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Is there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Madam -- Mr. President.

PRESIDING OFFICER: (SENATOR VIVERITO)

3rd Reading. On House Bill 1659, Senator Silverstein. Senator Silverstein. Out of the record. On House Bill 1875, Senator Cullerton, do you wish to proceed? Out of the record. House Bill 1959. Senator Shadid. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 1959.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Shadid, is there any discussion?

SENATOR SHADID:

Thank you, Mr. President. House Bill 1959, as amended, allows for the sale of the property formerly known as the George A. Zeller Mental Health Center to Illinois Community College, who is the current occupant of the party {sic}. The bill directs 1.2 million from the sale of the property to go to DHS to pay for the cost of transporting mentally -- mental health patients. The selling price was established as a -- as this property was appraised in 2002 at 10.6 million dollars, and that will be the selling price.

PRESIDING OFFICER: (SENATOR VIVERITO)

Will the please -- people that are on this Floor, please, would you please leave the Floor, because we can no longer hear what's going on up here. We'd appreciate your indulgence, because, frankly, we cannot hear what's going on. All right. Is there any discussion? Senator Shadid, to close.

SENATOR SHADID:

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I'd appreciate an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR VIVERITO)

The question is, shall House Bill 1959 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. 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, and none voting Present. House Bill 1959, having received the required constitutional majority, is declared passed. House Bill 2582. Senator Munoz. Senator Munoz. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate {sic} Bill 2582.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Munoz.

SENATOR MUNOZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 2582 creates the offense of aggravated criminal housing management. Aggravated criminal housing management requires criminal housing management where the endangered -- endangering condition is a contributing factor in the death of a person and the owner or manager charged attempted to conceal endangering condition from the person killed. It's a Class 4 felony. Under current law, it was only a Class A misdemeanor. I will attempt to answer any question. We have proponent, State Police. No opposition. Before I will attempt to answer any questions, people might ask why we would want to pass some type of legislation like this. In my district, we had a mother and their two children died - carbonation {sic} - and they -- tried to cover it up. It was pretty sad to see a family at the wake, with a mother and children lying in the casket.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is -- is there any discussion? Senator Munoz, to close.

SENATOR MUNOZ:

Just ask for -- just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR VIVERITO)

All right. The question is, shall House Bill 2582 pass. Those in favor will vote Aye. Those opposed, Nay. The voting

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is open. Have all voted who wish? Who -- have all voted who wish? Have all voted who wish? Take the record. On the question, the Ayes are 57 Ayes, no Nays, none voting Present. Having received the required constitutional majority, is declared passed. House Bill 2587. Senator Meeks. Out of the record. House Bill 3589. Senator Schoenberg. Madam Secretary, read the bill. 3589. Senator Schoenberg? Senator Schoenberg? Out of the record. Senator Sullivan. House Bill 3828. Out of the record. House Bill 3835. Senator Shadid. Senator Shadid seeks to -- leave of this Body to return to -- House Bill 3835 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objections, leave is granted. Is there an -- in Order of the 2nd Reading, House Bill 3835. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Shadid.

SENATOR SHADID:

...you -- thank you, Mr. President. This amendment is simply a technical amendment that adds a bar code to the bill at the request of the House Enrolling and Engrossing. The amendment retains the bill's underlying provisions. I'd be happy to answer any questions on 3rd Reading. Thank you.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? Senator Shadid moves the adoption to House Bill 3835. All those in favor will say Aye. Opposed, Nay. Oop! I'm sorry. I'm sorry. All right. Excuse me. Senator Rutherford. I'm sorry. I -- I didn't catch that...

SENATOR RUTHERFORD:

No. I understand, Mr. -- it -- it adds a bar code?

PRESIDING OFFICER: (SENATOR VIVERITO)

Senate -- Senator Shadid.

SENATOR SHADID:

That is correct, Senator.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senate -- Senator Rutherford.

SENATOR RUTHERFORD:

Which bar?

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PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Shadid.

SENATOR SHADID:

I think it's Charlie's Bar down at the corner of 2nd and -- whatever.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Rutherford.

SENATOR RUTHERFORD:

Move, Do Pass.

PRESIDING OFFICER: (SENATOR VIVERITO)

Any -- Senator Shadid moves the adoption of Amendment 1 to House Bill 3835. All those in favor will 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, Mr. President.

PRESIDING OFFICER: (SENATOR VIVERITO)

3rd Reading. House Bill 3857. Senator Cullerton. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3857.

(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 would make tissue banks eligible to distribute..

PRESIDING OFFICER: (SENATOR VIVERITO)

Excuse me, Senator.

SENATOR CULLERTON:

This bill would make tissue banks eligible to distribute and doctors eligible to use tissue organs from HIV infected donors for HIV positive patients in immediate need of transplant. Back in 1985, we passed a bill which prohibited use of HIV positive organs for transplant, which made sense at the time. What's happened is advancements in treatment within the HIV/AIDS community have led to longer, healthier lives for HIV positive individuals. In some cases, it's not AIDS that is the

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main reason for someone to die. It's, instead, the lack of organs available for transplant. So, making HIV positive organs available to people who can use them - that is, HIV positive patients - could shorten the waiting list for all organs. This bill was developed by a Dr. Patrick Lynch of Northwestern University who came and testified to the Judiciary Committee. The bill passed unanimously out of Judiciary Committee. It's a very, very important bill because it could literally mean life and death for people. And I'd be happy to answer any questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR VIVERITO)

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

SENATOR CULLERTON:

I just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR VIVERITO)

The question is, shall House Bill 3857 pass. Those in favor will vote Aye. Those 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 the question, there are 55 Ayes, 2 voting Nay, and none {sic} (1) voting Present. Senate Bill -- House Bill 3857, having received the required constitutional majority, is declared passed. House Bill 3865. Senator Clayborne. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3865.

(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 3865 extends the duration of a bingo license from one year to three years if desired by the party obtaining the various forms of bingo licenses. That's basically what this does.

PRESIDING OFFICER: (SENATOR VIVERITO)

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

SENATOR CLAYBORNE:

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I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR VIVERITO)

The question is, shall House Bill 3865 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 the question, there are 56 Ayes, 1 Nay, and none -- none voting -- none voting none -- none voting Present. I'm sorry. House Bill 3865, having received the required constitutional majority, is declared passed. House Bill 3877. Senator Brady. Senator Brady. Madam Secretary, read the bill. Senator Brady.

SECRETARY HAWKER:

House Bill 3877.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Brady.

SENATOR BRADY:

Thank you, Mr. President. This bill allows for individuals who are stationed in Illinois in active duty -- on active duty, and their dependents, to receive in-state tuition. Unanimous support in committee, and I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? Senator Forby.

SENATOR FORBY:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR VIVERITO)

What is your point of personal privilege?

SENATOR FORBY:

I want to introduce the Page I got here today. Most people won't understand it. He's a little different than most people. You know, he's really only fourteen years old, but if you look at him, you won't -- you really won't believe he is fourteen. But most of you, when you look at him, you'll say, "That looks like Senator Larry Woolard." Today I want to introduce Senator Larry Woolard. Most of you know here today.

PRESIDING OFFICER: (SENATOR VIVERITO)

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Let's give a warm welcome to our Senator, Senator Larry Woolard. Welcome, Larry. Senator Brady, to close, on House Bill 3877. Senator Brady.

SENATOR BRADY:

Ask for a favorable vote.

PRESIDING OFFICER: (SENATOR VIVERITO)

The question is, shall House Bill 3877 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 the question, there are 58 Ayes, no Nays, and 1 -- none voting Present. Having received the required constitutional majority, House Bill 3877 is declared passed. House Bill 3882. Senator Haine. Out of the record. House Bill 3893. Senator Collins. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3893.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3893 creates the criminal offense of cross burning which is defined as burning or causing to be burned a cross with the intent to intimidate another person or group of persons, and provides that the penalty for the offense is a Class A misdemeanor for the first offense and a Class 4 felony for a second or subsequent offense. Unfortunately, in this day and age, cross burnings continue to be used as a symbol of intimidation and as a signal of impending violence. Recently, in November of 1999, there was a cross burning near the home of a interracial couple in Wonder Lake, which is located in Lake County. This bill does not violate the First Amendment based on the renderings in the United States Supreme Court ruling in Virginia versus Black. I would appreciate an affirmative vote.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? Senator Collins, to close.

SENATOR COLLINS:

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I just ask for...

PRESIDING OFFICER: (SENATOR VIVERITO)

Oh. The question is, shall House Bill 3893 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 the question, there are 58 Ayes, no Nays, and none voting Present. House Bill 3893, having received the required constitutional majority, is declared passed. Wow. House Bill 3822. Senate -- I'm sorry. 3922. Senator Crotty. Senator Crotty. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3922.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Crotty.

SENATOR CROTTY:

Mr. President, on House Bill 3922, it -- this bill protects senior care -- participants from losing benefits. It provides that if a prescription drug benefit is added to the Medicare Program, the Senior Pharmaceutical Assistance Review Committee shall make recommendations to the General Assembly and the Governor for the realignment of State-operated senior prescription drug programs so that Illinois residents qualify for at least substantially the same level of benefits as before implementation of the Medicare prescription drug benefit. It also requires the -- the Committee to report the recommendations to the General Assembly by January 1st, 2005.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? Senator Crotty, to close.

SENATOR CROTTY:

I just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR VIVERITO)

All right. Thank you very much. The question is, shall House Bill 3922 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 the question, there are 58 Ayes, no Nays, none

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voting Present. Having received -- House Bill 3922, having received the required constitutional majority, is declared passed. Thank you. House Bill 3937. Senator Clayborne. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3937.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President and Members of the Senate. House Bill 3937 is an administrative adjustment to the Illinois Propane Education and Research Act of 1997. After six years of operations, House Bill 3937 represents administrative adjustments to the -- facilitate continued operations. First, the administrative adjustment removes the staggered terms of the Council membership. Second, the adjustment allows for members to be reimbursed for direct expenses incurred in traveling to the Council meetings. And the final adjustment changes the number of marketeers to six from five and reduces the number of producer members from four to five. I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? Senator Sullivan.

SENATOR D. SULLIVAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. For Members on this side of the aisle, this bill came out of committee unanimously. I encourage an Aye vote.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Clayborne, to close. The question is, shall House Bill 3937 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 the question, there are 58 Ayes, no Nays, and none voting Present. House Bill 3937, having received the required constitutional majority, is declared passed. House Bill 3957. Senator Trotter. Madam Secretary, read the bill.

SECRETARY HAWKER:

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House Bill 3957.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. House Bill 3957 amends the Abandoned Newborn Infant Protection Act. For those who may recall, the -- that Act we passed several years ago, which basically gave safe haven for -- for infants who were being left by their parents versus being dumped as we -- in a -- a dumpster. And what this does is just adds police stations as one of those places which a child can be -- be left if they're going to be abandoned by their parent.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Very briefly, this bill passed out of Health and Human Services Committee unanimously. Appreciate the sponsor's good work on a needed change. Thank you.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator -- Trotter, to close.

SENATOR TROTTER:

Thank you very much, Senator Righter, and thank the Body for doing the right thing. I just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR VIVERITO)

The question is, shall House Bill 3957 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 the question, there are 57 Ayes, no Nays, and none voting Present. House Bill 3957, having received the required constitutional majority, is declared passed. House Bill 3977. Senator Haine. Out of the record. House Bill 3978. Senator Righter. Senator Righter. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3978.

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(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 3978 would make it a Class 4 felony for anyone to manufacture, possess, sell or use any substance to adulterate any person's bodily fluids for purposes of masking drug usage or alcohol usage when being administered a drug or alcohol test. This bill is designed to address a growing trend among some people to attempt to hide their drug or alcohol usage in employer-administered tests or probation tests. I will be happy to answer any questions.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? Senator Meeks.

SENATOR MEEKS:

Thank you so much, Mr. Chairman. I just didn't feel right letting a Senator Righter bill go without any questions. Senator, are you -- are you really passionate about this? Are you really passionate...

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Righter.

SENATOR MEEKS:

...about this particular piece of legislation?

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Righter.

SENATOR RIGHTER:

I am, Senator Meeks. This bill is an initiative of a local group, comes from my district, called the Coalition Against Methamphetamine Abuse of Edgar and Clark Counties. They have a -- for lack of a better term, a raging methamphetamine abuse problem there on the very eastern side of the State, and a coalition of community-wide leaders has come together and put together several pieces of legislation. This is one of those.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Meeks.

SENATOR MEEKS:

Thank you very much. Thank you, Senator.

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PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Righter, to close.

SENATOR RIGHTER:

Appreciate an affirmative vote. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR VIVERITO)

Wait -- wait -- excuse -- we have one more. Senator Hendon.

SENATOR HENDON:

Senator Righter, this doesn't have anything to do with what Moises Alou said in the Tribune today, did he?

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Righter, to -- Senator Righter.

SENATOR RIGHTER:

I'm happy to close, Mr. President, if you'd like. I'm sorry, Senator Hendon. I'm not -- I'm not familiar with the story you're talking about. I would appreciate an affirmative vote. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR VIVERITO)

The question is, shall House Bill 3978 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 the question, there are 56 Ayes, no Nays, and none {sic}(1) voting Present. House Bill 3978, having received the required constitutional majority, is declared passed. House Bill 3981. Senator Cullerton. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3981.

(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 entitled the Illinois Commonsense Consumption Act, which would prohibit civil litigation against restaurant operators from claims of obesity or weight gain or health conditions resulting from weight gain. The bill does not -- the bill does, however, preserve the right of consumers to bring claims for

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compensable injuries in case of willful violations of State and federal laws applicable to either the manufacturing or marketing or distributing the sale of food products that result in obesity or weight gain. And it would, if enacted, dismiss current, pending liability claims in court. A number of other states have considered this legislation. I think twenty-four. Six states have enacted it. This is an initiative of the Illinois Restaurant Association. The Trial Lawyers are neutral on it. And be happy to answer any questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? To close, Senator Cullerton? No. Senator Cullerton -- the question is, shall House Bill 3981 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 the question, there are 58 Ayes, no Nays, none voting Present. House Bill 3981, having received the required constitutional majority, is declared passed. House Bill 3985. Senator Link. Out of the record. House Bill 4006. Senator Righter. Senator Righter. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 4006.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President, Ladies and Gentlemen of the Chamber. House Bill 4006 is legislation that would amend the Criminal Code. It would add to the offenses of reckless driving and reckless homicides specific provisions whereby an individual driving a vehicle intentionally uses a hill or a railroad crossing or other incline in order to ramp the vehicle and make it airborne. This arises out of an incident that happened in the southern part of mine and Senator John Jones' districts in Mount Carmel where a young man by the name of Jason Ile, who at the time was fourteen years old, was a passenger in a car. The driver of the car engaged in what we would call ramping and -- and sent the car airborne. After the car landed, the -- the

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driver lost control of the vehicle. It slammed sideways into a bridge abutment, killing Jason. Jason's parents, Curtis and Cathy Ile, have been instrumental in putting this legislation together and moving it through the process here. They're here seated in the gallery -- President's gallery. And I want to thank them for being here today and for taking the enormous energy and emotion and grief that I know that they went through and turning it into such positive action. Obviously, reckless driving will be the applicable charge if this occurs. Reckless homicide will be the charge if someone dies as a result of this conduct. I'd be happy to answer any questions, Mr. President.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? Senator Haine.

SENATOR HAINE:

Thank you, Mr. President. Mr. President and Ladies and Gentlemen of the Senate, I rise in support of this bill. It provides an objective fact upon which a jury, a trier of fact, may find guilt, or determine innocence or not guilty, if that's the case. It's very difficult, at the -- at the present time, to search the facts of a case such as this to find that a young person has the -- mens rea, the mental state, to -- to determine reckless homicide because of the age. Juries find that very difficult. State's attorneys find it difficult to present the case, and it -- it -- causes anguish and pain upon the survivors. This bill will give the law an objective fact. And it's a good bill. It provides a way out of a very difficult and painful situation. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

The sponsor.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Righter.

SENATOR GEO-KARIS:

Would you tell me in one sentence exactly what your bill does? 'Cause I've been going back and forth over here.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Righter.

SENATOR RIGHTER:

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Senator Geo-Karis, the bill would add specific conduct to both the charges of reckless homicide and reckless driving when someone is using an incline to ramp a vehicle in the air.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Thank you. Mr. President and Ladies and Gentlemen of the Senate, I certainly speak in favor of this bill. It's time we did something about some of these incidents. They've been happening in my area, too. We've had some terrible disasters. So I urge everyone to vote for this bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Righter, to close.

SENATOR RIGHTER:

Thank you, Mr. President. Certainly appreciate an affirmative vote.

PRESIDING OFFICER: (SENATOR VIVERITO)

The question is, shall House Bill 4006 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 the question, there are 58 Ayes, none voting Nay, and none voting Present. House Bill 4006, having received the required constitutional majority, is declared passed. Senator Silverstein, what do you -- what purpose do you rise?

SENATOR SILVERSTEIN:

For -- point of information.

PRESIDING OFFICER: (SENATOR VIVERITO)

Your point.

SENATOR SILVERSTEIN:

On House Bill 3957, I didn't get to my switch on time. I just want to be recorded as a Yes.

PRESIDING OFFICER: (SENATOR VIVERITO)

That will be so recorded. Thank you. House Bill 4012. Senator Munoz. Out of the record. House Bill 4023, Senator Maloney. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 4023.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Maloney.

SENATOR MALONEY:

Thank you, Mr. President. There have been many well-documented incidents and many more undocumented incidents that I'm sure many people are aware of in gyms, Little League fields and colleges throughout the State in which sports officials and coaches have been assaulted. The goal of this legislation is to stop these attacks before they occur and make a -- these attacks a -- a violation -- a Class A misdemeanor. Currently, police, teachers, park district employees, caseworkers for Public Aid/DHS and firemen fall under the law, so it's logical that we add officials and coaches, who are an integral part of the games, to that list. Be happy to answer questions.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? Seeing none -- Senator Hendon.
Senator Hendon.

SENATOR HENDON:

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

PRESIDING OFFICER: (SENATOR VIVERITO)

The sponsor will yield.

SENATOR HENDON:

Senator, what -- what -- what will happen if the umpires cheat us tonight like they did last year in the annual softball game? Could Minority Leader Watson and President Jones take 'em over in the corner and give 'em a good whipping and not go to jail or... 'Cause you know the umpires cheated us last year, and I don't know how I should vote on this bill based on how they call the game today.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Maloney.

SENATOR MALONEY:

Thank you, Senator. I'm confident we're not going need to help of many officials today, Senator. We're going to -- we're going to win. No problem.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator, to close.

SENATOR MALONEY:

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I would appreciate an Aye vote, Mr. President.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Maloney, the question is, shall House Bill 4023 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. All who have voted who wish? Have all voted who wish? Have all voted who wish? Take the record. The question: There are 57 Ayes, no Nays, and none voting Present. House Bill 4023, having received the required constitutional majority, is declared passed. House Bill 4025. Have not received -- no, no. House Bill 4025. Senator Haine. Senator Haine. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 4025.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Haine.

SENATOR HAINE:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. House Bill 4025 is an initiative of the Illinois State's Attorneys Association and they want to clarify the authority State's attorneys have to contract out the collection of overdue fines. There's been some dispute. Senator Dillard addressed this in a -- in a -- in a separate matter some time ago. And I would appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR VIVERITO)

Any discussion? Senator Haine, to close.

SENATOR HAINE:

I would appreciate an Aye vote, Mr. President. Thank you.

PRESIDING OFFICER: (SENATOR VIVERITO)

All right. The question is, shall House Bill 4025 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 the question, there are 57 Ayes, no Nays, and none voting Present. House Bill 4025, having received the required constitutional majority, is declared passed. Senator Luechtefeld. Senator Luechtefeld.

SENATOR LUECHTEFELD:

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

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PRESIDING OFFICER: (SENATOR VIVERITO)

Your point of personal privilege.

SENATOR LUECHTEFELD:

In the gallery behind, on the Democratic side of the aisle, there's a group of young people from Giant City Grade School, their - a couple of their parents and teacher. They're here for the History Fair here in -- Springfield. I would appreciate it if you would recognize them, these really good, young students. Thank you.

PRESIDING OFFICER: (SENATOR VIVERITO)

Would you please rise so we can recognize you? And welcome to the Senate. Please rise. Senator Risinger.

SENATOR RISINGER:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR VIVERITO)

Your point.

SENATOR RISINGER:

In the President's gallery behind you is a young man from Peoria. Unfortunately, he's an -- an avid Cub fan. But would you help me welcome Eric Buescher to the Senate?

PRESIDING OFFICER: (SENATOR VIVERITO)

Let's welcome him to the Senate. House Bill 4026. Senator Jacobs. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 4026.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Jacobs.

SENATOR JACOBS:

Thank you Mr. President, Ladies and Gentlemen of the Senate. House Bill 4026 would provide township officials with greater flexibility in their financial planning and it helps them to avoid raising local tax levies. It does this by making changes that affects a township's ability to borrow money. It extends the length of time of which they can pay off loans from banks and institutional, and the length of time which a township road district may borrow from the town fund, and the length of time it can -- it can -- must pay for contracts relating to

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construction of a town hall. I know of no opposition and ask for your support.

PRESIDING OFFICER: (SENATOR VIVERITO)

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

SENATOR W. JONES:

Thank you, Mr. President. For the Members on this side of the aisle, this came out of committee unanimously and we -- we recommend a Yes vote.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Jacobs, to close.

SENATOR JACOBS:

Just an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR VIVERITO)

The question is, shall House Bill 4026 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 the question, there are 57 Ayes, none voting Nays, and none voting Present. House Bill 4026, having received the required constitutional majority, is declared passed. Senator Martinez, on House Bill 4027. Senator Martinez. Senator Martinez seeks leave of this Body to return to -- House Bill 4027 in Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. In Order of 2nd Reading is House Bill 4027. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Martinez, explain your amendment.

SENATOR MARTINEZ:

Thank you, Mr. President. The amendment restores the language of the current law preventing the required accident report from being used against the defendant as evidence of leaving the scene of -- of the accident.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? Senator Martinez moves the adoption of Amendment 1 to House Bill 4027. All those in favor will say Aye. Opposed, Nay. The Ayes have it and the amendment

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is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR VIVERITO)

3rd Reading. House Bill 4031. Senator Ronen. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 4031.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Ronen.

SENATOR RONEN:

Thank you, Mr. President. This bill makes minor adjustments to the liquor license law. It allows the issuance of a liquor license on premises that are within a hundred feet of a place of worship in the City of Chicago only as long as that premises meets very specific conditions, that are that they're at least a hundred feet apart on parallel streets and separated by an alley, and with assurance that religious leader at the place of worship has not indicated an opposition to the - the issuance of a license. We had a discussion about this in Executive Committee, and I've committed to Reverend VandenBosch to do a trailer bill, which would even narrow this more. And with that understanding, I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR VIVERITO)

She will yield.

SENATOR ROSKAM:

Senator, can you just briefly describe to the Members kind of what the situation is and how you're attempting to narrowly craft this to remedy a particular problem in your district and then what your intentions are? Two -- two of the issue -- or, one issue that you and I briefly spoke about, I think in committee, is this whole notion of if there is an objection

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that's raised by one of the religious institutions or houses of worship that's within the -- the scope of -- of the bill. There -- there needs to be, it seems to me, an improved mechanism for how that -- how they go about making the -- making the objection. It was brought to my attention that there's a particular synagogue who -- whose leader has said that they're not comfortable doing something affirmatively. You know, I mean, we need to somehow accommodate that house of worship. And if you could -- if you could explain, just to the Members, how you intend to do that.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Ronen.

SENATOR RONEN:

Thank you, Mr. President. The issue was a -- a local tavern in my district expanded. By virtue of expanding -- before expanding, they were a hundred feet away from a synagogue. When they expanded -- because in the expansion they had a backdoor that led out to an alley, a service door, put them within ninety-six feet. The synagogue was supportive of this, is not opposed, but because for religious convictions, didn't want to put something in writing saying, "We support a liquor license." So, that's why the bill was written in a way that says as long as there are no objections. Now, in my discussions -- and this bill is -- is written so that it just and only affects this one tavern. We did not want to open up and make -- make it any more loose in the City of Chicago, the issuance of liquor licenses near places of worship. So, my commitment to Reverend VandenBosch was that we will -- I will work with him on a trailer bill that narrows this even more. There's a need to move this bill out now because time is of the essence in order for them to be approved so they can keep on operating. But a trailer bill would narrow even more the scope of this to make clear that we're only talking about this only -- this very -- this only -- this one establishment. I hope I'm being clear, Senator.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Roskam.

SENATOR ROSKAM:

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And then in the -- in the trailer bill, Senator, you'll deal with that -- the mechanism for the religious objection?

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Ronen.

SENATOR RONEN:

The -- we won't be changing anything. So whatever mechanism exists now will be there. The -- the idea was to not make it any broader, to not allow anybody else to open by virtue of doing this. So whatever exists now is still there, and I -- I don't know exactly the language. We did not put in this one written that -- that -- a written approval just because -- or, something in writing couldn't be done. So, I -- I don't -- I don't know exactly how to answer, but we don't want to change anything except to allow this one establishment to continue.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Roskam.

SENATOR ROSKAM:

I think -- I think one of the things that we would have to look at in a trailer bill, Senator, is -- is the actual mechanism. Just to simply say that a -- a religious -- I mean, it's actually for protection of both people. It would be for the protection of the -- the establishment owner and it would also be for the protection of the religious organization so that we would need, I think, to delineate a -- you know, you send your notice to the circuit court. You send your notice to the -- the clerk of the city or the liquor commissioner or whoever it has to be. But I think there's got to be something specific, 'cause otherwise -- you know, somebody could literally invest tens of thousands of dollars in their property and a religious organization could subsequently say, "Well, we -- we made known -- we put it on a Post-it® Note on our front door that we were opponents." That's a ridiculous example, but I think for the sake of clarity for both sides, we would really be wise, in the trailer bill, to deal with that. Is that -- are you open to that?

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Ronen.

SENATOR RONEN:

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Yeah. Let me just say though, we don't want any exceptions. This would still say that if you're within a hundred feet of a place of worship, you can't -- you can't be there. So, therefore, I'm not sure what you're proposing might be -- might make it more loose. This is -- we want to say, if you're within a hundred feet, you cannot open up. This makes one narrow exemption and we want to make sure that we're not letting anybody else be exempted, for the very reasons that you're raising. But I'm glad to sit with you and the Reverend and figure out how we do that. I think we -- our goals are the same.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Roskam.

SENATOR ROSKAM:

This line of questioning is just the -- the unfortunate result of Republicans having no bills on the Calendar and nothing to do and, frankly, nobody else to talk to. So, it's been really fun to have conversations. Thanks for giving me the eye contact. I've had a great time.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Just a question for the sponsor.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Ronen.

SENATOR LAUZEN:

Senator Ronen, our analysis says that City of Chicago shows that they're opposed to the bill. Is that accurate or inaccurate?

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Ronen.

SENATOR RONEN:

No. Thank you for that question. They are not opposed to it. They support the bill. Thank you very much.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator -- Senator Ronen, to close.

SENATOR RONEN:

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Thank you very much. I welcome the opportunity to dialogue with Senator Roskam. And, Senator Roskam, I'm always available to discuss issues with you. I would ask everybody to vote Aye.

PRESIDING OFFICER: (SENATOR VIVERITO)

The question is, shall House Bill 4031 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 the question, there are 36 Ayes, 15 Nays, and none voting Present. House Bill 4031, having received the required constitutional majority, is declared passed. House Bill 4032. Senator Obama. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 4032.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Obama.

SENATOR OBAMA:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. This bill amends the sentencing provisions for concealing a -- a homicide or dismembering a human body to provide that sentences for these offenses are to be served consecutively with the underlying homicide are any other related offenses. This was a result of -- this -- this bill was prompted by a situation in the southern suburbs in which an individual who had aided in the dismembering of a body in a homicide was able to get out early as a consequence of -- the terms being -- running consecutively -- so -- or, concurrently rather than consecutively. I know of no opposition. I'd ask for affirmative roll call.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? If not, the question is, House Bill 4032 -- shall House Bill 4032 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 the question, there are 57 Ayes, none voting Nay, and none voting Present. House Bill 4032, having received the required constitutional majority, is

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declared passed. House Bill 4055. Senator Winkel. Senator Winkel. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 4055.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Winkel.

SENATOR WINKEL:

Thank you, Mr. President. House Bill 4055 would amend the Liquor Control Act. Allows alcoholic liquor to be delivered and sold under the authority of a special use permit on any property owned by a conservation district organized under the Conservation District Act if the -- the alcoholic liquor is sold only at an event organized by the conservation district's governing board, if the special use permit is authorized by the local liquor control commissioner of the territory where the property is located, and if the special use permit authorizes the sale of liquor for no more than one day. Be glad to take any questions.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? If not, Senator -- Winkel, to close. No..

SENATOR WINKEL:

Ask for a favorable vote.

PRESIDING OFFICER: (SENATOR VIVERITO)

All right. The question is, shall House Bill 4055 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 the question, there are 47 Ayes, 8 Nays, and none voting Present. House Bill 4055, having received the required constitutional majority, is passed. House Bill 4063. Senator Harmon. Madam Secretary, read the bill. Senate..

SECRETARY HAWKER:

House..

PRESIDING OFFICER: (SENATOR VIVERITO)

Excuse me.

SECRETARY HAWKER:

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Pardon me. House Bill 4063.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. House Bill 4063 amends the Criminal Code with respect to statutes of limitation. Under current law, for most crimes, including rape and criminal sexual assault, the -- the base statute is -- is three years. For those criminal sexual assault cases, there can be an extension if the victim reports the crime within two years. However, if the victim is killed in the course of the offense, that extra statute does not apply and would -- would toll at three years. This closes the loophole. It's an initiative of the Cook County State's Attorney. I'm aware of no opposition, and I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? The question is, shall House Bill 4063 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 the question, there are 55 Ayes, no Nays, and none voting Present. House Bill 4063, having received the required constitutional majority, is declared passed. Senator Haine, for what purpose?

SENATOR HAINE:

A point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR VIVERITO)

Your point.

SENATOR HAINE:

Would you note for the record, Mr. President, I am an Aye vote on House Bill 4076 {sic} (4063). I couldn't get back in time to vote.

PRESIDING OFFICER: (SENATOR VIVERITO)

It will be so recorded, Senator.

SENATOR HAINE:

And I know it's a...

PRESIDING OFFICER: (SENATOR VIVERITO)

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Thank you, Senator. House Bill 4076. Senator Harmon.
Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 4076.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. House Bill 4076 amends the Illinois Income Tax Act to permit the Department of Revenue to provide confidential tax records to the Department of Public Aid, the State's Attorney's Office or the Attorney General for the very limited purpose of child support enforcement. All such information would be kept under court seal. I'm aware of no opposition, and I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR VIVERITO)

Any discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Just for information on this side of the aisle, this bill passed out of committee with unanimous support.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Harmon, to close. Senator Harmon, to -- or, the question is, shall House Bill 4076 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 57 Ayes, no Nays, and none voting Present. House Bill -- 4076, having received the required constitutional majority, is declared passed. House Bill 4086. Senator Cullerton. Out of the record. House Bill 4092. Senator Crotty. Out of the record. House Bill 4098. Senator Garrett. Senator Garrett. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 4098.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

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Senator Garrett.

SENATOR GARRETT:

Thank you -- thank you, Mr. President. House Bill 4098 reinserts the provisions of the underlying bill and requires the Regional Transportation Authority to adopt a universal fare card as federal and State funds are provided to the Authority for this purpose. Clarifies that the universal fare card is to be used only among agencies under the RTA's jurisdiction. Adds a provision to reflect the fact that some of the information held by the Service Boards is confidential and therefore is subject to legal restrictions. Clarifies that the bill does not mandate the use of particular technological approach. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? Senator Garrett, to close.

SENATOR GARRETT:

I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR VIVERITO)

The question is, shall House Bill 4086 {sic} pass. Those in favor, vote Aye. Those opposed, Nay. The voting is open. All -- have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 57 Ayes, none voting Nay, and none voting Present. Having received -- House Bill 4096, having received the -- 4098, having received the required constitutional majority, is declared passed. House Bill 4103. Senator Walsh. Senator Walsh. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 4103.

(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 4103 amends the Illinois Vehicle Code in regard to use of monies generated from the Illinois Fire Fighters' license plates. This bill permits that certain monies generated from the Illinois Fire Fighters' license plates that

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are deposited into the Illinois Fire Fighters' Memorial Fund can now be used for the annual Medal of Honor Ceremonies and related activities. House Bill 4103 allows the -- the money that -- to also be used for the Medal of Honor ceremonies and related activities. The Fund is currently used just to maintain the Illinois Fire Fighters' Memorial and holding the annual Memorial commemoration and also for providing scholarships to children of firefighters killed in the line of duty. I know no opposition, and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? Senator Walsh? The question -- all right. The question is, shall House Bill 4103 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 the question, there are 58 Ayes, none voting Nay, and none voting Present. House Bill 4103, having received the required constitutional majority, is declared passed. House Bill 4106. Senator Martinez. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 4106.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 4106 allows the clerk of the circuit court to enter into intergovernmental agreement with the Illinois Department of Revenue establishing a pilot program for the purpose of collecting delinquent fees, child support annual -- administrative fee of thirty-six dollars, by means of tax intercept. Currently, there is approximately twenty-one thousand individuals who are delinquent two hundred dollars or more, more than five years in payments of child support annual administrative fee. The current outstanding debt is more than 4.2 million dollars for this group alone. By passing this legislation, even though clerk's office would be fourth or fifth in line to have funds withheld from tax refunds, the opportunity

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will exist to recoup even a portion of the outstanding debt owed to the office of the -- of the -- of the circuit court. House Bill 4106 also allows the clerk's office to enter into agreement with third-party facilitators, collection agencies, et cetera, for the purpose of collecting outstanding debt. The clerk would be able -- allowed to negotiate with the third party any fee added for the -- cost of collecting the outstanding amount due. And I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Just for information on this side of the aisle, Senator Martinez's bill enjoyed bipartisan unanimous support.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Martinez, to close.

SENATOR MARTINEZ:

I ask for favorable vote.

PRESIDING OFFICER: (SENATOR VIVERITO)

The question is, shall House Bill 4106 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 the question, there are 57 Ayes, none voting Nay, and none voting Present. House Bill 4106, having received the required constitutional majority, is declared passed. House Bill 4108. Senator Harmon. Out of the record. 4120. Senator Maloney. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 4120.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Maloney.

SENATOR MALONEY:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill takes the question of protection of officials and coaches against the crime of battery. What this legislation will do is, the court shall impose a minimum fine of a thousand

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dollars for the first offense, two thousand dollars for the second offense upon a person convicted of the crime of battery against a sports official or coach at any level of competition and if the act occurred within the athletic facility or the immediate vicinity of the facility. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR VIVERITO)

Is there any discussion? Senator Wendell Jones.

SENATOR W. JONES:

Thank you...

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Jones.

SENATOR W. JONES:

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

PRESIDING OFFICER: (SENATOR VIVERITO)

The sponsor will yield.

SENATOR W. JONES:

Senator Maloney, I read in the paper yesterday that the guy that attacked the Kansas City coach got a diminished punishment from the judge. Is there anything in this bill that takes that out of the judge's hands and indicates that there will be a thousand-dollar fine and that we can crack down on some of these lamebrains that keep doing this?

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Maloney.

SENATOR MALONEY:

My understanding -- thank you, Mr. President. My understanding is that since this is his second conviction of battery, this would be a mandatory two-thousand-dollar fine under this legislation.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Jones.

SENATOR W. JONES:

Say that again please? I'm sorry.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Maloney.

SENATOR MALONEY:

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Under this legislation, it's my understanding this would be his second battery conviction against a -- a individual, so this would be a two-thousand-dollar fine.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Jones.

SENATOR W. JONES:

Yes. Well, I would like to go on record as saying that I get a little tired of voting for these bills down here and then having the judges not enforce the law.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Maloney, to close. Oh, no, excuse me. I'm sorry. Senator Maloney, in response.

SENATOR MALONEY:

I agree, and this legislation will make these fines mandatory for convictions in these cases.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Soden.

SENATOR SODEN:

I just want to know if it's going to apply to tonight's baseball game.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Maloney.

SENATOR MALONEY:

That's -- we'll -- we'll leave the coaches and the officials alone. As I said, I don't think we're going to need any help from them tonight.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Cronin.

SENATOR CRONIN:

Yes. I just -- for purpose of a question of the sponsor. You know, Senator Jones raised the issue and it's something that's been on, I know, our minds, a lot of us, since we read this story. Very, very disturbing, this -- this kook that was -- got a pass the first time around when he battered the -- the -- the coach from the Kansas City Royals. And he's out on probation, gets picked up for burglary, I believe. And the -- the judge, Judge Leo Holt, a guy I'm going to remember at election time and tell everybody I know in that subcircuit to vote the right way. But is there anything in this bill that

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would prohibit a judge from cutting a guy loose on a -- giving him an I-bond who are on their probation for their first offense? And if there's not such a provision, would you consider - I know we're under a time constraint here - maybe putting an amendment on the bill, sending the message to Judge Leo Holt, who should be up for some sort of retention sometime soon, or would you consider such a -- a opportunity? Because I think you would get widespread support. Everybody who has a rational mind would vote enthusiastically for such a provision in light of Judge Leo Holt's dereliction of duty.

PRESIDING OFFICER: (SENATOR VIVERITO)

Senator Maloney.

SENATOR MALONEY:

What was his name again, Senator? This -- this -- this bill calls for a mandatory fine on the first offense of a thousand dollars. I -- I -- in the interest of time, as you mentioned, rather than to send this back to the House with another amendment, I would like to send the message that we are not going to tolerate this type of activity against officials or coaches, and would hope that we get a favorable vote here today.

PRESIDING OFFICER: (SENATOR VIVERITO)

The question is, shall House Bill 4120 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 the question, there are 57 Ayes, no Nays, and none voting Present -- 1 voting Present. House Bill 4120, having received the required constitutional majority, is declared passed. And now I would like to introduce Senator -- Senate President Emil Jones, for an announcement, and he will be in the Chair. Senator Jones.

PRESIDENT JONES:

I'd like to take the opportunity to bring to the attention of this Body, we are honored to have with us today the Consul General of Ireland, Charles Sheehan. Consul General Sheehan joined the Irish Diplomatic Service in 1981 and has served in a variety of positions, including Vice Consul in New York and Deputy Head of Mission in Rome. He also served in the International Security Policy Political Division for the Department of Foreign Affairs, and prior to his appointment as

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Consul General in Chicago, Mr. Sheehan served as Acting Deputy Head of the Legal Division. Please join me in welcoming today, to give a few -- I mean, give a few brief remarks, Consul General.

CONSUL GENERAL CHARLES SHEEHAN:

(Remarks by Consul General Charles Sheehan)

PRESIDENT JONES:

And we thank you, Consul General, for coming today. We have several Members, like Dave Sullivan, John Sullivan, Senator Maloney, and a few other names around the Capitol. O'Brien. John Cullerton, you know, and everybody. Got all these different names. "O'bama." And "O'Jones" as well. So, we welcome you. So good to see you again. We've known each other -- we -- we marched in the South Side Irish Parade many times. So I'm quite certain you do a great job. God bless. Senator Halvorson in the Chair.

PRESIDING OFFICER: (SENATOR HALVORSON)

Okay. Continuing on page 13, we're on House Bill 4108. Senator Harmon. Okay. We're on 4132. Senator Risinger. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 4132.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Risinger.

SENATOR RISINGER:

Thank you, Madam President. 4132 amends the Plat Act. It was brought forth by the county recorder of deeds and also the county zoning administrator. What this bill does, it allows the county zoning administrator to deny a building permit if somebody applies and is in compliance with the local zoning ordinance but is not in compliance with the Plat Act. This will give the authority to the zoning administrator to deny that permit. Be glad to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 4132 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have

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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 -- House Bill 4132, having received the required constitutional majority, is declared passed. House Bill 4157. Senator DeLeo. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 4157.

(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. House Bill 4157 was identical to -- we passed out just last month Senate Bill 2285 on a vote 50 to nothing. This was -- actually, this is historical legislation. This language was agreed upon between the Illinois State Dental Society and the Illinois Dental Hygienists. What this does is under both of these bills, the dental hygienists will be able to practice under -- general supervision of their dentist. This was a summit put together by Representative Saviano this past summer, and the hygienists and dentists finally, after many, many, many, many years, came to agreed language and this is the bill. So, I ask for a favorable roll call on House Bill 4157, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 4157 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 57 Ayes, none voting Nay, none voting Present. And House Bill 4157, having received the required constitutional majority, is declared passed. Senator Radogno, on 4218. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 4218.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

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Senator Radogno.

SENATOR RADOGNO:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This bill amends two licensing Acts in minor ways. The first one amends the Clinical Psychologists Licensing Act. It addresses how long an individual who's been appointed to fulfill a vacancy may serve and how many subsequent terms they may serve. And the second one amends the Electrologists Licensing Act. We created a problem when we created this Act in -- in '02. It required that electrologists complete a six-hundred-hour program. There were none at the time. So, this simply grandfathered those individuals that were practicing before that and had completed less than a six-hundred-hour program. Be happy to try to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 4218 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 58 Yeas, none voting Nay, none voting Present. And House Bill 4218, having received the required constitutional majority, is declared passed. Senator Wendell Jones, on 4225. With leave of the Body, we'll return -- 4227. Okay. Top of page 14. Senator Sandoval. Senator Sandoval, on 4232. Senator Petka, on 4239. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 4239.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Petka.

SENATOR PETKA:

Thank you very much, Madam President, Members of the Senate. House Bill 4239 extends to all of the counties in the State of Illinois a service that is now provided by safe houses in connection with the passage of child custody from one parent to another. There is a fee that is required in terms of filing at -- in domestic relations, and then all this bill is -- is

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doing is simply extending what currently exists in about a dozen counties in Illinois to all the counties in the State of Illinois. It is not mandatory. It just permits this type of a proceeding. I would ask for an affirmative vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 4239 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 52 Ayes, 4 voting Nay, none voting Present. And House Bill 4239, having received the required constitutional majority, is declared passed. Senator Shadid, on 4263. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 4263.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Shadid.

SENATOR SHADID:

Thank you, Madam President. House Bill 4263 extends the TIF district in Pekin, Illinois. This is supported by the city, the school district and the Illinois Municipal League. I'd appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 4263 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, 1 voting Nay, none voting Present. And House Bill 4263, having received the required constitutional majority, is declared passed. Senator Schoenberg. 4269. Senator Harmon, on 4275. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 4275.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Harmon.

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SENATOR HARMON:

Thank you, Madam President. House Bill 4275 is essentially identical to Senate Bill 3130, which passed out of the Chamber unanimously. It is the Attorney General's initiative to modernize the criminal videotaping laws. It passed, again, unanimously out of this Chamber. The House bill has been vetted by the Judiciary Committee. I'm aware of no objections and I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 4275 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 57 Ayes, none voting Nay, none voting Present. And House Bill 4275, having received the required constitutional majority, is declared passed. Senator Hunter, on 4280? Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 4280.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hunter. Out of the record. With leave of the Body, we'll return to 4285. Senator Lightford, on 4287. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 4287.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Madam President. House Bill 4287 amends the Criminal Code regarding domestic battery. It extends the time that a conviction for a domestic violence would occur. Instead of forty-eight continuous hours, it would increase to seventy-two hours of incarceration for a second conviction, and it would also -- deletes the requirement that the offense occurs within

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five years of a previous conviction. I know of no opponents and I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 4287 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 58 Yeas, none voting Nay, none voting Present. And House Bill 4287, having received the required constitutional majority, is declared passed. Senator Collins, on 4288. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 4288.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Collins.

SENATOR COLLINS:

Thank you, Madam President and Ladies and Gentlemen of the Senate. House Bill 4288 just primarily raises the mandatory minimum domestic violence fine to two hundred from a hundred dollars for certain crimes where the defendant and the victim are family or household members. In addition, the bill increases the mandatory minimum sexual assault fine to two hundred dollars from a hundred dollars for specified sexual assault-related crimes. It is -- I know of no opposition. I'm open for questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 4288 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 58 Yeas, none voting Nay, none voting Present. And House Bill 4288, having received the required constitutional majority, is declared passed. Senator Martinez, on 4310. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 4310.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Madam President. The Department of Public Aid must adopt a debit authorization form authorizing a financial institution to debit an obligor's account equal to child support for -- that is required to be paid. IDPA must adopt the form within six months of effective date and notify all financial institutions that a form has been adopted and is ready for use. IDPA must send signed forms to the appropriate financial institutions. A financial institution is obligated to debit the account only if or to the extent there are funds in the account.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 4310 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 58 Yeas, none voting Nay, none voting Present. And House Bill 4310, having received the required constitutional majority, is declared passed. Senator Cullerton, on 4318. Senator Peterson, on 4351. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 4351.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Peterson.

SENATOR PETERSON:

Thank you, Madam President. House Bill 4351 is a housecleaning piece of legislation in regards to Section 18-157 of the Revenue Code. In 2001 the Revenue Code was amended in regards to apportionment between taxing districts that lie in two or more counties. The initial legislation provided for an adjustment in the event a final judgment was issued by a court ruling. We thought that the court ruling would be forthcoming. They are still in court, and what this bill would do would sunset the Section for a tax year so that when the court finally

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comes to a decision, the school district can go back, or other taxing districts that are in more than one county, and collect the taxes due. Ask for your support of House Bill 4351.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 4351 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, 2 voting Nay, none voting Present. And House Bill 4351, having received the required constitutional majority, is declared passed. Senator Walsh, on 4361. Senator Cullerton, 4370. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 4370.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Madam President, Members of the Senate. This is an initiative of the Kane County Law Library, the Illinois Library Association, Cook County Board, the Metro Counties and the DuPage Law Library. This would authorize the counties to provide that a county board may authorize the clerk of the circuit court to charge litigants in civil cases a county law library fee not to exceed thirteen dollars. Currently it's at ten dollars and I believe the witness said that it's been about eight years since it was increased. The -- the libraries are -- are -- costs are increasing, and they have not had a chance to get enough money to keep the -- ordering and the materials they need and there's been a decrease in the amount of updated materials that they are able to purchase. Be happy to answer any questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Link.

SENATOR LINK:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

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Sponsor indicates he'll yield.

SENATOR LINK:

Senator Cullerton, just one quick question. Does this affect all county law libraries in the State?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

It's up to the county board. It authorizes the county board to increase the fee. So, it's up -- yes, it does apply to the whole State, but it's up to the individual counties to decide whether they want it or not.

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SENATOR CULLERTON:

Just be happy to answer -- or, to ask for an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall House Bill 4370 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 42 Yeas, 12 voting Nay, 1 voting Present. And House Bill 4370, having received the required constitutional majority, is declared passed. Senator Obama, on 4371. Mr. Secretary, read the bill. It's a recall. Okay. Senator Obama seeks of this Body to return House Bill 4371 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 4371. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY HARRY:

Amendment No. 1, offered by Senator Obama.

PRESIDING OFFICER: (SENATOR HALVORSON)

So, Senator Obama, to explain your amendment.

SENATOR OBAMA:

Madam -- President, what I'd like to do is table Amendments 1 and 2, call only Amendment 3.

PRESIDING OFFICER: (SENATOR HALVORSON)

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Okay. So, Senator Obama, to explain -- so, Senator Obama moves that Amendment 1 and 2 be... Senator, we only have one amendment. We don't have 2 or 3. Senator Obama.

SENATOR OBAMA:

My understanding then is -- if you only have one amendment, this should be okay. We thought it was amendment -- the third amendment. 1 and 2 were not let out of Rules. There was a third amendment that was let out of Rules. It may be labeled as Amendment 1, but my assumption must be that it's -- what we were regarding as Amendment 3. The computer says Amendment 3 as well. So...

PRESIDING OFFICER: (SENATOR HALVORSON)

Would you like to take it out of the record till we can rectify this?

SENATOR OBAMA:

As long as I can come back to it. Maybe we can work this out.

PRESIDING OFFICER: (SENATOR HALVORSON)

Yes. Yes. Out of the record. Senator Walsh, on 4372. Senator Ronen, on 4374. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 4374.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Ronen.

SENATOR RONEN:

Thank you, Madam President. This bill states that an employer shall continue to honor any dues deduction that was previously agreed to in the contract during the time when a new contract is being negotiated. I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Wojcik.

SENATOR WOJCIK:

Thank you, Madam President. This is an agreed bill and I urge our side of the aisle to vote Yes.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further questions? Seeing none, the question is, shall House Bill 4374 pass. Those in favor will vote Aye.

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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 House Bill 4374, having received the required constitutional majority, is declared passed. Senator Silverstein, on 4389. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 4389.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you very much, Madam President. This amends the Trusts and Trustees Act. It adds a trust, or what we call a sub-trust, created prior to the time that the distribution becomes payable, for the sole benefit of the beneficiary and those dependents -- who is dependent upon the beneficiary to list which trust -- what trust is going to be distributed and what income and what principal will be distributed. This affects people who are unable to manage their affairs or are under legal disability.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Petka.

SENATOR PETKA:

Thank you, Madam Chairman {sic}. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR PETKA:

Senator, I -- I meant to ask this question when this bill was presented in the Judiciary Committee. Can you please explain briefly the -- the rule against perpetuities?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Silverstein.

SENATOR SILVERSTEIN:

Sure. There's a thing called the life in being, and -- twenty-one years -- you know. That's -- are you -- are you insinuating this might affect the rule of perpetuities? I'm just curious. Is that your question?

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PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Petka.

SENATOR PETKA:

It is referenced in the legislation. That's why I'm asking.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Silverstein.

SENATOR SILVERSTEIN:

I -- I did not see that, but I -- I don't think there'd be problems with the rule of perpetuities with the legislation.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Petka. Is there any further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Have you found the rule against perpetuities?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Silverstein.

SENATOR SILVERSTEIN:

This isn't -- my first bill. No, but I think I -- I did pass John Marshall with a C+ in property. So I'm sure I found the rule somewhere. And it wasn't on the bar, thank God.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. {sic} President and Ladies and Gentlemen of the Senate, my colleague, my very brilliant colleague on the other side, I'm sure does not really understand the rule against perpetuities because no one really does.

PRESIDING OFFICER: (SENATOR HALVORSON)

Okay. Senator Silverstein, to close.

SENATOR SILVERSTEIN:

In light of that, I would appreciate a -- a favorable roll call.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall House Bill 4389 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 58 Yeas, none voting Nay, none voting Present. And House Bill

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4389, having received the required constitutional majority, is declared passed. Senator Silverstein, on 4393. Senator Obama, on 4395. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 4395.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Bomke. I mean -- I'm thinking of Bomke. Senator Obama.

SENATOR OBAMA:

Thank you, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

Sorry.

SENATOR OBAMA:

I know we have a similar haircut, but the -- and -- and it is my honor to be mistaken for Senator Bomke. This bill, which passed unanimously out of the Judiciary Committee and has no opponents that I know of, simply makes changes with respect to orders of protection to make sure that a "stay away" order is properly defined. I'd ask for an affirmative roll call.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 4395 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 57 Ayes, none voting Nay, none voting Present. And House Bill 4395, having received the required constitutional majority, is declared passed. Senator Bomke - I got a little ahead of myself last time - on Senate Bill 4400. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 4400.

(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. House Bill 4400 amends the State Mandate Act and the Property Tax Code to expand the veterans organization assessment freeze to include parking areas. Just clarifying the law. Be happy to answer any questions, if there are any.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 4400 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 58 Yeas, none voting Nay, none voting Present. And House Bill 4400, having received the required constitutional majority, is declared passed. Senator Rutherford, on 4402. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 4402.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Rutherford.

SENATOR RUTHERFORD:

Thank you, Madam President. Under State statute, if a corporation owns land, they're allowed to have a certain number of free deer hunting permits to issue to that corporation. It did not provide for free deer hunting permits for limited liability companies or partnerships. We're expanding this to allow them to have up to three free deer hunting permits.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 4402 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, 2 voting Nay, none voting Present. And House Bill 4402, having received the required constitutional majority, is declared passed. With leave of the Body, we'll return to 4403. Senator Haine, on 4410. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 4410.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Haine.

SENATOR HAINE:

This is similar to a bill we passed last month for the Optometrists Association. It closes a loophole in the Act, the regulatory Act, that -- that does not allow for the -- for sanction to be imposed on the owner of a franchise which employees a licensed optometrist. This bill would authorize a sanction for violations of the Act for the owner as well as the physician. And I ask for an -- an Aye vote, if the Members of the Senate could "see" their way to vote for this bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 4410 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 57 Ayes, none voting Nay, none voting Present. And House Bill 4410, having received the required constitutional majority, is declared passed. Top of page 16. Senator Collins, on 4424. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 4424.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Collins.

SENATOR COLLINS:

Thank you, Madam President and Ladies and Gentlemen of the Senate. House Bill 4424 amend the Sexual Assault Survivors Emergency Treatment Act and Uniform {sic} Code of Corrections authorizing the comparison of DNA data in the State Police's database with data in the FBI's National DNA database, which will expand the outreach of our DNA search capacity. Additionally, the bill requires that all sexual assault-related evidence collected in State Police evidence kits prior to this bill's effective date be analyzed within two years, and

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afterwards that -- and afterwards that evidence collected be analyzed within one year if sufficient staffing and resources are available. This bill basically codifies practices by the State Police and authorizes that DNA information collected be used to identify and prosecute persons suspected of committing sexual assault-related crimes by linking us with the FBI database. I know of no opposition. I'm open for questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 4424 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 58 Yeas, none voting Nay, none voting Present. And House Bill 4424, having received the required constitutional majority, is declared passed. Senator DeLeo seeks leave of the Body to return House Bill 4426 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 4426. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY HARRY:

Amendment No. 1, offered by Senator DeLeo.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator DeLeo, to explain your amendment.

SENATOR DeLEO:

Thank you very much, Madam President and Ladies and Gentlemen of the Senate. Senate -- Floor Amendment No. 1 to the Arsonist Registration Act is a initiative by the Illinois State Police. It's -- it's -- makes the bill now subject to appropriation. I ask for the adoption of Floor Amendment No. 1, please.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator DeLeo moves the adoption of Amendment No. 1 to House Bill 4426. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY HARRY:

No further amendments reported.

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PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. On House Bill 4426, Senator DeLeo. No. Okay. Senator Silverstein, on 4444. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 4444.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you very much, Madam President. This authorizes the levy of life safety taxes for the issuances of life safety bonds for the installation of a air conditioning system in -- for a district in my school -- a school district in my district.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Cronin.

SENATOR CRONIN:

Yes. Thank you. I rose to voice support for the bill. The bleachers component of the bill is rather significant. Senator Maloney, I think, presented that proposal to the committee. Bleachers, of course, if not constructed properly, can be very unsafe and there's been a number of tragedies across the State. So, the bleachers component of this bill is worthy of the exception to the tax cap for health/life safety. I've just learned about the air conditioning component, and I'd be happy to listen to the debate and be persuaded that air conditioning is a health/life safety, but I suppose it can be. I'm -- I -- I want to advise the Members accordingly.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Senator Roskam.

SENATOR ROSKAM:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR ROSKAM:

Senator, is this an exception to the tax cap, and is it -- is it strictly limited to your district or is it statewide or where we...

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PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Silverstein.

SENATOR SILVERSTEIN:

I meant -- it's not particularly in my district. Let me explain this so Senator Cronin will understand. This school is next to the sanitation district, by the -- by the sewage plant. I live not far from there, too. The -- there goes the neighborhood. Thank you. The -- there is a -- unfortunately, a very bad stench that comes out. Several students have -- have been -- been sick because of this. It's very prominent during the spring and summer. They have tried everything. The school district has tried everything in their power to -- to try to correct this. They can't. They leave the windows open, the smell comes in, the kids get sick. Certain -- a lot of kids have missed school. So that's why -- that was the intent behind that.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

SENATOR ROSKAM:

So, this -- you know, the -- generally, the exceptions to the tax cap are those where there's really no referendum support. Is -- is the school district and the voters and so forth unwilling to support this correction? I mean, why do we need a State law?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Silverstein.

SENATOR SILVERSTEIN:

This is not an exception, Mr. -- Senator Roskam.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Roskam.

SENATOR ROSKAM:

This is getting more confusing by the minute. There have been several sponsors over the past year who have -- who have -- I don't know how, but completely, with a straight face, have said that this is not an exception to the tax cap because of some incredible swirling and animation worldview that they've adopted, and it is clearly an exception to the tax cap. And so you're being confused with some of those other sponsors who have stood on the Senate Floor and said, "This isn't an exception to

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the tax cap," when it was an exception to the tax cap. So, can I just make a suggestion that's serious? Would you take the bill out of the record? I think it'll maybe create a lot of -- a lot more ease over here, because right now, anything that -- that sounds like tax cap, rhymes with tax cap is probably going to get a lot of No votes. And if it -- and if it is not an exception to the tax cap, then you can -- then we can move this out pretty simply. But I think it's gotten caught up now in tax cap orthodoxy, which is not where you want to be.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Silverstein.

SENATOR SILVERSTEIN:

...understand they cannot go beyond their levy, their -- their tax cap levy without a referendum. So, I mean, that -- I -- I understand it. You might not, but I understand it. But I'll ask for a favorable vote and we'll see what happens.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Senator Roskam.

SENATOR ROSKAM:

You're -- you're right, Senator. You could fill a room, you could fill the whole Chamber with things that I don't understand, but one thing I do understand is bills that pierce the tax cap have come like an avalanche from your side of the aisle over the past eighteen months. So my recommendation to my colleagues, with all due respect, is to vote No or Present on a bill that we really don't know what it does.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Silverstein, to close.

SENATOR SILVERSTEIN:

Let me explain. It can only go up to the tax cap level, and then they have to go to referendum. That's how I understood the bill, Senator Roskam. So I disagree with you with that.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall House Bill 4444 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 31 Yeas, 22 Nays, 3 voting Present. And House Bill 4444, having received the required constitutional majority, is declared

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passed. With leave of the Body, we are going to go back to page 15 -- excuse me. Senator Roskam, for what purpose do you rise?

SENATOR ROSKAM:

Request a verification.

PRESIDING OFFICER: (SENATOR HALVORSON)

That's always in order. Senator Roskam has requested a verification. Will all Members be in their seats? The Secretary will read the affirmative votes.

ACTING SECRETARY HARRY:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Does Senator Roskam question the presence of any Senator?

SENATOR ROSKAM:

Our coach, Senator Hendon.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hendon. He's right there. Anybody else?

SENATOR ROSKAM:

Senator Cullerton.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR ROSKAM:

Senator Schoenberg.

PRESIDING OFFICER: (SENATOR HALVORSON)

He's here in the Chamber. How about Senator Schoenberg? He's here on the phone in the back. Senator Roskam, anybody else?

SENATOR ROSKAM:

Senator Obama.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Obama. He's here in his seat.

SENATOR ROSKAM:

No. Thank you, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

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On a verified -- on a verified roll call, there are 31 Ayes, 22 Nays, 3 voting Present. And House Bill 4444, having received the required constitutional majority, is declared passed. Senator Sieben, on 4458. Senator Sieben, on 4458. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 4458.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Madam President. This legislation represents agreed language between the Illinois Department of Transportation and local officials to allow for the transportation of milk as a -- as a non-divisible load. There's no opposition. I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 4458 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. And House Bill 4458, having received the required constitutional majority, is declared passed. Senator Collins, on 4461. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 4461.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Collins.

SENATOR COLLINS:

Thank you, Madam President, Ladies and Gentlemen of the Senate. House Bill 4461 specifies that in addition to low-income housing projects that qualify for the low-income housing tax credit under Section 42 of the Internal Revenue Code, those low-income housing projects developed under Section 515, which is the Farmers Home Administration Rural Rental Housing Loans

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Section of the Housing Act in the U.S. Agriculture (Department), also qualify for special valuation. The reason -- this legislation is really a corrective measure and it replicates Senate Bill 3129, sponsored by Majority Leader Watson in the Senate. Last Session, the language of this Section was changed to that -- to qualify under Section 42 of the Internal Revenue Code because it was believed that this would capture larger developments in addition to covering those under Section 515. However, the new language cut out Section 515. So, this legislation restores this special valuation to low-income housing development under Section 515, which is largely rural rentals. It passed unanimously out of the committee. I ask for an affirmative vote but I'm also open for questions as well.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 4461 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. And House Bill 4461, having received the required constitutional majority, is declared passed. Senator Walsh, on 4469. Senator Garrett, on 4478. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 4478.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Garrett.

SENATOR GARRETT:

Thank you very much, Madam Chairman {sic}. House Bill 4478 requires the Comprehensive Health Insurance Board to conduct a feasibility study to determine a means by which small employers can purchase affordable health insurance. This legislation would allow the Board to contract with a private entity or enter into an intergovernmental agreement with a State agency for the purpose of conducting the study. It also requires the report to be completed and delivered to the Governor and General Assembly

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by January, 2005. The proponents are the IMA, Illinois Retail Merchants Association. There are no opponents.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 4478 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 House Bill 4478, having received the required constitutional majority, is declared passed. Senator Clayborne. 4481. Senator Clayborne moves -- seeks leave of the Body to return House Bill 4481 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 4481. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY HARRY:

Amendment No. 1, offered by Senator Clayborne.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Clayborne, to explain your amendment.

SENATOR CLAYBORNE:

All the amendment does is gives it an immediate effective date if signed by the Governor.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Clayborne moves the adoption of Amendment No. 1 to House Bill 4481. All those in favor will say Aye. Opposed, Nay. And the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Senator Jacobs, on 4491. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 4491.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Jacobs.

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SENATOR JACOBS:

Thank you, Madam President, Ladies and Gentlemen of the Senate. House Bill 4491 adds Illinois National Guard members on active duty or active on a training assignment to eligibility for MIA-POW scholarship. It is supported by the Illinois Army National Guard, University of Illinois, Western Illinois University, and forgive me and don't hold this against me, also by the Lieutenant Governor's Office. And I know of no known opposition and ask for your support.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Cronin.

SENATOR CRONIN:

I rise in support of this good bill. This is a issue that needs to be addressed, and we've had money in the budget for it in the past. And I rise in support and urge my side of the aisle to vote Yes.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, the question is, shall House Bill 4491 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 58 Yeas, none voting Nay, none voting Present. And House Bill 4491, having received the required constitutional majority, is declared passed. Senator Cullerton, for what purpose do you rise?

SENATOR CULLERTON:

Purposes of an announcement.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your announcement.

SENATOR CULLERTON:

Madam President, tonight is our softball game, and I thought I would remind everybody of that, but also remind people that we have a little tradition we've had around here that I -- I think maybe Senator Watson may have started. We -- we've been collecting ten dollars per Senator, and after the softball game, we pick a -- a designated charity and we make a presentation of that money to that charity after the game. So, I'd just thought I'd mention this so that if anybody in the gallery is wondering why I'm going around collecting ten dollars from my colleagues,

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they know what that's about. And I would -- I would ask someone over on the Republican side to do the same and -- so we can have all this money before this game starts tonight. And obviously, we hope we could beat -- finally beat the House. Thank you very much. Senator Obama's the first one. So I think we should see that -- and Viverito.

PRESIDING OFFICER: (SENATOR HALVORSON)

Thank you. Thank you, Senator Cullerton. So, someone over there raise your hand, who's going to do the collecting. Senator Hendon.

SENATOR HENDON:

Madam President, while we're talking about the softball game, I wanted you to know what the latest line was. Even money. They're giving us fourteen runs. Other than that, it's thirty-five to one. That's how much respect they have for us. Thirty-five to one. Tonight we must prove we're not too old, we're not too slow. We're alive and we're breathing. Let's get out there and beat up the House tonight. Let's do that, and quit just donating our ten dollars every year and letting them pick the charity 'cause they've been winning the last three years. Let's turn this around. We know we can. Let's get out there and beat those guys.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator -- Senator Brady.

SENATOR BRADY:

Senator Hendon, I just wanted to know if I could take my ten dollars and put it on those odds for the charity and where I go.

PRESIDING OFFICER: (SENATOR HALVORSON)

Okay. And it looked like David Sullivan was collecting the ten dollars on your side. So if anybody sees him with the money, it's okay. Okay. Senator Link, on 4495. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 4495.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Link.

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SENATOR LINK:

I guess this is appropriate, investing public funds, after that last announcement. This amends the Public Funds Investment (Act). Provides that whenever public agencies invest public funds in an interest-bearing savings account, a certificate of deposit, (time) deposit, stationary {sic} -- requirements pertaining to the eligibility of a bank receiving and holding of deposits or pledging collateral to a bank -- secure deposits do not apply to any bank receiving or holding all or part of the investment of public funds -- and the public agency initiate the investment at or through the bank having the main office in Illinois; the investment of public funds are at the time fully insured by the agency or instrumentality by -- the federal government. I know of no opposition. I'll be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Rutherford.

SENATOR RUTHERFORD:

Thank you, Madam President. I'm standing as part of the Senate Financial Institutions Committee. This passed out unanimous and we are in full support of the Senator's bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, the question is, shall House Bill 4495 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 57 Ayes, none voting Nay, none voting Present. And House Bill 4495, having received the required constitutional majority, is declared passed. Senator DeLeo, on 4502. Senator Silverstein, on 4506. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 4506.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Silverstein.

SENATOR SILVERSTEIN:

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Thank you, Madam President. This bill has nothing to do against the rule against perpetuities nor tax caps. Senate -- House Bill 4506 clarifies the enhanced penalties for hate crimes committed in a school or educational facility, including an administrative facility and public or private dormitories of or associated with the school or educational facility.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 4506 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 58 Yeas, none voting Nay, none voting Present. House Bill 4506, having received the required constitutional majority, is declared passed. With leave of the Body, we are going to go back to page 15. Senator Obama, on 4371. Mr. Secretary. Senator Obama seeks leave of the Body to return House Bill 4371 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 4371. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY HARRY:

Amendment No. 3, offered by Senator Obama.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Obama, to explain your amendment.

SENATOR OBAMA:

Thank you very much, Madam Chairman {sic}. The amendment becomes the bill. What the bill does is essentially include military reservists in the list of persons who are military active for purposes of the human rights ordinance. At this point, I know of no opposition to the bill. I'd ask that we get this amendment placed on and pass it on 3rd Reading.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Obama moves the adoption of Amendment No. 3 to House Bill 4371. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY HARRY:

No further amendments reported.

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PRESIDING OFFICER: (SENATOR HALVORSON)

3rd Reading. Okay. Top of page 17. 4522. Senator del Valle. Senator Collins, on 4538. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 4538.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Collins.

SENATOR COLLINS:

Thank you, Madam President, Ladies and Gentlemen of the Senate. House Bill 4538 expands current witness harassment provisions to include persons who are expected to serve as witnesses in a criminal prosecution case. Under the bill, a witness who does not testify due, for instance, to having the charge dismissed or the defendant pleading guilty would be protected from being harassed after the conclusion of the court proceedings. Current law only applies to the harassment of witnesses that testified in a case. This bill keeps with the original intent of the law to protect those with potentially damaging information from retaliation by defendants. The penalty for the harassment of the potential witness or a family member of that person is a Class 2 felony. I'm open for any questions. It passed out unanimously from the Judiciary Committee, and I'm open for questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 4538 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 57 Ayes, none voting Nay, none voting Present. And House Bill 4538, having received the required constitutional majority, is declared passed. Senator Hunter, on 4560. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 4560.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

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Senator Hunter.

SENATOR HUNTER:

Thank you, Madam President. House Bill 4560 amends the Public Health Code {sic}. It directs the State of Illinois to conduct a study to determine the feasibility of establishing a formula that sets goals for stable funding for the State's Poison Control System. The bill is a study bill. The Illinois Poison Center provides information about overdoses, alcohol, drug abuse, misuse, medication problems. I know of no opposition to this bill and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President. Very briefly to the bill. I stand in support of the bill. This legislation passed out of the Health and Human Services Committee unanimously. Calls for Illinois to put together a strategy on how we're going to decide how we fund poison control. The last few years it's just been kind of an ad hoc funding system and it'll be very good to get organized, and I thank the sponsor for her work.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Senator Maloney.

SENATOR MALONEY:

I would just like to be recorded as an Aye vote on 4538, Madam President. My light did not light.

PRESIDING OFFICER: (SENATOR HALVORSON)

The record will so reflect. Thank you, Senator Maloney. Is there any further discussion? Seeing none, the question is, shall House Bill 4560 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 58 Yeas, none voting Nay, none voting Present. And House Bill 4560, having received the required constitutional majority, is declared passed. Senator Cullerton, on 4567. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 4567.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Madam President, Members of the Senate. Last year we passed a bill at the urging of the Attorney General requiring that anyone found to have willfully or knowingly violated the Illinois Protection Act be banned from receiving a State contract for five years. It was actually a technical violation -- or, a technical error when we passed that bill. We actually said that anyone found to be in violation of Section 42, which is the penalty Section, by -- by a court or by the Illinois Pollution Control Board would be prohibited from doing business with the State of Illinois. So, what this does is just correct that and make sure that it's clear that a person found guilty of violating any provision of the Environmental Protection Act, instead of just the penalty Section, is prohibited from doing business with the State.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Oh, I'm sorry, Senator Cullerton.

SENATOR CULLERTON:

I'm finished. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Any discussion? Senator Sullivan.

SENATOR D. SULLIVAN:

Thank you, Madam President, Ladies and Gentlemen of the Senate. For Members on this side of the aisle, this passed out of committee unanimously. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, the question is, shall House Bill 4567 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 58 Yeas, none voting Nay, none voting Present. And House Bill 4567, having received the required constitutional majority, is declared passed. Senator Welch, on 4621. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 4621.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Welch.

SENATOR WELCH:

Thank you, Madam President. What the bill does is amend the State Financing -- the State Finance Act by extending the sunset date on the Capital Development Board Revolving Fund by four years to June 30th, 2008, instead of 2004. It also amends the Capital Development Board Act by extending the sunset on contract administration fees to June 30th, 2008, instead of 2004. And it's supported by the Capital Development Board and the Illinois Society of Professional Engineers. I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Althoff.

SENATOR ALTHOFF:

Thank you, Madam President. Just for Members on this side of the aisle, this did pass out of committee unanimously.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, the question is, shall House Bill 4621 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 57 Ayes, none voting Nay, none voting Present. And House Bill 4621, having received the required constitutional majority, is declared passed. Senator Clayborne, on 4651. Mr. President -- or, Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 4651.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Madam President, Members of the Senate. House Bill 4651 allows for mobile homes located on a site constructed on or before 7/1/98 must remain separated by ten feet with no setback restrictions. Mobile homes located on sites constructed

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after 7/1/98 must be separated from other mobile homes and private streets by at least ten feet on the sides and five feet on the ends with setback -- restrictions at least ten feet. Such structures such as sheds, stairs, decks, carport or awnings shall not be counted in calculating separate -- separation between mobile homes. Mobile homes removed from a site for repair or replaced by another mobile home should not be deemed to be a newly constructed site and should be governed by the standards in effect at the time the site was originally constructed. Basically, what this means is, prior to the law changing on July 1st of '98, those mobile homes that need to be repaired or replaced that were in compliance with the law at that time will still remain in compliance. What we -- what -- technically what we're doing here is grandfathering in the site dimensions, because since July 1st of '98, some municipalities have required larger site dimensions for mobile homes. So, if -- if -- if basically what happened in -- in Senator Welch's district took place where the person is replacing the mobile home that was damaged due to a tornado, under current law -- well, under current ordinances, they may not be allowed to replace that mobile home because of the limited restrictions on the site qualifications. I'm open for any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Harmon.

SENATOR HARMON:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR HARMON:

Senator Clayborne, just one question on behalf of a mayor in my district who is regulating a -- a mobile home community in -- in my district. This is -- essentially grandfathers the existing relationships. It prevents a municipality from abusing the -- its discretion to change the rules for a -- for a mobile home park, but at the same time, doesn't -- doesn't permit the mobile home park to change the rules in the face of a municipal objection. Is that correct?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Clayborne.

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SENATOR CLAYBORNE:

That's correct.

PRESIDING OFFICER: (SENATOR HALVORSON)

Any further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Madam President, Ladies and Gentlemen of the Senate, I think this is a very fair bill and I urge its support.

PRESIDING OFFICER: (SENATOR HALVORSON)

Any further discussion? Senator Radogno.

SENATOR RADOGNO:

I have some questions of the sponsor.

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR RADOGNO:

First, let me be sure that I understand this. This bill would prevent a municipality if they wanted to have larger setback requirements, provide more room around an existing mobile home, they would not be able to that. It would preempt the ability of a municipality to have a different standard than this bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Clayborne.

SENATOR CLAYBORNE:

No, that's not necessarily correct. For those mobile homes that were created prior to the law changing - the parks - yes, that's correct. It would allow if -- for instance, if -- if they're -- like I -- I -- the example I used with Senator Welch. Tornado comes through and destroys a couple of those mobile home that -- that -- parks that were in compliance with the law prior to it changing in -- in '98, then this would allow them to replace those mobile homes back on that site without having to come -- up under the new restrictions which require more space. Yes.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Radogno.

SENATOR RADOGNO:

The -- the -- I think, though, that -- that what would happen is, say, for example, a -- a municipality wanted to provide more space around the units within their municipality

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and we have a municipality regulating these parks. This bill would preempt that municipality from being able to do that if -- for those that were in -- existence prior to '98.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Clayborne.

SENATOR CLAYBORNE:

Yes, but the -- the whole problem is, Senator Radogno, the law existed and they were in compliance with the law at the time the mobile home park was created. And for them to come back now and impose new restrictions on them seems to be a little bit unfair.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Radogno.

SENATOR RADOGNO:

Thank you. Well, I actually think that it's good to have municipalities able to regulate these things. You may be aware that in Bridgeview, which is now -- it's no - it's either Senator Maloney's or Senator Viverito's district - prior to '98, they weren't required to provide fire suppression. And so to just say all this grandfathered stuff is great, sometimes is not a good thing. As I understand it, and you can correct me if I'm wrong, both the Municipal League and the Mobile Home Owners Association, those folks that actually live in these mobile homes, are opposed to this legislation. Is that correct?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Clayborne.

SENATOR CLAYBORNE:

Yes.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Radogno.

SENATOR RADOGNO:

I -- it's funny, I no longer have any mobile homes in my -- I have very few. I used to have quite a few, so got to know many of the folks that live in these homes. I will tell you that many of the people that live in mobile homes now are people in desperate need of affordable housing. They're not really in a very good position many times to get people to protect their interests, and in many instances, particularly parks that were created before '98, they've had some pretty rough dealings with

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the -- the park owners. And I think that this bill tips the balance further in favor of the park owners as opposed to those folks that live in these mobile homes. And I think the -- the problem that you are addressing could probably be handled in a different way. And I would urge a No vote on this.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Risinger.

SENATOR RISINGER:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR RISINGER:

Yeah. This bill came through State Government Operations and, Senator, who brought this bill forward to you?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Clayborne.

SENATOR CLAYBORNE:

A mobile homeowner -- park...

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Risinger.

SENATOR RISINGER:

This bill was brought by the mobile homeowners and -- and there's a lot of opponents - the Illinois Municipal League and the -- Mobile Home Owners Association. One of the things that was brought out in committee was the -- the clearances for emergency vehicles to get around in these mobile home parks. Some of these older ones are very tight, very close, so whenever the city wants to provide access for these emergency vehicles, it won't be allowed, as I understand, under this, because they'll be able to put the mobile homes back exactly where -- like they were before. So, if it was tight before, it'll stay tight. Is that correct?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Clayborne.

SENATOR CLAYBORNE:

They are going to comply. The only thing we're grandfathering is the size of the lot. But they are going to comply with the ten-foot setback. Yes.

PRESIDING OFFICER: (SENATOR HALVORSON)

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Senator Risinger.

SENATOR RISINGER:

Well, it was my understanding that if a mobile home was located on a corner lot and there was a -- a -- a narrow street and the emergency vehicles are -- which are larger now than what used to be whenever some of these mobile homes -- parks were built, you would be able to put the mobile home back in that same location, which would still cause the same problem that exists today.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Clayborne.

SENATOR CLAYBORNE:

Senator Risinger, I understand what you're saying, but the real problem is that since '98, they've required the lot sizes to increase. They want -- municipalities want the lot -- lot sizes for the mobile homes to be much larger. And that's the real issue, is to be able to replace those mobile homes back onto that same lot size that was legal prior to us changing the law in '98.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Risinger.

SENATOR RISINGER:

But isn't that for safety reasons because of fires that have existed in mobile homes? And whenever you have the -- the setbacks that aren't there, then -- then you destroy more than one. I mean, it becomes a very -- a safety issue, and that's why the Municipal League and the homeowners' associations are against it?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Clayborne.

SENATOR CLAYBORNE:

That's a -- an excuse that's being used. I was told today by a mayor that they just don't want mobile homes? So -- so, I think that's the real issue. The real issue, as Senator Radogno said, is affordable housing issue. Are we going to displace people? And that's the real issue.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Risinger.

SENATOR RISINGER:

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Well, to the bill: I just want to alert our Members that there were issues raised and there are still concerns about this bill. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Any further discussion? Senator David Sullivan.

SENATOR D. SULLIVAN:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Just to follow up on what Senator Clayborne was just saying about the bill. I think this is about affordable housing. And, you know, just think about the economic reality if we do not allow these park owners to keep the same number of homes in those parks. You're going to have fewer homes and that's going to mean higher rents. So if you want the people who live in those mobile home parks to pay higher rents, vote against this bill. I think it's a good vote. I encourage an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Senator Cronin.

SENATOR CRONIN:

Yes, thank you. I rise in support of the bill. And with respect to my colleagues who voiced concerns in opposition, I am persuaded that, on balance, you have to take into consideration the notion that this is indeed affordable housing, and that point has been made. I'd also like you to consider the fact that we have a -- fairly common practice or a policy when it comes to land use at the local level, and it's called legal nonconforming uses. Now, if you own a home that -- is -- is -- got a foundation and it's got a -- you know, and it was built some time ago and the municipality changes the zoning code and your building or your home no longer complies, they don't make you move it, they don't make you destroy it, they don't force you to change your lot size. It's called a legal nonconforming use. Those are people that -- generally have greater means than people who live in mobile home parks. Well, what -- what's happening here is they're -- they're -- they're passing a new code, a new law, and because of the nature of a mobile home, in that it is mobile, they're making 'em change the sizes of the lots and move houses or homes off the lots, thereby increasing the costs, thereby treating these folks differently than people

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that live in permanent homes. I really think you need to take a step back and look at the big picture here. It's about affordable housing. It's about poor people who this is -- this is their castle. And -- and I think, on balance, you have to vote Aye.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President. First, inquiry of the Chair.

PRESIDING OFFICER: (SENATOR HALVORSON)

Go ahead.

SENATOR RIGHTER:

Madam President, this bill, it's our understanding, would preempt home rule. Therefore, I would ask the Parliamentarian to rule if that is the case. And, second, if so, I would assume it would require the supermajority, thirty-six, for passage. Why not?

PRESIDING OFFICER: (SENATOR HALVORSON)

We're checking. House Bill 4651 does not constrain a home rule unit authority to exercise concurrently with the State any of the functions of a home rule unit, including the regulation of mobile home lots, which is the subject matter of this bill. Thus, the bill does not preempt home rule pursuant to the Illinois Constitution. It will therefore require thirty or more votes for Senate passage. Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR HALVORSON)

Sponsor indicates he'll yield.

SENATOR RIGHTER:

Senator Clayborne, I'm not intimately familiar with this issue and I've been listening carefully to the debate. One of the concerns that's been raised to my attention here is the notion of putting these mobile homes so close together. And I would assume that the reason the municipalities are expanding the lot size would be for issues of safety, not the least of which it would be fire safety. Obviously, the closer together that the homes are placed the more likely it is that fire's going to be able to jump from one to the other before the fire

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department can get there. I mean, can -- can you address that issue for me?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Clayborne.

SENATOR CLAYBORNE:

Yes, Senator. As I said, I -- I talked to mayors, and it appears to me that they're -- that that's one of the issues. But the real issue is, they don't want mobile homes in their community, Senator. That's -- that's really the bottom line. All we're doing here is saying that those parks that were built that complied with the law in -- prior to July 1st of 1998, if you want to -- repair or replace that particular mobile home, then the site size is consistent with the law at the time and you can put that mobile home back on the site. We're not trying to skirt around any laws. It's just that the municipalities have changed it. Now, for whatever reason, seems like to me if the lot size which they've increased really is due to creating larger homes rather than accommodating affordable housing issues.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President. Senator, I agree, maybe we're not trying to slide past or evade, but we are superceding this particular municipality's authority. We're saying that you can't require larger lot sizes if the -- the home has to be rebuilt. I mean, is that not -- that's the whole point of the bill, is to not allow the municipality's zoning code to go into effect and require the larger lot size if the home has to be replaced. I mean, if that's not what the bill does, then we need to start over.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Clayborne.

SENATOR CLAYBORNE:

Yeah. Going forward -- that's why it doesn't preempt home rule. Going forward, they can mandate whatever lot size they want. But, yeah, we're saying that you cannot change the -- lot size because -- prior to 1978 {sic}, because these parks were built in compliance with the law and ordinances at that time.

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And -- and if -- if the home -- if -- if, unfortunately, a tornado comes through, destroys a home and they only get replacement costs for that mobile home, we're saying now they can't put a home back on that site. They can't afford a bigger home. So we're saying, you're out of luck, we're sorry, you got to go away.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

Senator Clayborne, why the date of -- is it July 1998? I mean, I -- I get the feeling just from listening to this that we're talking about a particular municipality. Senator Harmon earlier referred to preventing a municipality or municipalities from abusing their zoning rights. I mean, can you -- do you want to lay out a little more for us here in the Chamber exactly what's going on in your district that's -- that brought this bill to fruition?

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Clayborne.

SENATOR CLAYBORNE:

It -- it's a -- it's a statewide issue. I -- I -- not only do I represent the people of my district, I try to do the best I can for the people in Charleston and throughout the State of Illinois.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Righter.

SENATOR RIGHTER:

Thank you. Last question. Senator Clayborne, here's my concern, is that there's going to be a -- a catastrophe in one of these mobile home parks, except it's not going to be a tornado. It's going to be a fire, and that's going to happen because these homes are packed in there like sardines. And if the municipality, after that happens, wants to -- wants to -- and that -- that park was built before 1998. And if the municipality says, "You know what, to prevent this happening again, we need larger set-asides, we need these -- these homes spread -- spread farther apart to prevent that," the vote that we take today, if this bill passes, is not going to allow them to do that. And that's my concern, that we might regret our

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taking away from the municipality's authority on these parks built before 1998 to make these places safer to live. Thank you, Madam President.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Clayborne, to close.

SENATOR CLAYBORNE:

Thank you, Madam Chairman. I -- I think the bill was been summed up and debated. And the real issue is affordable housing. I mean, we could go throughout the State of Illinois and see how close homes are in Chicago, downstate, mid-state. That argument you raised, Senator Righter, and I'm not trying to minimize it, that exists anyway. All we're saying is, if the law exists as -- as -- prior to 1998 these parks were in compliance, then we want to allow them to be able to put that replacement back on that site. The only thing we're really addressing is the site -- is the lot size. We're saying that lot size was okay. There's going to be a ten-foot setback. Five feet in terms of width -- next to the other mobile homes. But the real issue is, if the -- if the mobile home has to -- be replaced, do we kick these people out, or do we allow them the affordable housing that they deserve and not create more homelessness or -- or displace people? I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

The question is, shall House Bill 4651 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 30 Ayes, 23 Nays, 1 voting Present. And House Bill 4651, having received the required constitutional majority, is declared passed. Senator Link. Senator Shadid, on 4660. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 4660.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Shadid. Senator Shadid.

SENATOR SHADID:

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Oh! Thank you, Madam President. Under current law of House Bill 4660, any person employed by a private employer, the State of Illinois or any political subdivision who is called to serve in the military and is honorably discharged or satisfactorily completes his military service and is physically qualified to perform his job duties at the time of discharge or completion of military service and applies for reemployment within ninety days after being released from service shall be restored by his employer to the same position. The only remedies offered under current law are the person who served to bring a civil action against the employer, requiring the hiring of a private attorney and the expenditure of significant fees and costs. This bill amends that Act to make important changes. Provides the employer's knowingly and willingly violation of the Act is a business offense punishable by a fine of not less than five thousand dollars and not more than ten thousand dollars. And it also provides the assessment of -- by court -- by the court of fees and costs against an employer in civil action. I would appreciate a Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Soden.

SENATOR SODEN:

Yes. I'd like to compliment the sponsor of the bill. These young people serving over there have enough worries as it is without having to worry, if they're coming home, if they have a job or not. Thank you.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any further discussion? Seeing none, the question is, shall House Bill 4660 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 House Bill 4660, having received the required constitutional majority, is declared passed. Senator Peterson, on 4705. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 4705.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Peterson.

SENATOR PETERSON:

Thank you, Madam President, Members of the Senate. House Bill 4705 provides that on and after 6/1/04, neither a county board nor a municipality nor a retailer may enter into any agreement to share or rebate any portion of the retailers occupation taxes generated by sales if, one, the tax absent the agreement would have been paid to another local government and, two, the retailer maintains, within other local governments, a retail location or warehouse from which property is delivered to purchasers. This bill is supported by the Illinois Retail Merchants Association and the City of Chicago.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Shadid.

SENATOR SHADID:

Yes, Madam President. For the record I wanted to vote Yes. My button didn't work. Would you record...

PRESIDING OFFICER: (SENATOR HALVORSON)

So you want to be recorded as Yes on your own bill.

SENATOR SHADID:

Would you please, Lou -- I mean, Debbie.

PRESIDING OFFICER: (SENATOR HALVORSON)

The record will so reflect. Is there any discussion? Seeing none, this question is, shall House Bill 4705 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 56 Ayes, none voting Nay, none voting Present. And House Bill 4705, having received the required constitutional majority, is declared passed. Senator Obama, on 4712. Mr. Secretary, read the bill.

ACTING SECRETARY HARRY:

House Bill 4712.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Obama.

SENATOR OBAMA:

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Thank you, Madam President, Ladies and Gentlemen of the Senate. This bill would restrict the use of social security numbers on public postings or displays, mailings and Internet transmissions. It is obviously designed to prevent -- identity theft and -- an issue that is of increasing concern to all of us. I'd ask for an affirmative roll call.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 4712 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 58 Yeas, none voting Nay, none voting Present. And House Bill 4712, having received the required constitutional majority, is declared passed. Senator Walsh, on 4716. Madam Secretary, Committee Reports.

SECRETARY HAWKER:

Senator Viverito, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to Judiciary Committee - Floor Amendment No. 2 to House Bill 575, Floor Amendment 1 to House Bill 956, Floor Amendment 2 to House Bill 1875, Floor Amendment 1 to House Bill 3882, Floor Amendment 2 to House Bill 4135, Floor Amendment 2 to House Bill 4318, Floor Amendment 1 to House Bill 4949, Floor Amendment 1 to House Bill 6574, Floor Amendment 1 to House Bill 6683 and Floor Amendment 3 to House Bill 7057.

PRESIDING OFFICER: (SENATOR HALVORSON)

Madam Secretary, Resolutions.

SECRETARY HAWKER:

Senate Resolution 523, offered by Senator Haine and all Members.

It is a death resolution.

PRESIDING OFFICER: (SENATOR HALVORSON)

Consent Calendar.

SECRETARY HAWKER:

And Senate Joint Resolution 77, offered by Senator Trotter. It is substantive.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Cullerton, for what purpose do you rise?

SENATOR CULLERTON:

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For the purposes of an announcement.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your announcement.

SENATOR CULLERTON:

Tomorrow morning at 9:30 the Senate Judiciary Committee is to meet. We have ten amendments and we need to complete our business in a half hour. So I'd like to have all the Members ready at their seats in Room 400 at 9:30.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Clayborne.

SENATOR CLAYBORNE:

Yes. Madam President, I rise for purpose of an announcement.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your announcement.

SENATOR CLAYBORNE:

Tomorrow morning at 8:30 in Room 212, for the benefit of my Senator Link, there will be a Energy and Environment meeting -- Committee meeting at 8:30, in 212, tomorrow morning.

PRESIDING OFFICER: (SENATOR HALVORSON)

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

SENATOR GEO-KARIS:

An announcement.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your announcement, please.

SENATOR GEO-KARIS:

As you know, the baseball game is taking place tonight. Those of you who aren't playing, you should come and cheer the team. We need all the cheering we can get 'cause we want to win this time. So, don't let us down. Get over to the baseball game, and that's at Lincoln Park at 5 o'clock.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Hendon. Senator Hendon has his light on, but he's not there. Senator Hendon, your light is on. Okay.

SENATOR HENDON:

It's 4 o'clock. It's game time. I just got off the phone with a House chicken, talking stuff. I'm upset. Let's get dressed and go out there and prove who the real men and women are in the Illinois General Assembly.

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PRESIDING OFFICER: (SENATOR HALVORSON)

There being no further business, the Senate stands adjourned until 11 a.m., Tuesday, May 6th -- Thursday, May 6th, 2004. Senate stands adjourned.