

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

112th Legislative Day

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PRESIDING OFFICER: (SENATOR WELCH)

The regular Session of the 93rd General Assembly will please come to order. Will the Members be at their desks? Will our guests in the galleries please rise? The invocation today will be given by Pastor Reilly, the Calvary Assembly of God, Crystal Lake, Illinois. Pastor Reilly.

PASTOR REILLY:

(Prayer by Pastor Reilly)

PRESIDING OFFICER: (SENATOR WELCH)

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

SENATOR LINK:

(Pledge of Allegiance, led by Senator Link)

PRESIDING OFFICER: (SENATOR WELCH)

Please be seated. Senator Haine, for what purpose do you seek recognition? I think that's your group just leaving. Senator Haine, as your -- where's your group?

SENATOR HAINE:

Thank you very much, Mr. President and Ladies and Gentlemen of the Senate. I wish to call the attention of the Senate to a -- the eighth-grade class, some parents, members of the faculty of Our Lady Queen of Peace Church in Bethalto, Illinois. And they are also -- they also came to Springfield to see the Statehouse with a very close friend of mine, Assistant State's Attorney of Madison County, Teresa Hagans, a prosecutor known for her great competence and integrity. Ladies and Gentlemen of the Senate, I'd appreciate a warm welcome for Our Lady Queen of Peace.

PRESIDING OFFICER: (SENATOR WELCH)

Would our guests in the gallery please rise, be recognized? Welcome to Springfield. Thank you for coming. Madam Secretary, Reading and Approval of the Journal.

SECRETARY HAWKER:

Senate Journal of Tuesday, May 18, 2004.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Haine.

SENATOR HAINE:

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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 WELCH)

Senator Haine moves to approve the Journals just read by the Secretary. There being no objection, so ordered. Senator Bomke, for what purpose do you seek recognition?

SENATOR BOMKE:

A point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

State your point.

SENATOR BOMKE:

Thank you. With us today is Russ Benning and the eighth-grade class with Trinity Lutheran School, behind the President.

PRESIDING OFFICER: (SENATOR WELCH)

Take a bow, Russ. Stand up. Welcome to Springfield. Madam Secretary, Resolutions.

SECRETARY HAWKER:

Senate Resolution 555, offered by Senator Lauzen and all Members.

It is a death resolution.

PRESIDING OFFICER: (SENATOR WELCH)

Resolutions Consent -- Calendar. Committee Reports.

SECRETARY HAWKER:

Senator Haine, Chairperson of the Committee on Local Government, reports House Bill 6229 Do Pass.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Althoff, for what purpose do you seek recognition?

SENATOR ALTHOFF:

Personal privilege.

PRESIDING OFFICER: (SENATOR WELCH)

State your point.

SENATOR ALTHOFF:

I would like the Senate to recognize a very special guest who just gave the invocation, Pastor Terry Reilly, and his wife, Deborah, and their colleagues who are here attending a convention.

PRESIDING OFFICER: (SENATOR WELCH)

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Will the colleagues in the gallery please rise? Welcome to Springfield, to all of you. Ladies and Gentlemen, we are going to proceed to 3rd Readings immediately. Would the secretaries in their offices please tell their Senators to come up to the Floor? We're going to begin voting on 3rd Readings, final passage. Thank you. Will the Senators please come to the Floor? Senator Radogno, for what purpose do you seek recognition?

SENATOR RADOGNO:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR WELCH)

State your point.

SENATOR RADOGNO:

I'd like to introduce to the Body today a Page I have with me, Michael Valenta, from Indian Head Park. He's a seventh-grader at Pleasantdale Middle School.

PRESIDING OFFICER: (SENATOR WELCH)

Michael, stand up so we can see you. Welcome to Springfield. Ladies and Gentlemen, on page 12 of the Calendar, House Bills 3rd Reading, the first bill is House Bill 1083. Senator Harmon. Senator Harmon. 1111. Senator Emil Jones. On the top of page 13. Senator Cullerton. Read the bill, Madam Secretary. Out of the record. House Bill 1300. Senator Petka. With leave of the Body, Senator Syverson will handle the amendment. Senator Syverson, on House Bill 1300. Senator Syverson seeks leave of this Body to return House Bill 1300 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 1300. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR WELCH)

Senator Syverson, handling the amendment for Senator Petka.

SENATOR SYVERSON:

Thank you, Mr. President. This amendment will establish or allow counties the ability to establish a mental health court, similar to DuPage County. I know of no objections. This is being pushed by the Mental Health Association.

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PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, Senator Syverson moves the adoption of Amendment No. 1 to House Bill 1300. 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 WELCH)

3rd Reading. On -- now on the Order of 3rd Reading, House Bill 1300. Senator Syverson seeks leave of the Body to handle the bill for Senator Petka. Without objection, leave is granted. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 1300.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. As I mentioned earlier, this legislation just allows local counties to establish a mental health court. This is something that Cook County and Kane County are looking into. DuPage County already does this. This is being supported by the State's attorneys and the -- the Mental Health Association. I know of no objection.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Is there any discussion? If not, the question is, shall House Bill 1300 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 49 Members voted Yes, 7 Members voted No, no Members voted Present. House Bill 1300, having received the required constitutional majority, is declared passed. House Bill 1336. Senator Martinez. House Bill 1659. Senator Silverstein. House Bill 1660. Senator Crotty. House Bill 1875. Senator Cullerton. House Bill 2220. Senator Silverstein. House Bill 2268. Senator Obama. House

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Bill 2587. Senator Meeks. House Bill 2981. Senator Cullerton.
Senator Cullerton. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 2981.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This bill comes to us from the Illinois Acupuncture Federation and the -- it represents a result of a compromise with the Illinois State Medical Society. It removes the requirement that an acupuncturist receive a referral from a physician or a dentist before treating the patient. Physicians and dentists would still have the ability to refer and maintain management of the patient; however, it's not required in order for a patient to receive treatment from an acupuncturist. Know of no opposition. Be happy to answer any questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall House Bill 2981 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 59 Members voted Yes, no Members voted No, and no Member voted Present. House Bill 2981, having received the required constitutional majority, is declared passed. House Bill 3589. Senator Schoenberg. On the top of page 14, House Bill 3715. Senator Emil Jones. House Bill 3716. Senator Terry Link. House Bill 2828 -- 3828. Excuse me. John Sullivan. House Bill 3835. Senator George Shadid. House Bill 3977. Senator Haine. Senator Haine. House Bill 3979. Senator Lightford. House Bill 4012. Senator Munoz. House Bill 4086. Senator Cullerton. House Bill 4154. Senator Schoenberg. On the top of page -- 16 -- 15. Top of page 15. House Bill 4176. Senator del Valle. On page 15, House Bill 4200. Senator Silverstein. House Bill 4241. Senator DeLeo. House Bill 4280. Senator Hunter. Read the bill, Madam Secretary. Pardon me. Senator Hunter seeks leave of the Body to return House Bill 4280

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to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 4280. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Yes. Floor Amendment No. 2, offered by Senator Hunter.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Hunter, on Amendment No. 2.

SENATOR HUNTER:

Thank you, Mr. President. The amendment provides an administrative cleanup to language worked out to address concerns raised in the committee.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, Senator Hunter moves the adoption of Floor Amendment No. 2. All in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. House Bill -- oh, I'm sorry. Now on the Order of 3rd Reading is House Bill 4280. Senator Hunter, do you wish to proceed? Senator -- Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 4280.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Hunter.

SENATOR HUNTER:

Thank you, Mr. President. House Bill 4280 would allow municipalities to collect overdue costs associated with correcting code violations associated with property maintenance, such as cutting the grass, weeds, removal of abandoned property, as -- property and rodent abatement, as a special assessment on property taxes. Not only would this bring in additional revenues for the municipalities which is now going uncollected, but it will be an incentive for landlords to clean up their properties in order to maintain neighborhood property values.

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The proponents are the City of Chicago, the Code Enforcement Officials of Southern Illinois, the Illinois Municipal League, West Central -- Municipal Conference. And I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WELCH)

Thank you, Senator Hunter. We have a couple of Members wanting to ask questions. Could we -- could we please move away from the sponsor? Over here, could we please move away from the sponsor so that she can hear the question? Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR WELCH)

Indicates she'll yield, Senator.

SENATOR RIGHTER:

Senator Hunter, I want to make sure that I understand. I -
- and I know that you just put another amendment on the bill, and I wasn't able to hear what that was. But my understanding of this bill, generally, is that if a homeowner is found to be in violation of a municipal ordinance or maybe a county ordinance with regards to the lawn is not kept up, there are vehicles -- nonoperative vehicles parked on the property or whatnot, that after the municipality or the local government asks the homeowner to clean it up and it's not done, that they will have the authority, under this bill, to place a special assessment on the homeowner's property tax bill. Is that -- is that correct, in a nutshell?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Hunter.

SENATOR HUNTER:

After a -- after a hearing is conducted, yes.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

What kind of hearing would it be, Senator Hunter? And I'm -
- insofar as, I mean, are we before an administrator, are we before a judge? I mean, issues like that.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Hunter.

SENATOR HUNTER:

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This is an administrative hearing, sir. What happens is that a notice goes out to the homeowner stating that they are in violation of whatever, and they're -- they're given a time frame to correct the issue. And if they do not correct the -- the violation within a -- a timely manner -- within a timely manner, then an administrative hearing is -- is called and the person has the opportunity to appear before an administrative judge or -- or hearing. And...

PRESIDING OFFICER: (SENATOR WELCH)

Senator... pardon me. Senator Righter.

SENATOR RIGHTER:

Who -- who is the administrative hearing officer, Senator? Is this someone appointed by the mayor or the city council? And I want to -- I want to try to save time here, that I'm also interested in what are the requirements as far as the notice to be mailed. Is it registered mail, return receipt requested? Is it certified mail? And when you say a timely manner, is there anything in the statute that -- that guarantees the homeowner how long they're going to have to do this before an assessment is placed on their property?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Hunter.

SENATOR HUNTER:

No, there is nothing in the statute that states that. There is no -- no time frame written in the statute, as well.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

So, if I have a constituent in my district, Senator Hunter, who is -- maybe he or she is a senior citizen, and you know how some people are. They -- they -- they -- they want to do things even though maybe they're physically not able to do that, and say, you know, "I can mow my own yard," or "I can -- I can trim my own hedges," and they're not able to get out there and do that. And they get a notice, and -- but they miss the hearing. Maybe the notice doesn't get there because it was sent regular mail. They miss the hearing, then they have a -- an assessment placed upon them. Is there any limit on what the local government can assess? I mean, can this be a fifty-dollar

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assessment, can it be a hundred-dollar assessment, can it be a five-hundred-dollar assessment? I mean, are we going to -- are we going to cap this at all?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Hunter.

SENATOR HUNTER:

There is no -- oh. There is no limit in the bill in terms of the amount; however, there is an opportunity for redress from the homeowner. Okay. What it states is that, in terms of the comments, if a homeowner is cited with a code violation, does not correct the problem before reinspection and -- and if they fail to pay costs of services rendered by the municipality to correct the violation, then a lien is placed on his or her property by the office of the recorder, by that municipality.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

Am I understanding you to say, Senator, that the city has to do something to remedy the -- the problem and then bills the homeowner, and if the homeowner doesn't pay, then there's a lien placed on their -- on the title to the property?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Hunter.

SENATOR HUNTER:

If the -- the municipality cares to do so, yes, they can do it. They're already doing this now. All of this is going on right now. What we simply wanted to do was to correct the -- and make it very specific the certain code violations. And prior to, they were not specifically indicated, but now we know that the specific code violations are cutting of grass and weeds, removal of abandoned vehicles and garbage, and rodent abatement. The liens are already being placed -- we -- we're only -- this -- this bill allows it to have a special assessment. The liens are already -- everything is being taken care of, is being done right now.

PRESIDING OFFICER: (Senator WELCH)

Senator Righter.

SENATOR RIGHTER:

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Thank you, Mr. President. I'm sorry, Senator Hunter. Are you telling me that the municipalities -- all municipalities, all local governments in the State have this authority already? And if they do, then what's -- what are we doing with this bill?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Hunter.

SENATOR HUNTER:

What we are doing with this bill, Senator, is to impose the liens through -- the liens are already being imposed. We're imposing the special assessments in order to collect the funds.

PRESIDING OFFICER: (Senator WELCH)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. To the bill. Ladies and Gentlemen, I know -- you know, it's the start of the day and things are noisy, but I hope everyone is paying attention to this. This is going to affect every property owner and homeowner in your district. If the local government feels like there is a code violation and the homeowner does not comply with what the local government says are the time parameters and the hearing parameters that are set forth by the local government, not by us, then they are subject to a lien being placed on their home, which, of course, can be done, but now a special assessment on their property taxes. All of us who are hearing from our constituents that property taxes are high enough, this is going to add to that bill. Ladies and Gentlemen, I just hope that everyone will be very careful in voting on this legislation. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Wendell Jones.

SENATOR W. JONES:

Well, unfortunately, I didn't get a chance, as -- as a Spokesperson on the Minority for Local Government, to speak before my distinguished colleague or perhaps some of this could have been cleared up. I spent ten years in local government, and one of the things that we had the most difficulty with was people who didn't obey the law, people who didn't take care of their yards and had twelve inches of grass and a boat parked in the front yard. And you try to take action against 'em and they

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hold you up in court for fifteen or twenty days and then fifteen or twenty more days, and then it becomes six months. People in the neighborhood are complaining, they're calling the mayor, they're calling the village trustees. They can't get anything done about it. Now, we do have laws on it, but this -- this makes it stronger. This is not a bill that would affect every person in every district. It will affect you if you've got a person who doesn't mow their yard and parks their boat in the front yard and doesn't obey the municipal law. I think it's a good bill and we should pass it. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

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

SENATOR HUNTER:

I'd like to say that the liens are already being imposed. This bill simply allows for the collection of fines through the special assessment, and I ask for a favorable vote. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill 4280 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 36 Members voted Yes, 18 Members voted No, 3 -- 2 Members voted Present. House Bill 4280, having received the required constitutional majority, is declared passed. Senator David Sullivan, for what purpose do you seek recognition?

SENATOR D. SULLIVAN:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR WELCH)

State your point.

SENATOR D. SULLIVAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I have a couple of introductions. First, on the Floor with me is my Page for today, Paul Brown, from Senator Shadid's district. And in the gallery, my oldest son has returned from my -- from his freshman year at my alma mater, Marquette University. My son, Brendan, with two friends of his, Chris Hayes and Austin Gibbons.

PRESIDING OFFICER: (SENATOR WELCH)

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Would our guests in the galleries please rise, and the Page? Welcome to Springfield. House Bill 4283. Senator Shadid. House Bill 4502. Senator DeLeo. Read the bill, Madam Secretary. Hold on. Senator DeLeo seeks leave of the Body to return House Bill 4502 to the Order of 2nd Reading for purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is -- is House Bill 4502. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Yes. Floor Amendment No. 3, offered by Senator DeLeo.

PRESIDING OFFICER: (SENATOR WELCH)

Senator DeLeo, on Floor Amendment No. 3.

SENATOR DeLEO:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. Floor Amendment No. 3 to House Bill 4502 deletes all and actually becomes the bill. What this -- the amendment does, requires DHS to periodically convene a task force to study and assess service needs of -- persons with autism. There was some very controversial part of this bill. There was some estimates floating around, between twenty and thirty, forty million dollars. That is now out - out of the bill. The only part in the bill is what this amendment does, leaves the autism part in the bill. So, I'd ask for the -- adoption of Amendment No. 3, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion on the amendment? If not, Senator DeLeo moves the adoption of Amendment No. 3 to House Bill 4502. All in favor, 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 WELCH)

3rd Reading. On the Order of 3rd Reading, House Bill 4502. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 4502.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR WELCH)

Senator DeLeo.

SENATOR DeLEO:

Once again, thank you very much, Mr. President, Ladies and Gentlemen of the -- Assembly. Amendment No. 3 that I just explained is now the bill, and I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Briefly, to the bill. I just want to thank the sponsor for his hard work on this legislation and the amendment which removes the controversial part of the bill that has financial implications and also deals with an issue that's in court right now. Clearly, this State needs to adopt a plan with regards to people afflicted with autism, and I appreciate the sponsor's recognition of that and moving forward on it. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any further discussion? If not, the question is, shall House Bill 4502 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 59 Members are voting Yes, no Member voted No, no Member voted Present. House Bill 4502, having received the required constitutional majority, is declared passed. House Bill 4505. Senator Collins. House Bill 4522. Senator del Valle. House Bill 4522. Senator del Valle. House Bill 4370. Senator Obama. On top of page 16, House Bill 4771. Senator Halvorson. Senator Halvorson seeks leave of the Body to return House Bill 4771 to the Order of 2nd Reading for purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 4771. Madam Secretary, are there -- any amendments filed for consideration?

SECRETARY HAWKER:

Yes. Floor Amendment No. 1, offered Senator Halvorson.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Halvorson.

SENATOR HALVORSON:

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Thank you, Mr. President. The amendment shall be explained by the amendment sponsor, Senator Harmon.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. The amendment to House Bill 4771, which Senator Halvorson graciously agreed to include in the bill, is an amendment to the Criminal Code that essentially removes a -- an accelerated statute of limitations for criminal sexual assault when the alleged offender is the spouse of the victim. Law -- the law currently provides for a thirty-day statute of limitations. This would eliminate that and put all rape victims on equal footing. I'd ask for your Aye votes.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing none, Senator Harmon moves the adoption of Floor Amendment No. 1 to House Bill 4771. All in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. On the Order of 3rd Reading is House Bill 4771. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 4771.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President and Members of the Senate. House Bill 4771 now does two things. Senator Harmon explained the amendment that was put on, but it also addresses the medical testing of controlled substances, as far getting a signed consent to analyze the sampling. Currently, it's forty-eight hours, and a lot of times the person is still under the influence or they can't find them. So what this does now is it gives them up to thirty days after giving the sample as -- to

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sign the -- the letter of consent. So, I would like for everybody to vote Aye.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing none, the question is, shall House Bill 4771 pass. All those in favor, vote Aye. Opposed, Nay. Voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 59 Members voted Yes, no Members voted No, none voted Present. House Bill 4771, having received the required constitutional majority, is declared passed. Senator Brady, for what purpose do you seek recognition?

SENATOR BRADY:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR WELCH)

State your point.

SENATOR BRADY:

Thank you, Mr. President. I would like to introduce to the Members of the Chamber Erica Hubbs, a sixth-grader from Riverton School. She is my Page of the Day.

PRESIDING OFFICER: (SENATOR WELCH)

Erica, welcome to Springfield. House Bill 4847. Senator Jacobs. House Bill 4870. Senator Link. House Bill 4894. Senator Schoenberg. Senator Schoenberg? House Bill 4894. House Bill 4976. Senator Link. House Bill 4977. Senator Roskam. Senator Roskam seeks leave of this Body to return House Bill 4977 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 4977. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam, to explain Floor Amendment No. 1.

SENATOR ROSKAM:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The underlying bill amends the Taxpayers' Bill of Rights. What we're doing here is clarifying the information regarding audit selection methods that will not be disclosed to the taxpayer and also deleting requirements that auditors

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provide explanations for interpretations of tax law. This was made at the request -- these -- this amendment is offered at the request of the Department of Revenue, and as a result, they are now neutral on the bill. I urge -- I move its adoption.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, Senator Roskam moves the adoption of Floor Amendment No. 1 to House Bill 4977. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. On the Order of 3rd Reading is House Bill 4977. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 4977.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Could we have a little elbow room for Senator Roskam? Thank you. Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 4977 is an initiative of the National Federation of Independent Business. Essentially, it -- it outlines some duties and requirements that the Department of Revenue has to do in some of the audit procedures. It's a straightforward bill and it enjoys bipartisan support, and I urge its passage.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall House Bill 4977 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 59 Members voted Yes, none voted No, none voting Present. House Bill 4977, having received the required constitutional majority, is declared passed. House Bill 4980. Senator Garrett. House Bill 4996. Senator Halvorson. Senator

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Halvorson seeks leave of the Body to return House Bill 4996 to the Order of 2nd Reading for purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 4996. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Yes. Floor Amendment No. 3, offered by Senator Halvorson.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Halvorson, to explain Amendment No. 3.

SENATOR HALVORSON:

Thank you, Mr. President and Members of the Senate. Floor Amendment No. 3 deletes all and becomes the bill. It does two things. It amends the Military Code of Illinois to include single service members of the Illinois National Guard and reserves as eligible for grants from the Military Family Relief Fund, and it also amends the Survivors' Compensation Act to include Illinois service members whose service-connected death was a result of hostile action. It changes the grant from one thousand dollars to three thousand.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, Senator Halvorson moves the adoption of Amendment No. 3 to House Bill 4996. All those in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. On the Order of 3rd Reading is House Bill 4996. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 4996.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. Chairman -- Mr. President. The bill, as described by the amendment, is necessary because a lot of single

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people have not been given the grants from the Military Family Relief Fund, and we need to increase the grant from one thousand to three thousand. We have had thirty-seven people from Illinois die, and I think that's the least we could do, is come up with a -- a better grant for death benefits.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall House Bill 4996 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 59 Members voted Yes, no Member voted No, none voted Present. House Bill 4996, having received the required constitutional majority, is declared passed. House Bill 5017. Senator Larry Walsh. Read the bill, Madam Secretary. I'm sorry. Senator Larry Walsh seeks leave of the Body to return House Bill 5017 to the Order of 2nd Reading for purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 5017. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 4, offered by Senator Walsh.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Walsh, to explain Floor Amendment No. 4.

SENATOR WALSH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Floor Amendment No. 4 to House Bill 5017 amends the State Police Law in regards to prospective firefighter criminal history record checks. It changes the requests made of the State Police from a federal background investigation to a less labor-intensive criminal history records check while expanding the persons who can request a criminal history record to included the chief of any department, volunteer or non-volunteer, or the board of trustees of a volunteer fire protection district. I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, Senator Walsh moves the adoption of House Amendment -- of Floor Amendment No. 4 to House Bill 5017. All in favor, say Aye. Opposed, Nay. The Ayes have

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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 WELCH)

3rd Reading. On the Order of 3rd Reading is House Bill 5017. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 5017.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 5017, as amended, becomes a catchall for a lot of pieces of action in regards to volunteer fire departments, fire protection districts, et cetera. What it does is gives local fire districts the option to require new hires to have one of the EMT certifications as a condition of employment. Makes it permissive. New hires only. Also allows for more efficient scheduling of personnel. Sponsorship of trainings are easily available. Also amended, the bill sets the standard for the elections of fire protection -- fire districts' trustees and the number of signatures requested for the nomination. So, if there's any questions, I'd be more than glad to answer.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall House Bill 5017 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 59 Members voted Yes, no Member voted No, and none voting Present. House Bill 5017, having received the required constitutional majority, is declared passed. On the top of page 17 is House Bill 5732. Senator Link. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 5732.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. This bill is just an extension of a TIF district for the City of Effingham.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall House Bill 5732 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 55 Members voted Yes, 2 Members voted No, no Member voted Present. House Bill 5732, having received the required constitutional majority, is declared passed. House Bill 5875. Senator Harmon. House Bill 6496. Senator Emil Jones. House Bill 6499. Senator Emil Jones. House Bill 6954. Senator -- House Bill 7169. House Bill 7170. House Bill 7173. House Bill 7174. House Bill 7177. House Bill 7178. House Bill 7179. House Bill 7180. House Bill 7181. Ladies and Gentlemen, please turn your Calendar to page 8. We will go to House Bills 3rd Reading. And the top -- at the top of the list is House Bill 486. Senator Trotter. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 486.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. House Bill 486 does two things. One, it prohibits hospitals from promulgating policies or implementing practices that determine differing standards of obstetrical care based upon a patient's source of payment or ability to pay for medical services and requires a hospital to post a written notice reflecting that policy. DPA is required to reimburse medical providers who administer epidural anesthesia services to -- Medicaid patients when requested by an attending physician at

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the time of delivery. Second, what it does is, it amends the same Act dealing with dental services on the Medicaid program which will be expanded to include prevention and treatment of periodontal disease and -- and dental caries disease for pregnant women.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Briefly, to the bill. This bill passed out of the Health and Human Services Committee unanimously. I would urge our Members to support it. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill -- House Bill 486 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 59 Members voted Yes, no Member voted No, none voted Present. House Bill 486, having received the required constitutional majority, is declared passed. On the top of page 9, House Bill 575. Senator Cullerton. House Bill 578. Senator Cullerton. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 578.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This bill is a cleanup, if you will, of the death penalty reform bill that we passed last year. It would allow for the use of the Capital Litigation Trust Fund to provide assistance in post-conviction proceedings, both for the -- the defense as well as the prosecution. It also authorizes the Appellate Defender to contract with attorneys to provide representation, but makes their compensation subject to -- court approval and allows the court to permit certain late filing of post-conviction proceedings dealing with the writ of certiorari for the Supreme Court. Know of no opposition. It's supported by the State's

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Attorneys as well as the Appellate Defender, and would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall House Bill 578 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 59 Members voted Yes, no Member voted No, none are recorded as Present. House Bill 578, having received the required constitutional majority, is declared passed. House Bill 616. Senator Emil Jones. House Bill 649. Senator Cullerton. House Bill 679. Senator Trotter. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 679.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. This issue is a -- an -- an initiative that was presented to this Body from the Illinois Maternal and Child Health Coalition. It requires the Department of Public Aid, subject to appropriation, to furnish funding to community organizations for outreach programs which would consist of assistance in completing the application process for KidCare/FamilyCare programs and then transmitting the -- those application to DPA. What it's -- further does is it makes it clear that those community organizations that are chosen are mandated to offer specific services and will be held accountable for the services that -- that they would be furnishing.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield.

SENATOR RIGHTER:

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Senator Trotter, you and I had a discussion about this bill in committee, and I want to go over a couple, three of those points here again on the Floor. First, it's my understanding that what this bill would do is authorize the expenditure of tax dollars for outreach for increased enrollment in FamilyCare. Is that -- that's correct?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Trotter.

SENATOR TROTTER:

That's absolutely correct, so we can maximize our efforts in spending those dollars that we get from the feds to reach the populations that are -- that are in need -- that are -- would be needing these services.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

It's my understanding, Senator, that the Department of Public Aid has indicated to us that the projected enrollment for FamilyCare by June 30th of this year will be about forty-six thousand or so, and by the end of Fiscal year 2005, just twelve months later, will be a hundred and thirteen thousand. So, the question is, if we're -- seeing that kind of increase - and those are the Department's own numbers - how can we justify spending any money on outreach on a program that is seeing that kind of escalation in its enrollment?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Trotter.

SENATOR TROTTER:

Senator, those are -- are very ambitious numbers that have been presented by the Department. They, to date, have not met those kind of projected numbers for outreach. For the past years that -- five years that we've had this program in place, we've only registered two hundred thousand. So, they have not reached that forty-six thousand that they want. We know that there are almost another hundred to two hundred thousand people who are eligible for these programs. These outreach -- outreach programs and dollars will ensure that we get to that forty-six thousand and not just by a number that's presented that they

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would like to be. This, again, will ensure that we reach those people who need these necessary services.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

Senator, you -- you've expressed some doubts about the Department's ability to forecast. I mean, are you aware of specific target numbers that they've called for in the past and missed?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Trotter.

SENATOR TROTTER:

Yes. We -- we -- five years ago, and we're going into the sixth year now, when we started the KidCare program, we saw that there was at least two hundred thousand kids -- or, at that time, on their very limited numbers that they gave us, two hundred thousand children that would have been eligible for KidCare. Since that time, because of the -- the economy, we now know there's almost four hundred thousand children who are eligible for those programs. The Department has every year had a goal in which they wanted to register set amount of kids and families. They have never attained their goals. So, we're saying that if we're going to use these dollars, these CHIP dollars which come from the federal government, instead of sending back thirty-six million dollars as we had in the past because we could not spend it to -- to reach these -- these targets, that this is the best way to do it. We're asking for a minimum of -- of five hundred thousand dollars which will go to groups, which will go to those, basically, communities that have not been participating in this program. Those are the -- the Latino communities, the rural communities, and also to the African-American communities where we have -- basically, we -- we know the need is there, but for whatever reason, have not participated in this program. These dollars, which will not only give us workers who are knowledgeable about the KidCare program, who will go to these small pockets -- or, these large pockets, I should say, and explain to the folks the need for enrolling their children and themselves into this program, which is largely funded by federal dollars.

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PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter, could you wrap it up?

SENATOR RIGHTER:

Thank you, Mr. President. To the bill. Ladies and Gentlemen, the Department of Public Aid is telling us that by the end of this fiscal year, almost fifty thousand people will be enrolled in FamilyCare and that by the end of the next fiscal year, that number will be twice that - over twice that. Is it wise for the taxpayers to spend money to recruit people into a program that is -- going to double its enrollment in twelve months? I don't think that's the most judicious use of our tax dollars, especially at a time when payment cycles for Medicaid providers are getting longer, reimbursements are already too low, and now we're talking about how we're going to be able to handle health insurance benefits for retired teachers. I think that we need to get our own house in order and pay for the programs we have and accept the enrollment as it comes in, rather than spend our constituents' dollars on trying to get more people to the front door. I would urge a No vote.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Ronen.

SENATOR RONEN:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield, Senator.

SENATOR RONEN:

Senator Trotter, I -- I understand that your bill is subject to appropriation. I guess the -- the essence of my question is, in other words, you are anticipating, unless there is a specific line item put in the budget for this purpose, this wouldn't be funded. In other words, you're not suggesting that we take money from some other -- from the child care KidCare/FamilyCare program to pay for this. It's subject to a specific appropriation for the purposes of outreach. That's how I understood what you were saying in committee.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Trotter.

SENATOR TROTTER:

That is correct, Senator.

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PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. Briefly, to the bill. You know, it -- it seems a -- a -- an absolutely curious thing to me. Oftentimes, when we're talking about health care issues, we're talking about what our debate is driven about, how we can chase federal money. This is not even about the chasing of federal money. There's no matching here, so we're -- this is real, in a way. The other thing, it just seems philosophically absurd to me that we would be recruiting people to go onto welfare. Why we would deploy time, energy and resources at a time, as Senator Righter pointed out, we're not meeting the current obligations that we have to people to whom we've made promises, why we're recruiting people to go on welfare, I think is a -- is a bad choice, particularly at this time when our budget is so tenuous. I urge a No vote.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. To the bill and the last two speakers from the other side of the aisle. It's amazing to me because this bill does not encourage people to go on welfare. This bill -- we have a lot of children here today, a lot of mothers here today. This bill simply allows people to get KidCare, to get the doctors, the nurses, the -- the help that they need to live a healthy life. And anyone who votes against it, you're voting against the children, you're voting against the mothers, you're voting against health care for people who can't afford it otherwise. This is an excellent piece of legislation. I commend Senator Trotter for pushing it forward, and I urge a No vote on both sides of the aisle from those -- a Yes vote. A Yes vote. See, I was looking at Roskam and he always is No on everything, and Righter. They're always No. I urge a Yes vote on this important piece of legislation for all of us and all of -- regardless of Party that -- that understand and love children and families and want to give them the best possible health possible. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

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Senator -- Senator Trotter, to close.

SENATOR TROTTER:

Thank you very much, Mr. President. Thank you, Senator Hendon, for all your help -- in this bill. But, seriously, what -- what we have here, it's -- it's because of the misinformation that is out there about the -- the KidCare program, is that we need outreach. There are many parents who think, like Senator Roskam, that this is welfare. This is not welfare. This is health care for children, dollars which are going out there to ensure that our children get a healthy start so they can go to school, so they can get the glasses they need, get the hearing tests that they need. This is not a welfare program, and a lot of people who are very proud do not participate in the program because they do not want to be on welfare. This is a KidCare health care program for children and for working-class people, people who have -- go up to -- to the federal poverty line. Federal poverty line for a family of four is -- sixteen thousand fifty for over -- going up to two hundred percent of the federal poverty line. So, this is not welfare. This is a needed program for our children, and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

The -- the question is, shall House Bill 679 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 29 Members voted Yes, 25 Members voted No, 4 Members voted Present. House Bill 679, having failed to receive the required majority, is declared lost. Senator Trotter.

SENATOR TROTTER:

Like to have this bill put on Postponed Consideration, please.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Trotter moves to put House Bill 679 on Postponed Consideration. That motion is in order. The bill will be placed on the Order of Postponed Consideration. House Bill 714. Senator Shadid. House Bill 731. Senator Trotter. Read the bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 731.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Trotter.

SENATOR TROTTER:

Excuse me. Take this one out of the record, please.

PRESIDING OFFICER: (SENATOR WELCH)

Please take the bill out of the record. House Bill 750.
Senator Meeks. House Bill 753. Senator Peterson. Read the
bill, Mr. Secretary.

ACTING SECRETARY HARRY:

House Bill 753.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President. House Bill 753 adds an exemption to the tax cap for temporary relocation loan repayment purposes and made for payment of principal and interest on any bonds issued for temporary relocation expenses and emergency replacement purposes. At this time, we have a school in our district, the Gavin School District. During the winter, they had a frozen pipe on the sprinkler system. They went up into the attic and found that - a seven-year-old building - all the trusses were cracked, and they had to abandon the school. The school district is asking for permission to sell bonds to repair the building while they negotiate with the architect and the construction people to pay for the replacement of those trusses and any other ancillary expenses, relocation expenses, et cetera. We tried to hold off on this to give the parties a chance to negotiate. It hasn't worked, and so we said that we would pursue this legislation, and I hope that you can support House Bill 753 so we can get the kids back in school in September while the parties negotiate or go to court. Ask for your support.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

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Mr. President and Ladies and Gentlemen of the Senate, I join Senator Peterson, and I might tell you that all this -- is involved is five hundred thousand dollars paid in seven years at the rate of seventy thousand a year so they can pay for their relocation expenses and make the repairs. And I urge support for it.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any further discussion? Seeing none, the question is, shall House Bill 753 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 39 Members voted Yes, 18 voted No, no Member voted Present. House Bill 753, having received the required constitutional majority, is declared passed. Senator Luechtefeld, for what purpose do you seek recognition?

SENATOR LUECHTEFELD:

Thank you, Mr. President and Members of the -- point of personal privilege, first of all.

PRESIDING OFFICER: (SENATOR WELCH)

State your point.

SENATOR LUECHTEFELD:

In the balcony is a group of boy scouts from Smithton, Illinois, with their leader, Paul Brown. I would like you to welcome them to the Senate, if you would, please.

PRESIDING OFFICER: (SENATOR WELCH)

Please stand and be recognized by the Senate. Welcome to Springfield. House Bill 756. Senator del Valle. House Bill 759. Senator Emil Jones. On the top of page 10, House Bill 762. Senator Emil Jones. House Bill 766. Senator Maloney. House Bill 826. Senator Clayborne. House Bill 834. Senator Emil Jones. House Bill 835. Senator Sandoval. House Bill 843. Senator Emil Jones. House Bill 848. Senator Welch. House Bill 849. Senator Trotter. Senator Roskam, for what purpose do you rise?

SENATOR ROSKAM:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR WELCH)

State your point.

SENATOR ROSKAM:

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Thank you, Mr. President. I'd like the Senate to welcome my Pages for the Day who are seated in the back: Teddy Bronson and Nichole Bronson. And their dad, I am informed, is upstairs, Ted Bronson, and they're all from Wheaton, Illinois.

PRESIDING OFFICER: (SENATOR WELCH)

Well, welcome to the Bronsons. Please -- stand and be recognized by the Senate. Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President. On a point of an announcement.

PRESIDING OFFICER: (SENATOR WELCH)

State your point.

SENATOR LIGHTFORD:

Thank you. I'd like for the Members to also welcome a young lady here with me today, Paris Stephens, from my hometown, the Village of Maywood. Please welcome her.

PRESIDING OFFICER: (SENATOR WELCH)

Welcome to Springfield, Paris. Senator Halvorson, for what purpose do you rise?

SENATOR HALVORSON:

Thank you, Mr. President. I'd like to announce that Senator Clayborne had to leave for family business. So, if the record could reflect.

PRESIDING OFFICER: (SENATOR WELCH)

Thank you, Senator. Proceeding with the next bill, House Bill 851. Senator Trotter. House Bill 853. Senator Emil Jones. House Bill 854. Senator Emil Jones. On the top of page 11, House Bill 855. Senator Link. House Bill 856. Senator Emil Jones. House Bill 857. Senator Emil Jones. House Bill 862. Senator Link. House Bill 863. Senator Link. House Bill 864. Senator Emil Jones. House Bill 866. Senator Emil Jones. House Bill 867. Senator Emil Jones. House Bill 868. Senator Emil Jones. House Bill 870. Senator Emil Jones. House Bill 875. Senator Emil Jones. House Bill 913. Senator Emil Jones. House Bill 921. Senator Ronen. Senator Carol Ronen. On the top of page 12, House Bill 934. Senator Emil Jones. House Bill 944. Senator Emil Jones. House Bill 966. Senator Emil Jones. House Bill 976. Senator Susan Garrett. House Bill 999. Senator Emil Jones. House Bill 1004. Senator Emil Jones. House Bill 1007. Senator Emil Jones. House Bill 1020. Senator Welch.

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With leave of the Body, we'll return to that bill. House Bill 1067. Senator Jacobs. House Bill 1083. Senator Harmon. House Bill 1111. Senator Emil Jones. House Bill 1191. Senator John Cullerton. House Bill 1336. Senator Martinez. House Bill 1659. Senator Silverstein. House Bill 1660. Senator Crotty. House Bill 1875. Senator Cullerton. House Bill 2020 -- 2220. Excuse me. Senator Silverstein. House Bill 2268. Senator Obama. Senator Obama. Senator Obama seeks leave of the Body to return House Bill 2268 to the Order of 2nd Reading for purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 2268. Mr. Secretary, are there any amendments filed for approval?

ACTING SECRETARY HARRY:

Amendment No. 4, offered by Senator Obama.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Obama, to explain Floor Amendment No. 4.

SENATOR OBAMA:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. This amendment is in response to a couple of concerns that Members of the committee voiced during our last hearing. It changes how the appointment of a task force for the Health Care Justice Task Force {sic} will be appointed, making sure that there's representation from both sides of the aisle. And I'm happy to debate the bill on 3rd Reading.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, Senator Obama moves the adoption of Floor Amendment No. 4 to House Bill 2268. 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?

ACTING SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. On the Order of 3rd Reading is House Bill 2268. Mr. Secretary, please read the bill.

ACTING SECRETARY HARRY:

House Bill 2268.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR WELCH)

Senator Obama.

SENATOR OBAMA:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. This bill seeks to address what is a growing crisis all throughout the State. I don't need to, I think, reiterate the fact that we have a full-blown health care crisis. When I first came to the Legislature seven years ago, we already had a problem with the forty million plus nationally who were uninsured, the millions in Illinois who were uninsured. But now what we're seeing is not only problems among the uninsured, problems among seniors and their prescription drugs, but we are also seeing now people who have employer-based health care plans seeing their copayments go up, deductibles go up and premiums go up so that all people are feeling the pinch. Geographically, it doesn't matter whether they're in downstate Illinois, City of Chicago or the suburbs. Black, white, Hispanic and Latino, all of us are concerned about rising health care costs, and small employers and self-employed persons are among the hardest hit. What this bill does is to create a task force that over the next year will examine mechanisms by which we can expand affordability and accessibility of health care to all persons in Illinois. The task force, thanks to suggestions from some of my Republican colleagues, will be made up of five appointees from the Governor as well as six from each Legislative Leader. They will meet and discuss how we can provide more effectively a full range of preventative, acute and long-term health care services, provide portability of coverage, provide core benefits to all Illinois residents, encourage cost savings, cost containment, and would promote affordable coverage options for the small business market. Within the bill, it enumerates a number of issues that the task force should be looking at. There have been some back-and-forths between myself and the insurance industry, which was originally concerned that somehow this was a Trojan horse, to introduce single payer. I want to say on record that I am not in favor of a single-payer plan. I don't think that we can set up that kind of plan, and if we were going to even attempt to some sort of national health care, that would have to, obviously, be done at the federal level. What this does

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do is to try to figure out how can we at the State level more effectively address this crisis. With that, I would entertain any questions or comments people may have.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Briefly, to the bill. Ladies and Gentlemen, first I want to thank the sponsor for the changes -- the two changes that he did make that were in response to concerns from our side of the aisle in Health and Human Services Committee. And there isn't any question that there is a kind of cloud that surrounds this bill, if you will, because of what it started out to be. What it started out to be was a mandate on the State of Illinois that we would adopt some kind of universal health care plan no later than the beginning of 2007. And what we've seen in this legislation is somewhat of a retreat from that, but to characterize it as just an open-ended study bill is not accurate. This tells the task force what it must study and tells the task force exactly what has to be in the plan. Now, it may have a little tinkering here or there as far as how it achieves those points, but it does tell us what's got to be in those plans. For those of you, like all of us, who are concerned about costs of health care, not just quality and access, but costs as well -- because cost is what drives the problem, Ladies and Gentlemen. The reason that we can't keep up is because health care inflation is double digit. We have an amendment, Senate Amendment 3, that's sitting in the Rules Committee. For those of you who want to say I'm for studying this problem, there is a study out there. It's an open-ended study. It doesn't tell the task force exactly what it has to study. It doesn't tell the task force what it has to arrive at. And it places an emphasis on controlling costs. Because we can do everything else we want, Ladies and Gentlemen. It doesn't matter who pays the bill. Whether you're saying that the physicians are paying it or the -- or the other medical providers are paying it because of lower reimbursements or the taxpayers are paying it through the Medicaid program or public aid or whatever it might be, we're all paying the bill, and we're all paying the bill because we can't get these costs under

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control. This task force should focus on cost containment. That's what Senate Amendment 3 does. If you are uncomfortable with a task force being told exactly what it has to have in its report, you can vote No and point to something that is on file that is truly a study bill. I would urge a No vote.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Obama.

SENATOR OBAMA:

Just a brief response to Senator Righter, and I know he didn't ask a question. But I -- couple of things. One, I will acknowledge that when this bill came over from the House and I picked it up, it did have the sort of mandate that the Legislature would have to come up with something, and that was something that I worked diligently with the insurance industry, as well as Members of that side of the aisle, in addressing. It is now addressed here. With respect to the issue of cost containment, I just want to point out that what this task force is assigned to do is to look at a range of issues, one of which is cost containment. So, the notion, I think -- the implication, at least, that was set forth by Senator Righter that somehow we have this open-ended study that doesn't address cost containment is simply not accurate. As I read provision (6) the health care task force is urged to, among other things, look at how we institute cost-containment measures, because I think all of us are aware that we can't expand accessibility and affordability unless the baseline costs of health care are curbed. So, I -- I just want to make sure that everybody is clear here. We have given some direction to the task force in terms of broad outlines, basic things that people have to look at. That's appropriate. If we just had an open-ended study, it would mean nothing. We want to give some direction to the task force so that they have some sense of what their assignment is, but there's nothing in there that predetermines the kind of recommendations that they may come up with. They could decide to come up with a tax credit plan that many on that side of the aisle would support. They may decide to come up with some other mechanisms to contain costs. That's exactly what we -- need debating, but what we don't have right now is any kind of sense of urgency about the extraordinary difficulties that our --

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constituencies are experiencing with respect to health care costs. And I would -- before I urge a No vote -- or, an Aye vote, let me -- let me go ahead and answer any other questions people may have.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. I would like to both move the previous question and speak to the bill. Is that in order?

PRESIDING OFFICER: (SENATOR WELCH)

Yes. Senator Harmon moves the previous question. Without objection, leave is granted. There are one, two, three, four, five, six speakers in addition to Senator Harmon. Please proceed, Senator.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As a cosponsor of this bill, I rise in strong support. I -- I'm sure that many of you have the same experience that I have in my district office hearing from constituents. Health care is truly a crisis, both directly and as a subtext for so many other issues that we deal with. I know this has been no easy task for Senator Obama, but I applaud him for navigating this bill and building a truly impressive list of organizations and entities that are supporting the bill. It is -- it is pro-consumer, pro-business, pro-labor, pro-hospital. It -- it is quite a list, and I -- I applaud the Senator for being able to pull together such an impressive list of -- of supporters. And I'd ask all of my colleagues to vote Aye.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Wendell Jones.

SENATOR W. JONES:

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

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield, Senator.

SENATOR W. JONES:

Senator Obama, my question involves if you know how many people in Illinois are covered - are covered - by private health insurance.

PRESIDING OFFICER: (SENATOR WELCH)

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Senator Obama.

SENATOR OBAMA:

I don't have those statistics on me immediately, Senator Jones. What we know is that -- that the rate of increase among the uninsured who are working - and so, we're not talking about those who are covered under Medicaid - but working people who lack health insurance has grown exponentially over the last several years and is approaching, I think, one out of every five working people. Now, I can't guarantee that statistic is correct, but there have been recent articles and studies showing that we're seeing a growing number of persons who are working every day on the job, lacking health insurance.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Wendell Jones.

SENATOR W. JONES:

I'd like to get an answer to that question, if we could, because if it's -- let's say it's eighty-five percent are covered, that means we're trying to plan a program for -- for the remaining fifteen percent. Instead of planning a program for a hundred percent and put everybody on a government program, which -- which we know can be expensive and cumbersome and bureaucratic, try to implement something through private industry, through tax incentives and tax deductions and those kinds of things rather than a government-driven program. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Obama.

SENATOR OBAMA:

I know we have a lot of questions, but just a quick response. That's exactly the kind of information that I think would be generated from the task force.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Brady.

SENATOR BRADY:

Sponsor yield?

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield, Senator.

SENATOR BRADY:

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Senator Obama, and I -- I don't know if you remember this or not, but this bill first came through the Insurance Committee. In that committee, you made two commitments. One is that you would not move the bill on 3rd Reading unless there was an agreement and no one was opposed to the bill. Second commitment was that an amendment would come back to that committee. I think it's important for the Body to understand that you made that commitment, both those commitments, and then, in fact, the amendment that came on this bill went through a different committee than the Insurance Committee. Now, we noted that last year. I'd like to hear you respond to it.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Obama.

SENATOR OBAMA:

That was essentially a different bill. The -- the -- the original -- the original presentation of the bill was the House version that we radically changed - we radically changed - and we changed in response to concerns that were raised by the insurance industry. The assurance that I received from the insurance industry was that if we took out the mandate that the Legislature would have to implement the bill, then, in fact, their objections would be lifted. And I got repeated commitments from the insurance industry to that effect. What then happened is, after we removed the provisions that initially had been the source of criticism and made a bill that studies the problem and does not mandate that the Legislature act on it, I got a reversal from industry which said, "No, we're still not interested in it." And it was in the face of that obstinance that we ended up moving it into another committee. So, I'm happy to stick with my agreements. What I expect is that the other side do the same. That did not take place in negotiations with respect to this bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator -- Senator Brady.

SENATOR BRADY:

Senator, with all due respect to you - and you know I respect you - a bill is a bill. The agreement was made with the House committee Members. Two agreements were made: That this bill would not be advanced to 3rd Reading unless an amendment

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came back to our committee and unless there was an agreement - no opposition. I can't speak to what you just spoke to. I was not a party to that. And with all due respect, Senator, I think you ought to take this bill out of the record based on the commitment made to the Republican Members of the committee - not anybody else, but the Republican Members of the committee, Senator.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Obama.

SENATOR OBAMA:

Senator Brady, I, too, respect you. What I don't respect is a situation in which there is a unwillingness on the part of industry to negotiate a bill and go back their word. And I'm not going to have a situation in which people who are struggling without health care are held hostage, and are not even willing to have a discussion about how we solve the problem. If this is a problem with respect to you thinking that -- that I have violated my commitment to you, so be it. And I regret that and will -- be happy to have a conversation about that afterwards. But what I do know is this: That I made every effort. And anybody who was involved -- and I would ask that the Chairman of your committee acknowledge the fact that I made every effort to negotiate this thing and nothing would move the other side.

PRESIDING OFFICER: (SENATOR WELCH)

Senator -- Senator Brady.

SENATOR BRADY:

Not to paraphrase another piece of legislation, but I don't want to beat a dead horse. Senator -- and know I bring humor to something that probably doesn't deserve it. Senator, you control this Chamber. The Democrats control that Chamber. We think they control the Mansion. You have the right to introduce any piece of legislation and move it forward. The simple fact is, this piece of legislation and another one, you made a commitment to the committee. No one else. I don't disagree with the fact that you did everything you could to try to get an agreement. But the fact of the matter remains, you made an agreement with us. Alls I ask is you find another piece of legislation where you didn't make that agreement, Senator, a piece of legislation where you didn't commit not to move it

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through another committee, where you didn't commit only to move it if we have an agreement. That's the right thing to do, Senator. I ask that you do that, and that's -- that's my final comments on this issue.

PRESIDING OFFICER: (SENATOR WELCH)

With -- with leave of the Body, the Chicago Tribune seeks leave to take pictures. Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. First, I want to thank Senator Obama, one, for bringing this to the Floor and -- and for articulating the issue so well and -- and also to understand that this is just a beginning. And all our other Members should understand this is just a beginning in trying to address our health care crisis in this State. We do know -- we don't know how many people are insured, but we do know that there's 1.8 million people uninsured in our State or underinsured. And that's -- that's a big number. Those costs, the cost of those people being uninsured and underinsured, also drives up our health care costs in our hospitals and along with our other providers. There's a domino effect that's in place here because we have so many people in need of health care. So, if we're going to look at and really try and tighten up our budget deficits and -- and looking at what is driving our budget, well, this is the first -- one of the first places to look, is the rising cost of health care. We can do that in the next couple of years with this study, and that's what this does. What this will do, it provides access to a full range of preventive, acute and long-term health care services. What this bill will do, it will maintain and enhance the quality of health care services offered to all of our residents in the State. It provides for core benefits for all of our residents. These are not special services. This is no Botox and all those other big cosmetic things that -- that people do now when they have money. These are core, basic services. It encourages regional and local consumer participation, and it contains -- yes, it contains cost-containment measures as well and provides for mechanisms to evaluate and implement those multiple approaches to delivery of health care in this State. This is how we start

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-- reeling in the cost of health care. This is a wonderful first start, and I encourage everyone to vote Aye.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Forby.

SENATOR FORBY:

Sponsor yield?

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield, Senator Forby.

SENATOR FORBY:

Is there any -- is there any cost to this bill?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Obama.

SENATOR OBAMA:

There are no costs attached to the bill. Other than subject to appropriations, it says that the Department is authorized to contract with an independent researcher to help the task force in terms of gathering the data.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Forby.

SENATOR FORBY:

And there is no mandate in 207 {sic} or 208 {sic}?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Obama.

SENATOR OBAMA:

The only thing that this bill says is that once the plan or recommendations are released, that no later than 2006, the General Assembly is strongly encouraged to vote on legislation that enacts the recommendations or provides for another health care access plan that meets the criteria set forth in Section 15. It provides encouragement. Does not mandate it.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Forby.

SENATOR FORBY:

Do you see anything in this bill that will hurt the insurance company?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Obama.

SENATOR OBAMA:

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The only thing that has happened here -- and this is -- this is essentially what happened in this bill. The original bill on the House side I think would have legitimately raised some concerns with respect to some industry who might have been fearful that it was a mandate to introduce a single-payer plan. I modified this. And I have to say, by the way, just to pick up on something that was raised earlier, that this is a different bill number than the original bill. It has gone through a complete restructuring from the original bill. But that initial concern, as Senator Righter said, that original cloud continued over it because industry and industry lobbyists -- insurance lobbyists here in Springfield had been engaging in such fear-mongering among its agents, suggesting that this was a single-payer bill, that, in fact, a lot of concerns were raised that had nothing to do with the bill that was before the Body today. And, you know, what I -- what I would strongly suggest is people take the time to look at the three-page bill that is before them, as opposed to some of the mischaracterizations of this legislation that have been raised by others.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Forby.

SENATOR FORBY:

To the bill. As everybody knows in this room, you know, we've had a problem with our health care and Medicaid -- and Medicaid and our malpractice problems. You know, this came up. Seemed to me like the -- it came up all a sudden. You know, we need to stop this and this here will help down the road to take care of our doctors and our health care. In my district alone, you know, health care has been a big issue, and we've got a couple doctors down home that's left already. And without our doctors down home, you know, I can't create any jobs. We've got to have hospitals. We've got to have doctors. You know, I'm worried about my people in my district. So, if this will help create {sic} a problem down the road in two or three years, I think it's a pretty good idea, because right now, we should have been looking at Medicaid -- or, Medicaid and our malpractice three or four years ago, getting prepared for what we're having today. So, I had a little problem with the bill he had first

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time, but with this amendment on this bill, I urge everybody to vote Yes.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam

SENATOR ROSKAM:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. You know, this concept is really controversial, and I know the sponsor has worked hard to try to come up with a good idea and he's a little bit chagrined that some people don't like his idea. That's because they think it's a bad idea. And the premise of the negotiation is basically, "Well, you negotiate with us, otherwise we're going to roll you. We've got the power." And that's what we're seeing here, and he's got the power. He's in the Majority, and that's what's happening. But really, make no mistake about it. One of the previous speakers characterized this as a pro-business bill, and it was sort of in a long litany of descriptions of pro-labor, pro this, pro that - pro-business. Well, the folks that are the businesspeople of Illinois don't look at it that way, which is why the Illinois Life Insurance Council is opposed, the Illinois State Association of Health Underwriters is opposed, the National Federation of Independent Business is opposed, and the Illinois Chamber Employment Law Council is opposed. You know, this concept was one that Hillary Clinton took on in 1994 and it created such a stirring that there was a sea change, ultimately, in the politics of the United States. And it's a bill that while it is not as draconian as what the Clinton administration tried to do, which was basically a nationalization of health care, it is a bill that you're being asked to consider today that has a lot of similar characteristics. One of the things that was interesting when people started to look at the Clinton bill was the number of times things were criminalized in the bill. Now, there's no criminal penalties in this bill, but what I asked our staff to do was to do a search. It -- it is being presented today as a bill that is just a study, really a -- a study with no other agenda, we're told, other than good things. But there's a lot of us who are very, very concerned about the growing role of government in our lives and the growing cost of government in our lives. Our staff ran the -- just ran a quick

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spell check, and this isn't -- this isn't a bill with a lot of "mays"; it's a bill that is littered with "shalls," and we all know the difference between may and shall. In fact, in this bill, there's thirty-two shalls. Now, one of those shalls is really I -- I think a linchpin. It says that the final report, which is what -- everybody is driving towards here, the final report shall make recommendations for a health care access plan or plans that would provide access to a full range of preventive, acute and long-term health care services. You know, it's as if a -- a high school teacher gives you a book and says, "Here, I want you to read the book, but the quiz is going to be on chapter three." Well, what do you do? You read chapter three. You spend all your time looking at chapter three. You memorize chapter three. You -- you make chapter three a dog-eared thing. And if -- what this legislation says to this committee is what you've got to do is come up with this plan, that -- you're not -- you're not asked to -- to really look at the whole totality of everything. What -- what this bill will do is set the table for what some people don't like to hear it characterized this way, as socialized medicine. That's very uncomfortable. Oh! And God bless you. That was on cue. You're acting shocked and appalled that the Health Care Justice Act is being linked, of all shocking concepts, to socialized medicine. Well, let me tell you, that is exactly what this is all about. It is an agenda, which is why so many people are fearful, why the business community has said, "You know what, this is untenable. We can't accept it." It -- it -- the underlying premise is flawed. Now, the Blagojevich administration has come out -- apparently the Department of Public Aid has come out and they've -- they've given us some numbers, and I -- I assume they've shared them with all of you. They say that this -- if this is implemented, their conservative estimate is this would cost between three and six billion dollars annually. Now, we can't afford it. We've got -- we've got bills moments ago that are talking about recruiting people for welfare, which fortunately we rejected. You know, one of the previous speakers said that -- that the trouble is that doctors are leaving. Well, you know what? There's a solution to the "doctors leaving" part of this whole equation and that is

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to move several bills that are posted in the Senate Executive Committee that are probably not going to see the light of day, I'm told. But make no mistake...

PRESIDING OFFICER: (SENATOR WELCH)

Senator, hold on. Ladies and Gentlemen, you're not at the theater. Please refrain from applauding or expressing congratulations, remonstrances of any type of approval or disapproval. Senator, please proceed.

SENATOR ROSKAM:

Thank you, Mr. President. Make no mistake, this is a bill with -- with an agenda, and it's not an agenda for an open-market discussion about how best to meet health care needs. It's not an agenda that I think there's a Republican vote for, frankly. What we're driving towards, what we're saying is, "Look, let the free market intervene here." But don't -- don't tie the hands of a commission and tell them what the conclusion is that they need to come to and then act all surprised when it's characterized in a different way. I urge a No vote.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Obama.

SENATOR OBAMA:

You know, I know we're pressed for time. Normally, I don't get too exercised when we engage in these pyrotechnics, and Senator Roskam has his job to do as the spokesperson over on that side on these issues. But it's pretty rare on the Floor where a bill gets this mischaracterized repeatedly. It's pretty rare where that happens. Now, a couple of statements that were just made, pretty quickly, that we need to go over. Number one, Senator Roskam, you are well aware of the fact that that estimate of three to six billion dollars had to do with if there was a State health care plan that was fully funded by government and that that had nothing to do with this bill, as amended. You are aware of that. You got up there and you said that that's what the Department said about this bill, and you know it's not true. You also characterized this as socialized medicine, or Hillary Clinton's bill, which is great politics, but there's nothing in there -- in this bill, as amended, that would indicate that. So, if you want to debate Hillary Clinton's bill from 1992, that's fine, but the notion that you would blatantly

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characterize this bill as being that is dishonest. And I object to it, because every time I've debated one of the bills over on that side of the aisle, I've gone to the bill. And if I had serious questions about it, I would at least read the bill and talk about what's in the bill, not what's not in the bill. You want to have a discussion about medical malpractice? I'm happy to have that discussion. And we've got a whole bunch of people on this side of the aisle who are trying to deal with the crisis that's facing doctors all across the State. That's not in this bill. What is in this bill is very simple. It says on or before July 1st, the State of Illinois is strongly encouraged to implement a health care access plan that does the following: Provides access to a full range of preventive, acute and long-term health services; two, maintains and improves the quality of health care services offered to Illinois residents; three, provides portability of coverage, regardless of employment status; four, provides core benefits for all Illinois residents; five, encourages regional and local consumer participation; six, contains cost-containment measures; seven, provides a mechanism for reviewing and implementing multiple approaches to preventive medicine based on new technologies; and eight, affords affordable coverage options for the small business market. It does not mandate that it has to be government-run. It does not preclude tax credits or a market-incentive approach to providing these services. I would challenge you to find something in there that suggests anything remotely close to socialized medicine. And we can play politics with this thing, but let me tell you something. Last weekend I was up talking to a bunch of Galesburg workers who've been laid off from the Maytag plant and the Butler plant. And I stood there and sat with a Butler worker who had spent thirty years putting his heart and soul into that company, and his wife had worked in the company as well. They're going to be laid off in September. Their son just had a liver transplant, and the first month's bills just on their prescription drugs is forty-five hundred dollars a month. And he's trying to figure out, once he loses his job and his health insurance, how in the heck he's going to be able to provide drugs to keep his son alive. Now, if that side of the aisle thinks that that is not an issue worth studying or looking

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at or trying to figure out, then feel free to -- to vote No on this bill. But the notion that somehow that all is hunky-dory and we can characterize this with a bunch of ad hominem attacks and play politics with this situation is not going to satisfy that man and -- and -- and his wife. And everybody here knows of some stories of Members of your constituencies in your district. If you want to vote No on this bill, vote No on it, but don't lie about it.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam, you've spoken once. For what purpose do you seek recognition?

SENATOR ROSKAM:

Thank you, Mr. President. My name was used in debate. And just to the sponsor of the bill, my attack was not ad hominem. I was speaking to the bill. Your -- or, your problem is with Senator Brady, and that's between you and Senator Brady. Let me address the question, since I think my characterization was unfairly characterized. The question is, who can do the things that the sponsor wants to accomplish in his own bill? Who other than the State can put together an integrated system or systems of health care delivery? Who other than the State can put together core benefits that would be provided under each type of plan? There is only one answer, and the answer is that this is a setup, setting the table, as I characterize it, for the type of government intervention in medicine that is a failure. The way that I've characterized it is dead-bang-on accurate, which is why it has so animated the sponsor. If I was wrong, if I was off the mark, my response would be -- would -- would roll off his back like water off a duck as partisan flack. But the characterization that I've made is accurate and it's dead-on, and it has been rejected wholeheartedly in different jurisdictions around this country. You know what to do when the bell rings, and you know when to do it. Vote No.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Schoenberg. Last speaker.

SENATOR SCHOENBERG:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'd like to rise in support of the bill. Several years ago, in fact, throughout most of my twelve years in the House, I

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could not have supported earlier versions of this because I, indeed, felt - and I made these comments in committee - that it was -- then the very notion of what was being proposed may have been skewed to achieve certain outcomes. This bill, through Senator Obama's hard work, his perseverance and, perhaps most importantly, his integrity and sense of fairness, provides a framework for developing a blueprint of options that is available, that incorporates both public and private roles, and which is not -- despite the best attempts to impugn the negotiations, to impugn the bill and, perhaps most sadly, to impugn Senator Obama's personal integrity, this is not a single-payer or a skewed process. This is so inherently fair and balanced that perhaps the only thing it doesn't do is skew the process to outcomes which, frankly, are -- are health care Darwinism, like health savings accounts. I believe that the market should play a very prominent role, and -- and health care is a major portion of the health care economy -- I'm sorry. Health care is a major portion of both the State economy and the national economy, and it's very difficult for government to reposition such a significant portion of the economy. But by doing nothing, the choices are getting made for so many people that there is now fear in the hearts not just of the lower classes, not just the -- in the hearts of the middle classes, but in the hearts of everybody in this State and in this country, because everybody knows that they are one personal tragedy in their family away from financial ruin. Now, government plays a major role in our health care system. Indeed, I wish -- I mean, as you know, we all spoke about the hospital assessment plan and what we needed to do to help hospitals in communities around our State. Why was that so important? That's because we wanted to alleviate the pressure on cost-shifting to private insurance -- to patient's with private insurance. I wish that the private insurance market was as successful as Medicaid in containing costs. If you look at the -- you're laughing, but I'll tell you, if you look at the Keiser Foundation's definitive study on the increases of -- on the percentage of cost increase for health insurance on an annual basis, private insurance, on an annual basis, actually exceeds what's transpiring in Medicaid on the actual cost of service.

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That's -- that's more than an irony. That's a lesson to be learned for all of us. But in closing, Ladies and Gentlemen of the Senate, I have to say that I have found it very distressing that when all else fails, we have to try to discredit the personal integrity of a Member of this Chamber because we may have a political or ideological difference. I don't think it should ever reach that point. Isn't that why they call it the upper Chamber? Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Obama, to close.

SENATOR OBAMA:

Well, I -- I welcome the fact that we had a significant debate on this, although I'm sure the President does not 'cause we've got a busy Calendar. Let me just close by saying this: In the time that it took for us to debate this thing, everybody here should have read the actual bill before us. Perhaps because of the fact that I am a nominee for another office, I've already read repeated characterizations of this bill as some radical, you know, socialized strategy akin to Hillary Clinton's bill. The exact arguments that were made today on the Floor have been made already by my opponent in another race. And so, I -- you know, I understand that, and I'm -- you know, as Harold Washington said, "Politics ain't bean bag." And -- and -- and part of our task, as partisans across the aisle, is to try to get an edge. But this is a crisis that's hitting people all across the State. There are a number of elements to the crisis. Doctors leaving is an element of the crisis, and high liability insurance rates. That's part of the crisis. Part of the crisis has to do with small businesses unable to provide health care for their employees. Part of the crisis is reflected in terms of negotiations between unions and employers about the levels of their health benefits. Part of the crisis is millions of people who have no insurance whatsoever and that the market has utterly failed - millions, many of whom work every single day. The majority of people who do not have health insurance are not welfare recipients who are covered by Medicaid. They're folks who work every single day, doing their best to make ends meet and try to raise a family, and the single biggest cause of bankruptcy is when they get sick. Now, we can choose to do

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nothing. That is an option. We can say that, you know, we're just going to muddle through, primarily because everybody in this Chamber has health insurance. I don't think that's an option. I don't think muddling through and pretending as if the problem doesn't exist or characterizing attempts to deal with the problem, in broad strokes, as socialized medicine is going to address the real needs of these families. So, what I've done is I've put together a bill that suggests, let's all sit down and actually try to figure out how to solve a problem. And it doesn't predetermine how we solve it, but it does say that we, in this Chamber, are expressing a sense of urgency about the problem. If all of you have read the bill, there's no reason why anybody in this Chamber, on either side of the aisle, should be willing to vote against this bill. I would ask for an affirmative roll call.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill 2268 pass. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 31 Members voted Yes, 26 Members voted No, 1 Member voted Present. House Bill 2268, having received the required constitutional majority, is declared passed. House Bill 2587. Senator Meeks. House Bill 2981. Senator Cullerton. I'm sorry. House Bill 3589. Senator Schoenberg. House -- on the top of page 14, House Bill 3715. Senator Emil Jones. House Bill 3716. Senator Terry Link. House Bill 3828. Senator John Sullivan. House Bill 3835. Senator Shadid. House Bill 3977. Senator Haine. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 3977.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Haine.

SENATOR HAINE:

Thank you very much, Mr. President and Ladies and Gentlemen of the Senate. This bill is an initiative of the Illinois State Police working with school districts. It provides authority for

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the districts and the local ROEs to access FBI criminal history records. We -- this came before the committee. We had an objection from an ROE, regional office of education, superintendent from somewhere up north in Illinois and I didn't see that gentleman again. But I talked to my own regional superintendent, as well as the lobbyist for the regional superintendents and the Illinois State Police, and they all said they were okay with the bill. If there was a problem it's -- with some kind of costs being shifted somewhere, they would take it up in a trailer bill. They don't -- the State Police do not intend to burden anyone with costs. They're seeking authority to access FBI records, which they do not currently have, and this is for new hires for school -- districts. And I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall House Bill 3977 pass. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 58 Members are voting Yes, no Members voting No, no Member voting Present. House Bill 3977, having received the required constitutional majority, is declared passed. Senator Viverito, for what purpose do you rise?

SENATOR VIVERITO:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR WELCH)

State your point.

SENATOR VIVERITO:

There will be a Rules Meeting at 12:15 in the Anteroom.
12:15.

PRESIDING OFFICER: (SENATOR WELCH)

Thank you, Senator. House Bill 3979. Senator Lightford.
House Bill 4012. Senator Munoz. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 4012.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Munoz.

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SENATOR MUNOZ:

Thank you, Mr. President and Members of the Senate. House Bill 4012 redefines automated traffic control system as a device that not only obtains a clear photo or recorded image of a vehicle and the license plate, but a clear photo of the driver as well. Clarifies that automated traffic control systems are used only for determining speed violations in work zones and not for any other traffic violations. Also adds that if the driver cannot be identified through a photo, then the owner of the vehicle is not liable for the fine, and it also adds an immediate effective date. This bill is an initiative of the State Police and the Illinois Department of Transportation in an effort to address the lives that are lost within construction and maintenance zones on highways and tollways in the State of Illinois. In 2003 we lost about two -- forty-six lives of -- seven which were highway workers. I will attempt to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Bomke.

SENATOR BOMKE:

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

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield, Senator.

SENATOR BOMKE:

I have a couple of questions, Senator Munoz. First, what - what will occur if someone is going one mile over the speed limit? Are we going to ticket everyone regardless of mileage over the speed limit?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Munoz.

SENATOR MUNOZ:

That will be determined on what the speed that the State Police set the machines up for that are -- they're going to be calibrated. Again, there's only going to be two vans in -- for right now on certain locations where the workers are present.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Bomke.

SENATOR BOMKE:

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What will -- what will occur -- we have a lot of out-of-state vehicles that do not have a front license plate. How you going -- are we just going to exclude those folks, or -- because it -- as I saw the picture, it's -- it clearly shows a picture of the driver, the front plate and the speed the -- the driver is going. What happens if you don't have a front license plate?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Munoz.

SENATOR MUNOZ:

That would have to be determined by the State Police. You can have a clear photo, but if -- obviously, if you can't identify that vehicle or -- or the person that owns that vehicle, it'd be hard to issue a citation, not knowing where it's going to be going. So...

PRESIDING OFFICER: (SENATOR WELCH)

Senator Bomke.

SENATOR BOMKE:

I -- I've learned that those who sell these devices indicate -- have indicated to me that depending on the sunlight, you could get an inaccurate reading. You know -- and to the bill: First of all, I have a great deal of respect for the sponsor, but, boy, I can see all kinds of problems with this. My office gets calls all the time from people in my district who are in Chicago, they get a parking ticket. Maybe they've never been there or maybe it's been years. And I think all of us, at least at some point, have been going down the highway - I know I have - driving the speed limit, maybe I'm daydreaming a little bit, and I come into an area where the speed limit has reduced. I didn't reduce my speed. Policeman pulls me over. I say, "You know, officer, I didn't see the -- the sign. You're right. I was -- I was speeding." And -- and I accept the ticket. But I guarantee you under that same scenario, if I -- if that officer, rather than stopping me at that point, were to send me a ticket that I get three weeks later, I'm going to believe that I wasn't speeding. And -- and I -- not sure if there isn't a constitutional problem here. I mean, I can see a number of problems with people driving from here to Chicago. They're in a work zone. Three weeks later they get a ticket in the mail indicating that they were speeding one, two, three, four, five

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miles over the speed limit. They don't have an opportunity to ask the officer to see the radar gun. All they have is a picture of them, a picture of the -- the speed. I -- I really think that this is going to create all kinds of problems. We most recently passed legislation that I presume the Governor will sign that will enhance the penalty for those in a construction zone. If you have more than one ticket, I believe you will have your license suspended for ninety days. I really see a number of problems, and I know darn well that those downstate, our phones are going to ring off the hook from constituents who are going to get these tickets, and I guarantee you, they're going to believe they were not speeding in those work zones.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield.

SENATOR BURZYNSKI:

Thank you. Senator, can you tell me approximately how much this is going to cost? Or is this a pilot project and -- cost -- please.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Munoz.

SENATOR MUNOZ:

Right now, Senator, it's estimated at about a hundred and twenty thousand per device. And it's looking -- Department of Transportation, along with the State Police, are looking to -- for that cost -- to pay the cost on that.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you for that answer. Wouldn't it be less expensive just to have a trooper sit at those construction zone sites? I see them all the time on 39.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Munoz.

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SENATOR MUNOZ:

Just keep in mind, Senator, we did pass some type of legislation before. We're having off-duty State troopers assigned at some of these locations, but given the different locations of the construction zones, there's always not enough manpower for the State Police. And, again, this would only be at areas where the -- where the workers are present at the construction sites.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. I guess, you know, in my mind's eye, you know, I don't know what a trooper's salary is right now, but trooper salary and benefits would be much less than a hundred fifty thousand. They would be much more mobile and able to -- to move into other areas very -- very easily, perhaps better than what this equipment would be. And -- and you just raised another question. Coming down here this week, for instance, Interstate 39 north of I-80 there's a construction zone. And there's an area for over six miles or about six miles that's designated as a construction zone. There's no sign at the end of that construction zone that says "end of construction." At what point -- and -- and there were workers only at the beginning of the construction zone for about the first half -- in fact, it was on a bridge. And after that bridge, there was nothing for the next five miles, but I'm still in a construction zone. If I'm driving through there -- and, believe me, I was holding up traffic because I was driving my forty-five miles per hour. What -- what would it take -- I mean, could somebody have a camera at that point and ticket someone?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Munoz.

SENATOR MUNOZ:

Senator, the automated traffic control system may operate only during the periods when workers are present in the construction or the maintenance zone. So, if there is six miles of construction that's posted stating that there's construction going on, the machine could be placed only where the workers were, right at that location where the work is being done.

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PRESIDING OFFICER: (SENATOR WELCH)

Senator Burzynski.

SENATOR BURZYNSKI:

Just as -- as a follow-up. I -- I appreciate your candor. I appreciate the -- the efforts of the bill to try and provide safety, but it seems to me like maybe there's a less expensive way to do that and also to give the personal touch that Senator Bomke was talking about so that if someone really wants to verify what they're doing, what their speed is, they can do that very easily. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield.

SENATOR RIGHTER:

Senator Munoz, you and I discussed this bill in committee a little bit, a couple issues, and I'd like to cover those again on the Floor. It's my understanding from the text of the bill that the photographs can be used only for enforcement of this speed limit that's posted in the construction zones. Is that right?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Munoz.

SENATOR MUNOZ:

That's correct, Senator.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

And I would assume that the bill is restricted in that way in order to allay fears from some people that "big brother" government is taking pictures of people inside of their cars. And the picture that you showed is remarkably clear. But to allay fears that big brother government is taking pictures inside of your car to find out whatever else you're doing and enforce other laws. Is that fair to say that's why the bill is drafted so narrowly?

PRESIDING OFFICER: (SENATOR WELCH)

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Senator Munoz.

SENATOR MUNOZ:

That's correct. When you're driving through, it'll only take the top portion of your face, half of your -- from your neck up.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

Let me walk through a scenario for you, Senator, whereby this bill becomes law and there's an accident in a construction zone, and there's a dispute -- and maybe one of the highway maintainers, unfortunately, is -- is killed or maimed and there's a dispute of -- of whether or not the driver was outside the perimeters of where he or she was supposed to be driving at the time. There's also a dispute about what the driver was doing at the time. And the picture clearly indicates that the driver had a big sixteen-ounce can of beer to his -- to his or her face, which would be unbelievable evidence. Not only in -- prosecution for DUI, but in a civil case where the highway maintainer's family brings for damages for that person's injury or death. Under this bill, that photograph will not be allowed to be used in evidence in that kind of criminal prosecution or that kind of civil prosecution, will it?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Munoz.

SENATOR MUNOZ:

It's my understanding the language of the bill states only for that violation is for speeding. Now, granted there could be an accident that occurs, whether the individual was drinking or not drinking. When accidents occur, I'm sure the State Police is going to go ahead and -- and do a sobriety test, as well as probably do a Breathalyzer. I mean, the bill states specifically, Senator, that it's only for speeding. And the signs will be posted prior to coming to the construction site where the machine is actually going to be at, Senator.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

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Thank you, Mr. President. To the bill: First, my thanks to Senator Munoz. I know that he's worked very hard on this legislation. But everyone knows that the first time that something like that happens, that the State's attorney in that county who could have had a dead-ringer conviction on that person or the attorney -- the plaintiff's attorney who represented the highway maintainer's family who could have done much better in the case by that family if they'd have had that picture is going to come right here to the General Assembly, and they're going to explain the situation to their legislator. And their legislator, being the conscientious public servant they are and responsive to their constituents, is going to come right to this Chamber and say, "We need to allow this picture to be used for speeding tickets and criminal prosecutions in DUI or reckless homicide or reckless driving." And it'll be a very, very hard vote for anyone in this Chamber to say, "No, no, no, no. I understand, grieving family member. I understand, Mr. State's attorney, that you're trying to do the right thing here, but we fashioned this bill last year or two years ago, or however -- however long ago it was, to just be for speeding, and we're going to draw the line there." The history of this Chamber, the history of the General Assembly is replete with instances where we started that way, but then for reasons that may have been very good reasons, we opened it up and we opened it up and we opened it up more. And I think that if we go down this road, and I just advise the Members, please, to be very careful - not just think about what you're doing here, but what the likelihood is later on what we're going to be doing with those pictures down the road. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Munoz, to close.

SENATOR MUNOZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I appreciate all the remarks from my colleagues. They were very good points that were brought up. But, again, I can't stress enough, last year alone, in '03, we've lost forty-six lives and seven of 'em were highway workers, as I mentioned earlier. One of my colleagues mentioned that it would cost a hundred and twenty thousand; we can possibly put additional

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troopers with that kind of money. In the bill it clearly states signs would be posted prior to the mechanism that's in place when the construction workers are there working. If this can save a life, I think a hundred and twenty thousand dollars is well worth it. As we all know, we all drive the highways. You look at the signs. Sometimes you don't really pay attention. It's easy to go over the speed limit, but given the fact that you know people are going to see the signs that are posted and if they're going to go ahead and still have the audacity to drive fast and possibly hurt someone that's working out there to take care of their family, then they shall -- they should be ticketed and fined. And, Ladies and Gentlemen, even if they are ticketed and it's sent into the mail to their house, they have -- one option is to pay the fine or to challenge it in court. So, the only thing I can say is, let's take care of the people out there that are working and maybe, by us having this bill in place, we'll actually save some lives and some of these people will pay attention on the roads. I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall House Bill 4012 pass. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 36 Members voted yes, 21 Members voted No, no Member voted Present. House Bill 4012, having received the required constitutional majority, is declared passed. House Bill 4086. Senator Cullerton. House Bill 4154. Senator Schoenberg. Top of page 15. House Bill 4176. Senator del Valle. House Bill 4200. Senator Silverstein. House Bill 4241. Senator DeLeo. House Bill 4283. Senator Shadid. House Bill 4502. Senator DeLeo. House Bill 4505. Senator Collins. House Bill 4522. Senator del Valle. House Bill 4730. Senator Obama. On the top of page 16, House Bill 4847. Senator Jacobs. House Bill 4870. Senator Link. House Bill 4894. Senator Schoenberg. House Bill 4976. Senator Link. House Bill 4977. Senator -- we passed that bill. House Bill 4980. Senator Garrett. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 4980.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Susan Garrett.

SENATOR GARRETT:

Thank you, Mr. President. House Bill 4980 amends the Illinois Health Facilities Planning Act. It creates a new Section entitled "Hospital reduction in service" {sic}. Basically what this means is that if a hospital reduces any service it offers by fifty percent or more according to rules adopted by the Health Facilities Planning Board, the hospital must notify the State Board, the Department of Public Health, the State Senator and the two State Representatives of that district in writing within thirty days after the reduction in service. The Illinois Hospital Association is in support of this, and I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, the question is, shall House Bill 4980 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 55 Members voted Yes, no Member voted No, no Member voted Present. House Bill 4980, having received the required constitutional majority, is declared passed. On the top of page 17 is House Bill 5732. Senator Link. House Bill 5875. Senator Harmon. House Bill 6496. Senator Emil Jones. House Bill 6499. Senator Emil Jones. House Bill 6954. Senator Martinez. House Bill 7169. Senator Emil Jones. House Bill 7170. 7173. 7174. 7177. 7178. 7179. Top of page 18. House Bill 7180. Senator Emil Jones. House Bill 7181. Senator Emil Jones. Senator Hendon is going to be in the Chair.

PRESIDING OFFICER: (SENATOR HENDON)

The Senate will now go to Senate Bills 2nd Reading. Middle of page 3. Senate Bills 2nd Reading. Please turn your Calendar to the middle of page 3. Senator del Valle, on Senate Bill 3000. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 3000.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

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PRESIDING OFFICER: (SENATOR HENDON)

Have there been any Floor amendments approved for consideration?

SECRETARY HAWKER:

Yes. Floor Amendment No. 4, offered by Senator del Valle.

PRESIDING OFFICER: (SENATOR HENDON)

Senator del Valle, on Floor Amendment No. 4. Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. We want to move this bill. There will be another amendment that will be considered by the committee, Education Committee, and at that time, we can then debate -- debate the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion?

SENATOR DEL VALLE:

So, we want to adopt -- we want to adopt this amendment.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will.

SENATOR ROSKAM:

Just a procedural question, Senator del Valle. Is it your intention -- I -- I was involved in another conversation when you just spoke. Is it your intention to -- to put this amendment on and then put another amendment on, and then at some point, not right now, to have the final -- final action on the bill?

PRESIDING OFFICER: (SENATOR HENDON)

Senator del Valle.

SENATOR DEL VALLE:

Yes, Senator Roskam. I want to put this amendment on. We're going to have one more amendment and then we want to call the bill for a vote, yes.

PRESIDING OFFICER: (SENATOR HENDON)

Senator del Valle moves the adoption of Amendment No. 4 to Senate Bill 3000. All those in favor will say Aye. Opposed

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will -- say Nay. The Ayes have it, and the amendment is adopted. Have there been any other Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Senate Bill 3001. Senator Welch. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 3001.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR HENDON)

Have there been any Floor amendments approved for consideration?

SECRETARY HAWKER:

Yes. Floor Amendment No. 2, offered by Senators Welch and Lightford.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Welch, to explain your amendment.

SENATOR WELCH:

Thank you, Mr. President. The amendment that was adopted in the committee is going to be amended again. We're moving this bill to 3rd Reading for procedural purposes, but in committee I promised to change the amendment to change four things in particular. First, taking out the money for a particular academy in Chicago, changing the requirement for the environmental standards, changing one of the words to "consolidation" instead of "cooperation" as far as a priority of the -- of the Capital Development Board. And the fourth part is still not written and that is whether or not the State Board of Education will have some additional control over picking the sites to get school money. So, I would urge moving this bill to 3rd Reading till we get the amendment, and then we'll discuss the amendment that isn't before us.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Righter. He answered it. Senator Welch moves the adoption of Amendment No. 2 to Senate Bill 3001. All those in favor will say Aye. Opposed will say

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Aye. The Ayes have it, and the amendment is adopted. Have there been any other Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Senate Bill 3108. Senate Bill 3002. Senator Jacobs. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 3002.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. The Senate will stand at ease until after the Rules Committee has met.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR WELCH)

Ladies and Gentlemen, the Rules Committee will meet in five minutes in the Anteroom behind the President's Chair. Rules Committee at 1 o'clock.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR HENDON)

Mr. Secretary, Committee Reports.

ACTING SECRETARY HARRY:

Senator Viverito, Chair of the Committee on Rules, reports the following Legislative Measures assigned: Referred to the Executive Committee - Floor Amendment 1 to Senate Bill 3002, Floor Amendment 1 to House Bill 853, Floor Amendment 3 to House Bill 875, Floor Amendment 1 to House Bill 2220, Floor Amendment 1 to House Bill 1067 and Floor Amendment 1 to House Bill 7178; referred from the Revenue Committee to the Committee on Executive - Floor Amendment 1 to House Bill 849 and Floor Amendment 1 to House Bill 851; and Be Approved for Consideration - Senate Bill 1412 and House Bill 779.

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PRESIDING OFFICER: (SENATOR HENDON)

Senator Silverstein, for what purpose do you rise?

SENATOR SILVERSTEIN:

Purpose of an announcement.

PRESIDING OFFICER: (SENATOR HENDON)

Make your announcement.

SENATOR SILVERSTEIN:

The Senate Executive Committee will meet at 2:10 this afternoon in Room 212.

PRESIDING OFFICER: (SENATOR HENDON)

Senate Executive Committee will meet at 2:10 in Room 212. The Senate will stand in recess to the call of the Chair. After committee meetings, the Senate will reconvene to receive Committee Reports and for further Floor action. The Senate stands in recess.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR WELCH)

The Senate will come to order. Madam Secretary, Committee Reports.

SECRETARY HAWKER:

Senator Silverstein, Chairperson of the Committee on Executive, reports Senate Amendment No. 4 to House Bill 649, Senate Amendment 1 to House Bill 851, Senate Amendment 1 to House Bill 853, Senate Amendment 3 to House Bill 875, Senate Amendment 1 to House Bill 1067, Senate Amendment 1 to House Bill 2220, Senate Amendment 3 to House Bill 4283, Senate Amendment 1 to House Bill 7178 and Senate Amendment 1 to Senate Bill 3002, all Be Adopted.

PRESIDING OFFICER: (SENATOR WELCH)

ABC News requests leave to film. Is there leave? Leave is granted. Resolutions.

SECRETARY HAWKER:

Senate Resolution 556, offered by Senator Dillard and all Members.

Senate Resolution 557, offered by -- by Senators Link, Peterson, Geo-Karis and all Members.

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Senate Resolution 558, offered by Senator Jacobs and all Members.

Senate Resolution 559, offered by Senator Jacobs and all Members.

Senate Resolution 560, offered by Senator Clayborne and all Members.

Senate Resolution 561, offered by Senator Clayborne and all Members.

Senate Resolution 562, offered by Senators Harman, Cullerton, Walsh and all Members.

And Senate Resolution 563, offered by Senator Shadid and all Members.

They're all death resolutions.

PRESIDING OFFICER: (SENATOR WELCH)

Resolutions Consent Calendar.

SECRETARY HAWKER:

And Senate Resolution 564, offered by Senator Winkel.

And Senate Resolution 565, offered by Senator Obama.

They're both substantive.

PRESIDING OFFICER: (SENATOR WELCH)

Introduction of Bills.

SECRETARY HAWKER:

Senate Bill 3380, offered by Senator Welch.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Message from the House.

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

Senate Bill 1914, together with House Amendment 1.

Passed the House, as amended, May 19, 2004.

I have like Messages on Senate Bill 2248, with House Amendments 1 and 2; Senate Bill 2731, with House Amendment 1; and Senate Bill 3200, with House Amendment 1.

All passed the House, as amended, May 19, 2004.

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PRESIDING OFFICER: (SENATOR WELCH)

Messages.

SECRETARY HAWKER:

Message from the Secretary of State, dated May 19, 2004.

Dear Members - I am nominating James Taylor for appointment to the Secretary of State's Merit Commission. This appointment is to replace Robert Paulter, who resigned from the Commission. I respectfully ask concurrence in and confirmation of this appointment by your Honorable Body.

Sincerely, Jesse White, Secretary.

PRESIDING OFFICER: (SENATOR WELCH)

Ladies and Gentlemen, due to the lateness of the hour, we are not going to carry on any further business. There being no further business to come before the Senate, the Senate stands adjourned until the hour of 10 o'clock a.m., on Thursday, May 20th, 2004. The Senate stands adjourned.