

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

158th Legislative Day

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PRESIDING OFFICER: (SENATOR DEL VALLE)

The regular Session of the 93rd General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the -- galleries please rise? The invocation today will be given by the Reverend Joseph Eby of the Chatham Presbyterian Church.

THE REVEREND JOSEPH EBY:

(Prayer by the Reverend Joseph Eby)

PRESIDING OFFICER: (SENATOR DEL VALLE)

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

SENATOR LINK:

(Pledge of Allegiance, led by Senator Link)

PRESIDING OFFICER: (SENATOR DEL VALLE)

Madam Secretary, Reading and Approval of the Journal.

SECRETARY HAWKER:

Senate Journal of Tuesday, November 16, 2004.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Haine.

SENATOR HAINE:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

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

SECRETARY HAWKER:

Senate Resolution 740, offered by Senator Hunter and all Members.

It's a death resolution.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Resolutions Consent Calendar. There will be a meeting of the Rules Committee immediately - a meeting of the Rules Committee. Senator Shadid, for the purposes of introducing guests. Senator Shadid.

SENATOR SHADID:

Thank you very much, Mr. President. Ladies and Gentlemen, it gives me great pleasure and honor... Thank you. Sorry we're -

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- for the delay. If I could have your attention, please, Senator Risinger and myself are very pleased and honored to present to you the State Champions in soccer who won the State Championship - I think it was three weeks ago - in four overtimes. This is the -- these young folks and their principal, athletic director and coach are from Peoria Notre Dame High School, which does a great job with the students in our area, and we're very proud of 'em. And at this time I'd like to introduce you to the head coach, Peter Nash, who will give you a rundown on who all these folks are and how they got to where they got. Coach. How about a big hand for the coach who does a great job.

COACH PETER NASH:

(Remarks by Coach Peter Nash)

SENATOR SHADID:

And I'd be -- remiss in not mentioning that this young man, Boddie - come up here a minute - his daddy happens to be a cop on the Peoria Police Department and I worked with him and I was very proud to work with him. He's a fine young man. You want to say something?

KELLINGTON BODDIE:

(Remarks by Kellington Boddie)

SENATOR SHADID:

Thank you very much for the fine job.

COACH PETER NASH:

(Presentation by Coach Peter Nash)

SENATOR RISINGER:

I -- I just want to say how proud we are of these young men and women who set a goal, worked hard, and accomplished that goal with honor. And so we're very proud to have 'em here today.

SENATOR SHADID:

Thank you, folks, very much. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Haine, can you please come into the Chamber?
Senator Haine. Senator Haine, to introduce guests.

SENATOR HAINE:

Ladies and Gentlemen of the Senate, I would call your attention here to the President's dais. We have here as your

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guests, and they are honored to be here, the Edwardsville Tigers girls golf team. Now this golf team won twenty-seven matches, zero losses. Now I -- I know -- we're -- we're speaking here before a group that contains many erstwhile golfers, but this team won most of their matches by fifteen to twenty strokes. They were the second team south of I-80 to win the State Championship. The first team was Sacred Heart of Springfield. This team is from Edwardsville High School. It's a -- it's our county seat, made up of a diverse student body. They are dedicated students and athletes. The team is made up of Lauren Norsworthy, Sheena Collins, Jessica Collins, Marissa Cook, Taylor Brengard, Whitney Shaw, Mia Mendoza, Bria -- Kruckeberg, Megan McDevitt, Courtney Seibert, and Hanlynn Cruthis. Marissa Cook's mother is the receptionist in my Legislative Office in Alton. She worked for State Senator Evelyn Bowles, who's also here today. And we should note -- note that. I give you, Ladies and Gentlemen of the Senate, the coach, Mr. Bair of this great high school golf team.

COACH BAIR:

(Remarks and Presentation by Coach Bair)

SENATOR HAINE:

Thank you, Coach. And I'll use this towel once I learn how to play the game, which it'll be soon. I guarantee you. And I want to introduce Senator Evelyn Bowles, Ladies and Gentlemen, our former colleague.

SENATOR EVELYN BOWLES:

Thank you very much. It's like old home week and I am being very candid when I tell you that I miss you terribly. It has been a traumatic kind of adjustment for me not to be actively involved in so many things as I was up here in Springfield. But I love every one of you and it's delightful and I congratulate this team. Being a non-handicapped golfer, I stand in awe of the way these girls played, because I have seen them play and they're magnificent. And I congratulate the coach for his ability with these young ladies. Congratulations, girls.

SENATOR HAINE:

Thank you very much, Ladies and Gentlemen.

PRESIDING OFFICER: (SENATOR DEL VALLE)

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Senator Wojcik, for what purpose do you rise?

SENATOR WOJCIK:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

State your point.

SENATOR WOJCIK:

I have the honor today of having three lovely young ladies sitting next to me, and they're my Pages today. And they're from the Thomas Dooley School in Schaumburg. We have Meaghan Hutchinson, Natalie Williams and Ariel Romero. I hope we can give 'em a fine welcome here in Springfield.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Welcome to Springfield. Madam Secretary, Committee Reports.

SECRETARY HAWKER:

Senator Viverito, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to Appropriations Committee - Floor Amendment No. 1 to House Bill 2749 and Floor Amendment 1 to House Bill 1002; refer to Education Committee - Motion to Concur with House Amendment 1 to Senate Bill 3090 and Floor Amendments 3 and 4 to House Bill 757; refer to Licensed Activities Committee - Motion to Concur with House Amendment 1 to Senate Bill 2234 and a Motion to Concur with House Amendments 1 and 2 to Senate Bill 2253; refer to Local Government Committee - Motion to Concur with House Amendment 1 to Senate Bill 2133 and Motion to Concur with House Amendment 1 to Senate Bill 2277 and Floor Amendment 1 to House Bill 640; re-refer from Executive to Rules Committee - Senate Resolution 717; and Be Approved for Consideration - Senate Resolution 717, House Bill 612 and Senate Bill 2253.

Senator Viverito, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to Insurance and Pensions Committee - Floor Amendment 1 to House Bill 612; refer to Licensed Activities - Committee Amendment No. 1 to Senate Resolution 645; and re-refer from Executive Committee to Licensed Activities Committee - Senate Resolution 645.

PRESIDING OFFICER: (SENATOR DEL VALLE)

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Senator Haine, for what purpose do you rise?

SENATOR HAINE:

For a point of information. Mr. President, the Local Government Committee will meet in the Stratton Building, A-1, at 11:30 a.m. today.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Welch, for what purpose do you rise?

SENATOR WELCH:

...have an announcement.

PRESIDING OFFICER: (SENATOR DEL VALLE)

State your point or your announcement.

SENATOR WELCH:

The Appropriations II Committee will meet at 12 o'clock in Room 212 today.

PRESIDING OFFICER: (SENATOR DEL VALLE)

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

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The Senate Insurance and Pensions Committee will reconvene its meeting at 11:30 a.m. at -- in Room 400.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Crotty, for what purpose do you rise?

SENATOR CROTTY:

For the purpose of an announcement. The Licensed Activities Committee will be meeting at noon today in Room A-1 in the Stratton Building.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Thank you, Senator. Senator Demuzio.

SENATOR DEMUZIO:

Yes. Point of information. The Education Committee will be meeting at 11:30 today in Room 212.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Thank you, Senator. Are there any other committee announcements? Senator Bomke, for what purpose do you rise?

SENATOR BOMKE:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

State your point.

SENATOR BOMKE:

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Like to introduce to the Chamber two guests that I have here today, two Pages, Katie McClanahan from Springfield and Shelbe Kottemann from Lincoln. If you would please help me recognize them today and welcome 'em to Springfield.

PRESIDING OFFICER: (SENATOR DEL VALLE)

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

SENATOR RADOGNO:

On a point of personal privilege.

PRESIDING OFFICER: (SENATOR DEL VALLE)

State your point.

SENATOR RADOGNO:

I'd like to introduce to the Body a Page I have with me today, Heather Anderson from Darien. She's a seventh grader at Eisenhower Elementary School. Just -- just took her Constitution test and passed, so she's here to see us in action.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Congratulations on passing that test. Senator John Jones, for what purpose do you rise?

SENATOR J. JONES:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

State your point.

SENATOR J. JONES:

I'm truly honored today to -- to have my district engineer from -- from Effingham here with IDOT, Stan Grabski. Along with myself being a -- a Senator in his district, we have Senator Dale Righter and Senator Frank Watson, I think, Senator Forby. We -- we've -- we've got a large area down there and it looks like it's even going to be larger with the proposal that the Governor has come out with. So I'd like for you to welcome Stan Grabski, the District Engineer of Effingham, who's going to be retiring at the end of this month.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Thank you and enjoy your retirement. Senator Lauzen, for what purpose do you rise?

SENATOR LAUZEN:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

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State your point.

SENATOR LAUZEN:

I'd like to introduce Derek Brummel, Page today from -- he is a junior at Aurora Christian High School. His mom is up in the gallery, Cathy. I'd like to welcome them to Springfield.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Welcome to Springfield. Senator -- Senator Lauzen.

SENATOR LAUZEN:

Also, Mr. President, I'd like to introduce Donald Remke who is a fifth grader at Saint Charles Borromeo in Hampshire, Illinois. His brother, Nick, his mom, Amy, and his grandma, Judy, are in the gallery right above the Republican side here, and I'd like to welcome them to Springfield.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Would our guests in the gallery, please rise? Welcome to Springfield. Senator Rutherford, for what purpose do you rise?

SENATOR RUTHERFORD:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

State your point.

SENATOR RUTHERFORD:

Thank you, Mr. President. I'm also very pleased to have two Pages with me today. They're thirteen and sixteen, and believe it or not, we all at one time used to be thirteen and sixteen. Today I have Richard {sic} (Reid) and Micah Zehr with us and their grandparents, Warren and Dolores, are with us in the gallery. They're from Fairbury, Illinois. Please welcome 'em to the Illinois Senate.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Welcome. Senator Winkel, for what purpose do you rise?

SENATOR WINKEL:

First, point of personal privilege.

PRESIDING OFFICER: (SENATOR DEL VALLE)

State your point.

SENATOR WINKEL:

Ladies and Gentlemen, today we have a delegation from the Village of Rantoul representing the Rantoul Chamber of Commerce

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in the gallery up above, behind me. Please welcome them to Springfield.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Will our guests in the gallery please rise? Welcome to Springfield. Senator Schoenberg, for what purpose do you rise?

SENATOR SCHOENBERG:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

State your point.

SENATOR SCHOENBERG:

I, too, have a Page with me today, Katy Johnson is a junior at Crystal Lake South High School. I know Crystal Lake is not yet part of the north shore, but with suburban sprawl one may never know. Her grandparents, Pat and Helen Sheehan supported Glenview Youth Services and that's how she's my Page today. So, please give her a warm welcome from the Illinois Senate.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Welcome. We are now proceeding to House Bills 3rd Reading. Top of the page, on page 2. We will start with House Bill 552. Senator Rutherford, do you wish to proceed? Senator Rutherford seeks leave of the Body to return House Bill 552 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 -- Floor Amendment -- Floor Amendment No. 1 to House Bill 552. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Rutherford, to explain your amendment.

SENATOR RUTHERFORD:

Mr. President, thank you. Senate Amendment 1 comes about because the Seventh Circuit in Indiana had thrown out their curfew law. Because Illinois had a similar underlying statute, there was a concern that potentially that could happen in our State. At the end of the spring Session, legislation came over from the House unanimously to put into place the proper language in our statute. Unfortunately, it got hung up at the end and we

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were not able to bring it forward. President Jones had a vehicle bill, allowed us to amend into it this amendment, which is exactly what passed out of the House. It delineates two specific offenses and creates the nine defenses which we believe then would withstand scrutiny from the courts. I do want to say that Senator Cullerton had asked me a question in the committee in regards to what Indiana did to respond to that. Unfortunately, because the late hour of the committee and the early hour of this being called, I don't have his answer for it yet, but we will still pursue to get that for him.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Rutherford -- is there any discussion? If not, Senator Rutherford moves the adoption of Floor Amendment No. 1 to House Bill 552. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment's adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

3rd Reading. Now on the Order of 3rd Reading, House Bill 552. Senator, do you wish to proceed? On the -- he indicates he will. On the Order of 3rd Reading, House Bill 552. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 552.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Rutherford.

SENATOR RUTHERFORD:

Thank you, Mr. President. The amendment we just brought on becomes the bill and I'd be glad to go into specifics if you'd like.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Seeing none, the question is, shall House Bill 552 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 59 Ayes, none voting Nay,

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none voting Present. House Bill 552, having received the required constitutional majority, is declared passed. Senator Wojcik, for what purpose do you rise?

SENATOR WOJCIK:

I rise for a point of personal privilege.

PRESIDING OFFICER: (SENATOR DEL VALLE)

State your point.

SENATOR WOJCIK:

In the gallery, we have the sixth-grade classes - I say classes, because there's a couple of classes here - from Thomas Dooley School in Schaumburg. And I welcome you and welcome to the Senate. They have their teacher, Tom Dewing. We hope you're enjoying your stay here in Springfield.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Will our guests in the gallery please rise? Welcome to Springfield. Senator Clayborne, for what purpose do you rise?

SENATOR CLAYBORNE:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

State your point.

SENATOR CLAYBORNE:

I -- I have a -- a Page by the name of Courtney Ward who's actually a -- a -- a Page for the Day who's standing behind me, but he actually lives in Senator Haine's district. And I'd like for the Senate to welcome him.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Welcome. Senator Trotter, for what purpose do you rise?

SENATOR TROTTER:

Thank you very much, Mr. President. A point of personal privilege. I would like the -- the Body to acknowledge and to welcome someone that I'm very close to, who will be spending the day with me, and that is my daughter. And that is Gina Zuniga-Baldwin.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Thank you. Thank you, Senator. Welcome. Senator Watson, for what purpose do you rise?

SENATOR WATSON:

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

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PRESIDING OFFICER: (SENATOR DEL VALLE)

State your point.

SENATOR WATSON:

I don't know about you, but every morning when I come into the office, the first thing I do is open up the Chicago Sun-Times and read their -- read the society page. I mean, that's the -- that's the first thing I do every morning. I'm sure that's what you all do, too. So you're probably all aware of this, but in case you haven't seen it yet today, our President is in here. The President's in here. Your picture with your fiancée. You didn't tell us about this. You didn't tell us. It says, "State Senate President Emil Jones and his fiancée, Dr. Lorrie Strong {sic} (Stone)". So, Emil, congratulations.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Congratulations, Senator. Do you want to comment?
President Jones.

SENATOR E. JONES:

The Minority Leader often talks at the wrong time.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Hendon, for what purpose do you rise?

SENATOR HENDON:

I normally turn to sports first, Frank, but I'm trying to find what page is that? I know she's very gorgeous. What page is it?

PRESIDING OFFICER: (SENATOR DEL VALLE)

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

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I am -- known the President for about thirty-two years. We both came in at the same time. And I'm very happy to hear of his engagement and I understand you gave your fiancée a lovely rock. You didn't wait for me. You went ahead, but that's all right. You left me behind. But anyway, I want to wish you, President Emil, and your fiancée the very best that life can give you 'cause you are a very decent and caring guy, and we all love you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Thank you, Senator. Proceeding on the Calendar to House Bill 626. Senator Martinez. Senator Martinez. Out of the

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record. House Bill 665. Senator Walsh. Senator Walsh seeks leave of the Body to return House Bill 665 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 665. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Walsh, to explain the amendment.

SENATOR WALSH:

Thank you, Mr. President. Senate Amendment No. 1 to House Bill 665 makes a technical change to the Illinois Grain Code to correct a drafting error made in what was known as Public Act 93-225. As amended, the bill allows for a continuous assessment period until the Grain Insurance Fund reaches a level of six million dollars. I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Is there any discussion? Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR BURZYNSKI:

Thank you. Senator Walsh, then did the original bill, as passed then, not allow for a continual assessment?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Walsh.

SENATOR WALSH:

Yes, Senator, there was a -- there was an error made in what we thought was the intent -- the intent of the bill, that we wanted to have a continual yearly assessment to do a number of things: number one, pay back the Grain Insurance Fund that -- the money that was borrowed to underwrite the cost of the Tyler {sic} (Ty-Walk) grain failure; and, number two, to initiate the new program -- to initiate the new program where producers, lenders, and the agricultural -- the grain facilities

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all participated. And due to an interpretation of what we put into the law, there was going to be a window there of approximately six months after every year's assessment that there would be an opening. And we can't -- we can't have that.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Further discussion? Senator Walsh moves the adoption of Amendment No. 1 -- Floor Amendment No. 1 to House Bill 665. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

3rd Reading. Now on the Order of 3rd Reading, House Bill 665. Senator Walsh, do you wish to proceed? Senator Walsh wishes to proceed. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 665.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President. Again, the bill makes a technical change to correct an error that was inadvertently made in our original piece of legislation and I would be glad to answer any other questions. I thank Senator Burzynski for asking for clarification. I think that accomplished what the bill -- the intent of the bill was.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? If -- seeing none, the question is, shall House Bill 665 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 59 Ayes, none voting Nay, none voting Present. House Bill 665, having received the required constitutional majority, is declared passed. House Bill 678. Out of the record. House Bill 734. Senator Cullerton. Senator Cullerton seeks leave of the Body to return

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House Bill 734 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 734. Madam Secretary, are there any further Floor amendments?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Cullerton.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cullerton, to explain the amendment.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. We passed a bill, Senate Bill 2124, which reorganized the penalties for driving under the influence so that formerly fragmented sentencing provisions would be easier to find and to understand for both prosecutors and defense lawyers and defendants and the like. It increased some penalties and created some minimum sentences so that the penalties for DUI-related offenses were consistent with the seriousnesses of the offenses. Unfortunately, it also added some duplicative language and a confusing numbering system for certain subsections. And this amendment, then, is technical. It just makes those corrections. Happy to answer any questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Seeing none, Senator Cullerton moves the adoption of Floor Amendment No. 1 to House Bill 734. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

3rd Reading. On the Order of 3rd Reading is House Bill 734. Senator, do you wish to proceed? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 734.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cullerton.

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SENATOR CULLERTON:

Yes. Thank you, Mr. President. I believe that this bill may recall -- may require a three-fifths majority. It's a -- suggestion of the Secretary of State to clean up this DUI rewrite, and I would ask for a unanimous vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Are there any questions? Seeing none, the question is, shall House Bill 734 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 59 Ayes, no Nays, none voting Present. House Bill 734, having received the required constitutional majority, is declared passed. House Bill 757. Out of the record. House Bill 768. Senator Winkel. Out of the record for House Bill 768. House Bill 834. Senator Link. Senator Link seeks leave of the Body to return House Bill 834 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill -- House Bill 834. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Amendment No. 4, offered by Senator Link.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Link, to explain your amendment.

SENATOR LINK:

Thank you, Mr. President. The amendment becomes the bill. It amends it to allow municipalities to annex land that is separated by only a strip parcel or by land that is part of an open space program. I know of no opposition.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Are there any questions? Any questions? If not, Senator Link moves the adoption of Amendment No. 1 - Floor Amendment No. 1? - I'm sorry, Floor Amendment No. 4 to House Bill 834. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

Yes. Floor Amendment No. 5, also offered by Senator Link.

PRESIDING OFFICER: (SENATOR DEL VALLE)

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Senator Link, on Floor Amendment No. 5.

SENATOR LINK:

Thank you, Mr. President. Actually amendment sponsor is Senator Halvorson, which I will carry it in her absence. This amendment actually is -- amends the TIF and it will utilize -- basically what this does is permit TIFs -- municipalities -- two adjacent municipalities that are -- have TIF districts that -- adjoin redevelopment of adjacent districts that are separated by a public right-of-way to use that right-of-way in the boundaries, such as a forest preserve district. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Seeing none, Senator Link moves the adoption of Floor Amendment No. 5 to House Bill 834. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

3rd Reading. Now on the Order of 3rd Reading, Senator Link, do you wish to proceed? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 834.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Link.

SENATOR LINK:

As I explained in the amendments, they become the bill. I would ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Senator, would -- you explained the amendment. Would you explain the bill, as amended, please?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Link.

SENATOR LINK:

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As -- as I explained in the -- in the previous amendments the -- with Amendment 1, the amendment -- or, Amendment 4, which becomes the bill, it amends that -- municipalities to annex land that are separated by only a strip parcel or by land that is separated by open space. And with Amendment No. 5, that amendment will permit that two pieces -- two parcels that are TIF districts that are separated by such things as a forest preserve will be allowed to be adjoined together. That basically is what the bill is.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any more discussion? Seeing none, the question is, shall House Bill 834 pass. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 51 voting Aye, 7 voting Nay, 1 voting Present. And House Bill 834, having received the required constitutional majority, is declared passed. House Bill 867. Senator Link. Senator Link seeks leave of the Body to return to House Bill -- to return House Bill 867 to the Order of 2nd Reading for the purpose of -- of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 867. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Link, to explain the amendment.

SENATOR LINK:

Thank you, Mr. President. Basically, what the amendment does is become the bill. The amendment -- or -- or, the amendment changes the bill from a -- I should say, changes the -- amendment changes the bill to be permissive and not mandatory and changes the effective date from June 1, 2005 to -- or changes it to June 1, 2005 from July 1, 2004. Be more than happy to answer questions.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

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

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Sponsor indicates he will yield.

SENATOR ROSKAM:

Senator Link, just for the benefit of everybody and 'cause it's a little bit loud and there was some controversy about this bill previously, can you just explain...

PRESIDING OFFICER: (SENATOR DEL VALLE)

Can -- can we have some order here? The sponsor is having a difficult time hearing. The back of the Chamber, please.

SENATOR ROSKAM:

Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Roskam.

SENATOR ROSKAM:

Senator, could you just explain kind of the underlying bill the way you originally introduced it and contrast that with its current form as you're proposing to amend it?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Link.

SENATOR LINK:

Thank you, Senator. Basically, what this is, is this is the same bill as House Bill 869, which passed the Chamber 56 to 2 and was defeated in the House. But this is to maintain the uniformity in the real estate transfer tax. What we did is basically just allow to add the counties into the real estate transfer tax. So, basically that's what the bill is in its contents.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Roskam.

SENATOR ROSKAM:

Senator, under current law, are -- are counties not able to impose that transfer tax, and this bill would allow them to impose the transfer tax, as opposed to the previous bill that required them to propose the transfer tax? Is that accurate?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Link.

SENATOR LINK:

Yes, it is.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Roskam.

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SENATOR ROSKAM:

Thank you. Just briefly to the bill: For the benefit of everybody. You know, I -- I know that we're rolling along here and trying to move legislation expeditiously. This is fairly controversial. I mean, this is allowing counties to impose a new tax. If you're for it, hit your lights green. I'm going to be a red light. I don't think they -- they need this authority. I don't think the residents of my communities are under taxed and I urge a No vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Link, to close.

SENATOR LINK:

First of all, we're talking about the amendment now that we're adding on here, not the bill itself. And what the amendment does is make it permissive and not mandatory, and that's what I think. And I'll be more than happy to debate the bill afterwards, but I think what the amendment is doing is making it permissive. So I -- I would ask that we adopt the amendment first, and then we could debate the bill afterwards.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Link moves the adoption of Floor Amendment No. 2 to House Bill 867. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

3rd Reading. Now on the Order of 3rd Reading, Senator Link, do you wish to proceed? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 867.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. Basically, what this does is -- maintain a uniformity in the Real Estate Transfer Tax Act, which is in effect now. What it does is allow counties to be enacted

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in with this. It makes it a permissive law now for counties to bring in. And it's kind of ironic that we passed this out when it was mandatory 56 to 2 out of this Chamber, but now that it's permissive it's controversial. I think it would be less controversial now that it's permissive. I ask for a favorable -
- vote on this.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? If not, the question is, shall House Bill 867 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 38 Ayes, 20 Nays, none voting Present. House Bill 867, having received the required constitutional majority, is declared passed. House Bill 872, Senator Sandoval. Out of the record. House Bill 911, Senator Emil Jones. Senator Emil Jones seeks leave of the Body to return House Bill 911 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 911. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Yes. Floor Amendment No. 7, offered by Senator Emil Jones.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Emil Jones, to explain the amendment.

SENATOR E. JONES:

Thank you, Mr. President. Amendment No. 7 clears the way for the construction and -- of a new waste transfer station -- for a -- an incinerator that's no longer in existence in the Village of Robbins. And this was for economic development in that very poor community in the far south suburbs, and I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? If not, Senator Jones moves the adoption of Amendment No. 7 to House Bill 911. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

Yes. Floor Amendment No. 8, offered by Senator Brady.

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PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Brady, on Floor Amendment No. 8.

SENATOR BRADY:

Thank you, Mr. President. This amendment deals with a situation that occurs around the State of Illinois, but specifically from an area represented by Senator Shadid and I, the Pekin Landfill. The owners are in bankruptcy; the bondholder to clean up the landfill is in bankruptcy. What this does is strengthen legislation affecting how the Illinois EPA regulates financial backing of landfills, requiring them to look more closely at it, and when they fail to protect local areas from landfill problems, causes them to be responsible for the cleanup.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? If not, Senator Brady moves the adoption of Floor Amendment No. 8 to House Bill 911. 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 DEL VALLE)

3rd Reading. Now on the Order of 3rd Reading, Senator Jones, do you wish to proceed? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 911.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Jones.

SENATOR E. JONES:

Thank you, Mr. President. Both amendments have already been explained. As I -- as I indicated in Amendment No. 7, this clears the way for the use of a transfer station in the Village of Robbins, and the other amendment sponsored by Senator Brady, which deals with the EPA on -- on bond -- on status of bond performance or -- or other securities required for solid waste disposal. That's the gist of the bill and I ask for a Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

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Is there any discussion? If not, the question is, shall House Bill 911 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 59 Ayes, no Nays, none voting Present. House Bill 911, having received the required constitutional majority, is declared passed. Senator Watson, for what purpose do you rise?

SENATOR WATSON:

Yes. Thank you very much, Mr. President. I'd like to take this opportunity if I might to introduce my honorary Page today and she is Ashley Sikes, and she comes from Decatur. She's with the Decatur Youth Workshop Ministries, and she's also a student from Decatur MacArthur High School. I'd like for the Senate to welcome her, she's standing here with me. And also, while I'm doing this, in the gallery we have Decatur Eisenhower High School represented here today. The government class, Mike Rusk's class, are with us, and we'd also like to welcome them, if you would, please.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Will our guests in the gallery please rise? Welcome to Springfield. Welcome. Senator Schoenberg, on House Bill 914. Out of the record. Senator Halvorson, on House Bill 925. Senator Halvorson seeks leave of the Body to return House Bill 925 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 925. Madam {sic} Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Halvorson.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Thank you, Mr. Secretary. Senator Halvorson, to explain her amendment.

SENATOR HALVORSON:

Thank you, Mr. President and Members of the Senate. Floor Amendment No. 1 to House Bill 925 amends the Children of Veterans Scholarship that's provided annually by the University of Illinois. Currently, the University of Illinois offers this scholarship to one person in each county in the State for those

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from all the way back from the Civil War, to World War I, World War II. And we want to just update it to the Global War on Terrorism.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President. I rise in support of this amendment and then the underlying bill. Just wanted to advise the Members, if I may, that this creates a tuition waiver for children or dependents of those who fight the War on Terror. It adds to a list of veterans that would rightfully enjoy this benefit. I -- I only point out to you that this is the right thing to do, but it also is going to impose a cost on the University of Illinois. So, be mindful of that as we debate appropriation and budget matters, that U of I is embracing this wonderful expansion of their wavier program. It's the only school in the State that has been asked to do this by this legislation and I just hope that the appropriate recognition is there when we debate the budget for the U of I. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Halvorson moves the adoption of Floor Amendment No. 1 to House Bill 925. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

3rd Reading. Now on the Order of 3rd Reading, Senator Halvorson, do you wish to proceed? Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 925.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President. Again, this is a -- a bill that only the University of - or, a scholarship that only the

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University of Illinois offers and it's only right that we keep it updated. I did receive some figures with regards to how many take advantage of that. Even though one scholarship or waiver is given per county, per year, so far it looks like only three hundred and forty-four have taken advantage of it. So even though that they have the opportunity, it doesn't mean we're giving away now another one hundred and two waivers. The University of Illinois will pick, and the reason we need to do this during Veto Session is the applications will be available December 1st and I'd like to add this to the application. So I thank everybody for their approval.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Winkel.

SENATOR WINKEL:

Thank you, Mr. President. Just to the bill: I rise in strong support of this measure. I think it's an excellent piece of legislation and urge a Yes vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Halvorson, to close.

SENATOR HALVORSON:

I appreciate everybody voting for it.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall House Bill 925 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 59 Ayes, no Nays, none voting Present. House Bill 925, having received the required constitutional majority, is declared passed. House Bill 1000. Senator Watson. Senator Watson seeks leave of the Body to return House Bill 1000 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 1000. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Watson.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Watson, to explain Floor Amendment No. 1.

SENATOR WATSON:

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Yes. Thank you, Mr. President. This amendment removes Class C consumer fireworks from the statute that passed last year in the Senate and that's basically what the amendment does.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Watson moves the adoption of Floor Amendment No. 1 to House Bill 1000. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

3rd Reading. Senator Watson, you wish to proceed? Now on the Order of 3rd Reading is House Bill 1000. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill No. 1000.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Watson.

SENATOR WATSON:

Yes. Thank you very much, Mr. President. Last year Senator Link sponsored Public Act 93-263 that ultimately became law. And what it did, and I -- it was a reaction to what happened at the nightclub out East, and it was the pyrotechnic displays that were involved in the fire, and this Act that passed last spring created the Pyrotechnic Operator Licensing Act. The problem with what happened is, it took Class C fireworks, which are considered to be consumer fireworks. They're considered to be consumer fireworks and they're legal in Macon County, which is Decatur, Vermilion County, which would be Danville, and Sangamon County, which obviously is here in Springfield. All this legislation does is revert back to what the law was prior to the Public Act that Senator Link sponsored and passed. Senator Jacobs and I have been working on this legislation over the last couple of years. It creates a million-dollar policy for liability insurance for anyone who purchase -- purchases these fireworks. Obviously, that just

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drives up the total sale of the fireworks. No one's going to purchase this type of -- of coverage to have a backyard display in these three counties. So, basically that's all it does. We're -- the fireworks industry obviously is very supportive of this, and it does not - it does not - expand the sale of fireworks in Illinois.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President. To the bill: I'm a little bothered by this, because, to me, it seems like -- since there was somebody in Calumet City killed last year based on these 1.4 explosives, I think that we should not be allowing people to get away with things. And this could possibly be special legislation for Bethany Fireworks, because they're the ones that - I have a press release here - charged with illegal fireworks sale. And I hate to see somebody who's been killed by these sort of fireworks, the company be given the authority and the ability to sell fireworks and -- legally. I think it was the full intent of the Fire Service to license displayers of Class 1.4 explosives when the pyrotechnic displayers license Act was passed in 2003, and the measure received overwhelming support in both the House and the Senate. And the reason the Fire Service felt that these explosives have to be regulated is because eighty-eight percent of firework-related injuries stem from this class of explosives. So I would encourage a No vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I stand in strong support of this legislation. I empathize with the case that the previous speaker discussed; however, that was an act that was performed as vandalism. It was also done with illegal fireworks, so that has no real connection with this bill. You know, I -- I had introduced legislation earlier to expand the sale of fireworks in order to be able to -- to get the revenues, because we're shooting 'em off all over this State anyway. But this bill does not expand fireworks in the State of Illinois. All it does is in effect

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say that the backyard cones that you shoot in your backyard, which are sold in -- in many cases even in counties where they're not legal, that you don't have to have a million dollars in insurance to do that. And also, the problem with this bill, Senator Link had -- had brought this forward and it's something that got by him; it was never part of the -- the original bill, but it ended up in there. At the time, the then Fire Marshal said he would work with us in order to try to resolve it; they'd take care of it by rule. They did not do that. We are working with the current Fire Marshal. We have met with him. We have tried to meet with the Fire Service. After the committee we had last year, the Fire Service personnel were supposed to come and see us. They did not do that. I think there's more of a concern here from our State firework sales than there is from within the State of Illinois. If we want to really truly get tough, then we have to ban the sale of fireworks from other states, and that -- that's not included in this legislation. It's not an expansion. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Bomke.

SENATOR BOMKE:

Thank you, Mr. President. I -- I also rise in support of this legislation. Sangamon County has -- has approved the sale of fireworks I since -- I believe since 1977. We -- we have not had any problems in Sangamon County, and all -- all we're doing here is allowing a home owner who might want to get a permit from the county clerk, to shoot fireworks in their backyard. What has occurred after the passage of the legislation, it's increased the requirement of liability to one million dollars. Now the problem with that is most home owner insurers will not provide that kind of liability coverage. More often than not, five hundred thousand is the most any individual can get. So that means they've got to get an excess liability policy, driving up the cost significantly. And we're simply talking about Class C fireworks for those who want to shoot it - get a permit, be legal - shoot it in their backyards. We're not expanding it beyond the three counties that currently allow for the sale of fireworks. We're simply making it easier for those

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folks who want to celebrate the Fourth of July in their backyards. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. Obviously, my name has been used in conversation quite a bit in this debate. I have mixed emotions on this. I -- I told Leader Watson that I would get up here and -- and -- and describe what I did. The intent of this bill was -- when I -- I passed this a year ago, was correctly stated by Leader Watson, that at the time we wanted to correct a severe problem, and I think we did correct a severe problem. And, as always when we correct a severe problem, there are sometimes consequences that happen. And I -- and I also want to echo my colleague Senator Halvorson, that there are things that happen in -- in situations. We have illegal fireworks in the State of Illinois and -- and I wish we could stop illegal fireworks from ever coming in this State, in any form, in any shape, in any way. It -- it's very unfortunate, I had a friend when I was a child get killed from illegal fireworks and I will always remember that. And I think that's one of the reasons I was the lead sponsor on that bill a year ago. We need to do something, but we also need to do is make sure that we don't stop everything that we're doing for people. And we can't stop celebrations on -- on a Fourth of July because of something. But one of the things that Senator Jacobs said was totally correct. When I had those meetings on this bill, we were sitting down with the previous interim Fire Marshal, and I have to say this Fire Marshal has been more than helpful. But the interim Fire Marshal sat there in my office and his staff indicated to me that they would work with me through rules - through rules - to correct this problem. And I said -- I -- I said, "I have a short fuse and a short temper when it comes to somebody lying to me." And he said, "Guarantee you, Senator, we will not lie to you. That we will work with you." Well, after this law -- this bill became law, they -- they basically told me, "Well, we were kidding you. We were not going to work with you. That this was not going to be the fact. We did not want to work with you on rules." And I said, "Well, then I'll show you

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a different way we could do things down here. Maybe we'll have to put some legislation in to show you." Not that I wanted to put this legislation in, because I still wanted to work the way we should have worked and through rules. Do I want to vote for this bill? Probably not, but I probably will because one way we got to send a message that we got to work through the way you promise that you work. You got to work through your word, through the word of saying that you're going to work through rules. I still think this could be corrected through rules. It should be corrected through rules, and I think the Fire Marshal has indicated they will, but if we have to do some type of legislation to get them to the table, to get this done, maybe we will. But something has to be done so that we can correct a problem that should have been corrected in the beginning. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Haine.

SENATOR HAINE:

A question for the sponsor that may have been answered, Mr. President. This -- this does not affect in any way by inference the ordinance -- the local ordinances of communities that have banned fireworks. Right? It doesn't affect by inference any county, city, village that says we don't want fireworks at all in the city limits.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Watson.

SENATOR WATSON:

That's correct. There's only three counties that are actually impacted. That's Sangamon, Macon and Vermilion.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. Well, Senator Link put the nail right on the head when he said he had a short fuse. And that's probably the problem with some of these fireworks: They're on a short fuse, and they go off, and they injure people. I've had people injured. A -- a senior citizen's house was burned down just this last Fourth of July with a firecracker. So, sometimes they say, well, it's not enough explosives, but it doesn't take

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a lot to cause an injury. We had children hurt. These fireworks are very, very dangerous. I rise in support of Senator Halvorson and ask for a No vote. All due respect to the sponsor, a No vote on this bill. Senator Link has a short fuse and many of these fireworks have a short fuse. We need to take that into consideration.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Watson, to close.

SENATOR WATSON:

Yes. Thank you very much. I appreciate the comments from Senator Link and Jacobs, and -- and Senator Bomke in support of this legislation. First of all, this is not explosives. I mean, you know, when you think of explosives, I think you think of something more than what we would consider to be backyard fireworks and we are still requiring the permit. I think that was important. Senator Bomke mentioned that. All we're impacting is the liability insurance that would be required. And it -- has had an impact on the fireworks industry in this State. There's no doubt about it. But we are -- all we're doing - we are not expanding the use of fireworks - we're just taking this back to what the legislation was and what the State statute was prior to the Act that Senator Link so eloquently explained. And I do appreciate very much the -- the -- his support. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall House Bill 1000 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 29 Ayes, 27 Nays, and 1 voting Present. House Bill 1000, having not received the required constitutional majority, is declared failed. Senator Watson.

SENATOR WATSON:

Yes. Thank you. I'd like to put that on Postponed Consideration.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Watson requests that House Bill 1000 be postponed. The bill -- will be placed on the Order of Postponed Consideration. House Bill 1002. Senator Harmon. Out of the

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record. House Bill 1021. Senator Cullerton. Senator Cullerton seeks leave of the Body to return House Bill 1021 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 1021. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Cullerton.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cullerton, to explain your amendment.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. This corrects the -- or, changes -- it amends the Parentage Act to require that a physician certify at least one of the intended parents contributed a gamete carried by the gestational surrogate in order to establish the parent/child relationship. Like to adopt the amendment and explain the bill on 3rd Reading.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cullerton moves the adoption of Floor Amendment No. 1 to House Bill 1021. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The amendment's adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

3rd Reading. Now on the Order of 3rd Reading is House Bill 1021. Senator Cullerton, do you wish to proceed? Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 1021.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. Last year -- actually this year, we passed the Gestational Surrogacy Act which set forth the standards and procedures under which gestational surrogacy agreements will be entered into in

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Illinois. Now, gestational surrogacy means the process by which a woman attempts to carry and give birth to a child created through an in vitro fertilization in which at least one of the intended parents and to which the gestational surrogate has made no genetic contribution. So that's what gestational surrogacy is, and we set up a statute that allows for this process to be protected through a gestational surrogacy contract. And one of the benefits of this was we wanted to make it clear under the Illinois Parentage Act that after the baby's born that it's the intended parents who are the parents and have the legal rights and obligations. Now, the -- the -- the Illinois Parentage Act establishes that parent/child relationship, but among the requirements in the Illinois Parentage Act is that a physician must certify that the child is the biological child of intended mother and intended father. But as I described, you can have a situation where the -- a gamete - a gamete is either a sperm or an egg - it doesn't have to be from both the intended parents. Okay? It could be -- it could be one gamete from one of the two intended parents. So really this is just a technical change by allowing for at least one of the intended parents be covered by the Illinois Parentage Act. So, again, it's really technical. It was a very good bill. We spent a lot of time in the Judiciary Committee going through this with -- when we first passed the underlying bill. Representative Currie brought to my attention the fact that we had failed to amend the Parentage Act the way we -- the way we should have the first time. And so for that reason, I ask you to vote for this bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR ROSKAM:

Senator Cullerton, just for the sake of clarity and -- 'cause, you know, issues like this tend to elicit a lot of response anytime we amend these types of Acts. Can you give an example of a situation that could come to fruition if we don't amend this bill as you're suggesting today?

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PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cullerton.

SENATOR CULLERTON:

The intended parents who cannot have children want to utilize in vitro fertilization by using a surrogate, and they go through that process, and they enter into a contract to do so, and the baby is born. In order to establish, under the Illinois Parentage Act, that they are the parents, right now the Parentage Act says that a doctor has to certify that both of the parents contributed. Since that may not be the case, we have a problem there where it's not certain as to the fact that these intended parents are really the parents. And that's why we're trying to correct it.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Any further discussion? If not, Senator Cullerton, to close.

SENATOR CULLERTON:

I just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall House Bill 1021 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 57 Ayes, none voting Nay, none voting Present. House Bill 1021, having received the required constitutional majority, is declared passed. WICS-TV requests permission to videotape. The Chicago Tribune, Charles Osgood, requests permission to photograph. Journal-Register requesting permission to photograph, and Andy Shaw, ABC, requesting permission to videotape. Hearing no objection, leave is granted. House Bill 1068. Out of the record. House Bill 2749. Out of the record. House Bill 2751. Out of the record. House Bill 2753. Out of the record. House Bill 3589. Out of the record. House Bill 3641. Senator Shadid. Senator Shadid seeks leave of the Body to return House Bill 3641 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 3641. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

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Floor Amendment No. 1, offered by Senator Shadid.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Shadid, to explain your amendment. Senator Shadid.

SENATOR SHADID:

Thank you, Mr. President. Floor Amendment No. 1 to House Bill 3641 deletes the -- underlying vehicle bill and removes the current prohibition that members of the governing boards of certain State universities cannot be employees of the federal government. This language is identical to House Bill 4510, which passed the House 112 to 4 and passed the Senate Executive Committee 11 to nothing this past spring. I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Shadid moves the adoption of Floor Amendment No. 1 to House Bill 3641. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

3rd Reading. Now on the Order of 3rd Reading, Senator Shadid, do you wish to proceed? Madam -- Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 3641.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Shadid.

SENATOR SHADID:

Yes. I would appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall House Bill 3641 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 59 Ayes, none voting Nay, none voting Present. And House Bill 3641, having received the required constitutional majority, is

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declared passed. House Bill 4241. Out of the record. We'll proceed to Senator Lauzen. He is going to be introducing guests.

SENATOR LAUZEN:

Okay. Ladies and Gentlemen of the Senate, I would like to introduce to you this year's State Champion Cross Country Team from York High School. The expression -- there's an expression that says that "victory has a thousand fathers". And so, I would like to welcome Senator Cronin and Senator Soden up here. The -- you know, I think one of the reasons why we enjoy sports so much and watching our kids compete is that it represents inspiration for us and hope. If you run for the York Cross Country Team - I have -- one of my sons goes out to practice with these guys in the summer - the first day that you go out, you run fourteen miles. And when you come back the next day and you're all locked up and you're nice and sore, you run another fourteen miles. And you run those until -- and then in the afternoon, you also have a -- a cooldown run. Eventually you're in good enough shape that you can run twenty-five four-hundred-meter sprints at some really wild times. To give you an idea of how fast these gentlemen move, there's probably a handful of younger people in the audience today who can even run a seventy-second four-hundred-meter. These guys go through three miles of those and finish at sub-five-minute-mile paces. So, their head coach, Joe Newton, has been responsible for bringing twenty-four State Champion teams to York High School. Unfortunately, Joe, yesterday, underwent very important back surgery and so he couldn't join us today. But we have Charlie Kern and Craig Davelis with us, we have Principal Diana Smith, but to introduce the runners on the team. I would like to introduce you to Sean McNamara who's the State Champ who is joined -- 1st, 2nd and 3rd place this year went to members of this team. So with that I'd like to turn it over to Sean McNamara.

SEAN McNAMARA:

(Remarks and Introductions by Sean McNamara)

SENATOR LAUZEN:

Okay. Other -- other alternates: Brian Marchese, Justin Jones, Mike Fry, Tim Jung, Matt Edwards, Lionel Montenegro, Mark Sulkin, Ron Stefani and Alan D'Ambrogio. So with that, I would

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just ask the Senate to congratulate this year's State Cross Country Champions.

SENATOR CRONIN:

If I may, I'd just like to offer my personal congratulations to this team. I've grown up, lived in Elmhurst all my life and twenty-four State championship cross country teams is a remarkable achievement. I doubt that there is a high school in America that can match that record in any sport. I brag about you guys all the time. You are the real deal. Congratulations and God bless you.

SENATOR LAUZEN:

You might want to watch your newspapers. On December 4th, these gentlemen are going to be traveling, I believe, it's to Portland, Oregon, to compete in the United States National Cross Country head-to-head with the finest runners in the country. And we wish them the best. Good luck.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The regular Session of the Senate will stand in recess to the call of the Chair. Senator Link, for what purpose do you rise?

SENATOR LINK:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

State your point.

SENATOR LINK:

I'd like to just introduce a couple friends of mine who came down from my district, longtime friends, also friends of Senator Geo-Karis, who -- who has known 'em very well. They're sitting in back of the President -- in the President's Gallery. Mr. & Mrs. Ed - Pickus, who have been longtime friends of ours and have been Waukegan developers for many years. Would you please give them a warm welcome from the Senate?

PRESIDING OFFICER: (SENATOR DEL VALLE)

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

SENATOR WINKEL:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DEL VALLE)

State your point.

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SENATOR WINKEL:

I'd like to introduce Randy Fletcher. He's visiting the Chamber today from the Village of Royal as a part of a leadership course that he's taking. He's going to be shadowing me as I do the people's work today. So, welcome -- help welcome him with me to Springfield.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Welcome. The regular Session of the Senate will stand in recess to the call of the Chair. After committees the Senate will reconvene to receive Committee Reports and for further Floor action. So there will be Floor action after we reconvene. The Senate stands in recess to the call of the Chair. One more order of business here... Senator Geo-Karis, for what purpose do you rise?

SENATOR GEO-KARIS:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DEL VALLE)

State your point.

SENATOR GEO-KARIS:

With me today is Lily Tolpo whose husband - the late Carl Tolpo - did the Dirksen statue that's here in the Capitol. I'd like you to welcome this great artist herself, Lily Tolpo from...

PRESIDING OFFICER: (SENATOR DEL VALLE)

Welcome.

SENATOR GEO-KARIS:

...from -- from Stockton, Illinois.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there anyone else seeking recognition? Okay. Then this time it's for real. The Senate stands in recess to the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DEL VALLE)

The Senate will come to order. Will all the Members please come to the Floor? Madam Secretary, Resolutions.

SECRETARY HAWKER:

Senate Resolution 741, offered by Senator Dave Sullivan and all Members.

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It is a death resolution.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Resolutions Consent Calendar. Madam Secretary, Committee Reports.

SECRETARY HAWKER:

Senator del Valle, Chairperson of the Committee on Education, reports Senate Amendments 3 and 4 to House Bill 757 and a Motion to Concur with House Amendment 1 to Senate Bill 3090 Be Adopted.

Senator Jacobs, Chairperson of the Committee on Insurance and Pensions, reports Senate Amendment No. 1 to House Bill 612 Be Adopted.

Senator Haine, Chairperson of the Committee on Local Government, reports Senate Amendment No. 1 to House Bill 640 and Motions to Concur with House Amendment 1 to Senate Bill 2133 and House Amendment 1 to Senate Bill 2277, all Be Approved for Consideration.

Senator Welch, Chairperson of the Committee on Appropriations II, reports Senate Amendment No. 1 to House Bill 1002 and Senate Amendment 1 to House Bill 2749 Be Adopted.

Senator Munoz, Chairperson of the Committee on Licensed Activities, reports Senate Resolution 645 Be Adopted, as Amended, and Motions to Concur with House Amendment 1 to Senate Bill 2234 and House Amendments 1 and 2 to Senate Bill 2253, all Be Adopted.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Messages 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 adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Joint Resolution 97.

Adopted by the House -- November 7 {sic} (17), 2004.

I have a like Message on House Joint Resolution 95. Also adopted by the House, November 17, 2004.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Madam Secretary, Resolutions.

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SECRETARY HAWKER:

Senate Resolution 742, offered by Senator Watson, Emil Jones, Bomke, and all Members.

It is a death resolution.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Resolutions Consent Calendar. Senator Burzynski, for what purpose do you rise?

SENATOR BURZYNSKI:

Thank you. It's a pleasure to be back on the Floor with you, Senator del Valle, Mr. President. We would request a Republican Caucus in Senator Watson's Office.

PRESIDING OFFICER: (SENATOR DEL VALLE)

A Republican Caucus in Senator Watson's Office has been requested immediately. Senator Link, for what purpose do you rise?

SENATOR LINK:

Thank you, Mr. President. We would request a Democratic Caucus in the President's Office immediately.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Democratic Caucus immediately. I want to acknowledge the presence of the Attorney General on the Floor. Attorney General Lisa Madigan. Welcome. All right. We have a Republican and Democratic Caucus immediately in the respective offices. The Senate stands in recess until the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DEL VALLE)

The Senate will come to order. We ask all Members to please come to the Chamber. All Members please come to the Chamber. Madam Secretary, Messages.

SECRETARY HAWKER:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to recede from their Amendments 1 and 2 to a bill of the following title, to wit:

Senate Bill 3186.

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I am further directed to inform the Senate that the House of Representatives has -- requests a First Committee of Conference, to consist of five Members from each House, to consider the differences between the two Houses in regard to the amendments to the bill.

Action taken by the House, November 17, 2004.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cullerton accedes to the request for a conference committee.

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 adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Joint Resolution 100.

Passed the House -- adopted by the House, November 17, 2004. It is substantive.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Introduction of Bills.

SECRETARY HAWKER:

Senate Bill 3394, offered by Senator Demuzio.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Madam Secretary, Resolutions.

SECRETARY HAWKER:

Senate Resolution 743, offered by Senator Petka and all Members.

It is a death resolution.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Resolutions Consent Calendar.

SECRETARY HAWKER:

And Senate Resolution 743 -- pardon me, that's Senate Resolution 744, offered by Senator Forby and all Members.

And it is a death resolution as well.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Resolutions Consent Calendar. We will be going to page 3 of the Calendar, House Bill 2749, and the sponsorship has been

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changed to Senator Trotter. Senator Trotter, do you wish to proceed? Senator Trotter seeks leave of this Body to return House Bill 2749 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 2749. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Trotter, to explain the amendment.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. Senate -- Senate Amendment No. 1 to 2749 is our '05 supplemental appropriation. If I could, if we can adopt the amendment and I'll explain the bill on 3rd?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Trotter. Is there any discussion? Senator Trotter moves the adoption of Amendment No. 1, Floor Amendment No. 1, to House Bill 2749. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

3rd Reading. Now on the Order of 3rd Reading, House Bill 2749. Senator Trotter, you wish to proceed? Senator Trotter. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 2749.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Trotter, to explain the bill.

SENATOR TROTTER:

Yes, Mr. President, Members of the Senate, this is our supplemental bill, the first supplemental bill of 2005. And again, not to assume that we're going to have many more, but this is certainly the first. It is a request for one billion one hundred and twenty-five million five hundred and forty-seven

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thousand dollars, of which twenty-five million three hundred and forty point eight General Revenue Fund; other State funds, one billion eighty-one million seven hundred and ninety-five thousand; and federal funds of eighteen million four hundred and ten. It deals with some of our more urgent needs that we need to address as a consequence of granting authorization for spending. In particular, it asks for 3.4 million dollars for -- IEMA, fifty-five thousand which will be a reimbursement -- will be reimbursed for the efforts and the work that we did on behalf of the people of Florida in their hurricane, dealing with their hurricane issues. The other 1.8 million dollars will be used for homeland security training, and one million five hundred for communications -- federal funds for communication vehicle purchases. It also has in this budget fifteen million dollars of other State funds which will go to DHS for the Access to Recovery Program. The Department's requesting this appropriation authority to obtain these federal funds which will go specifically to the Alcoholism and -- and Substance Abuse Fund. In addition, this gives expenditure authority for the hospital settlement dollars which will be coming in, and that'll be an appropriation of 1.8 billion dollars. These dollars, again, were subsequently lapsed when the federal government did not approve the program waiver during Illinois' fiscal year of '04. Those dollars are -- again, the authorization... Mr. Chairman, can -- get attention?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Can we lower the noise level, please? We cannot hear the bill sponsor.

SENATOR TROTTER:

Thank you. Additionally, we -- the State Police will be transferring dollars back to the ICC police division of 1.2 million dollars. The ICC dollars were -- that were transferred in the '05 budget, they do not have the statutory authority to spend those dollars, and those dollars now will be sent back to the ICC. The Department of Financial and Professional Regulations, as a consequence of a -- the settlement of the Harvey et al versus State of Illinois, case of the Office and {sic} Banks and Real Estate suit, which was a discrimination suit that we lost, the State of Illinois lost, and it's going to

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be a cost to us of approximately 1.3 million dollars -- 1.3 billion {sic} dollars. We also -- Secretary's Office is getting 5.6 million dollars, which will go into the Secretary's fund to address our security needs, largely as a consequence of the unfortunate incident that happened just a few months ago. These dollars, again, will be going for -- a million dollars, a onetime cost for X-ray machine. And Mr. -- Mr. President, I guess I can't even hear myself on this...

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator -- Senator, just a moment. Please. We need to lower the noise level, please. Thank you.

SENATOR TROTTER:

Of these dollars, dollars will go for a onetime cost for one X-ray machine, handheld metal detecting wands, a hardened podium. Video equipment, emergency doors and access card readers are included in this proposal, as well as fifty-nine more Capitol police to start in the spring, and that is along with their training and vehicles to go with it. That is 5.6 million dollars. It has been estimated that the annualized cost will be four and a half million dollars. ISBC {sic} (ISBE) will be getting one million eight hundred and forty thousand dollars for consolidating, the district costs, as well as temporary relocation expenses. Chicago State University will be -- receiving eight hundred and sixteen dollars {sic} -- or, it will be transferred between their various departments and their agencies to give them more flexibility. Dollars will go from their debt service payment contract to be transferred to their contractual services contract, again giving them more flexibility. Three hundred thousand dollars, Economic and Fisc, will go for the review of the Medicare -- Managed Care Task Force. As a consequence of one of the collateral issues of getting out of here in July - we put together a managed care task force, Medicaid Managed Care Task Force - we have ascertained that their need is a cost of three hundred thousand dollars so we can have an independent group come in to study those costs and to review what those costs are. Six hundred and fifty thousand dollars for General Revenue funds which will go to ISAC. And finally, in the Court of Claims, there will be 17.1 million dollars, 16.5 of those dollars will go to address the

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bill that we passed and that is giving funds to the families of the sixty-three soldiers who have died in the line of duty in Illinois. And I'm available for questions.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. First I want to thank Chairman -- Senator Trotter and his staff for the cooperative way that they worked with us and helped us draw together the elements of the supplemental that we could all support, and I do appreciate that. Your staff, again, did a fabulous job and we're happy to work with 'em. Most of the elements of this supplemental are noncontroversial and actually make good sense. I do want to point out two things to the -- the Body of Senators because they're -- they're trends that we're kind of headed down in appropriation that I think are going to make a difference to all of us. We've been through a couple, or three, tough fiscal years where we've asked line agencies in State government, whether you're talking Historical Preservation or Department of Labor or Department of Agriculture, to sustain substantial reductions in the size of their agencies, as much as fifteen or eighteen percent. We've asked IDOT to really hold the line and bite the bullet, but there's two areas where I think we're in danger of kind of walking away from our responsibilities. One is the new Office of the Inspector General. It's not in this supplemental, but I just want to point out to people, we have an office that has not opened, that has not prosecuted its first case, that has already requested a supplemental that is now larger than the Department of Labor. We -- we have before us in this supplemental a request to add security to the Capitol, certainly an important thing, particularly in light of the unfortunate crime that was committed at the entrance. But we are -- we're talking about...

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator, can I interrupt you? Can we please take the conferences off the Floor? We're dealing with a supplemental appropriations bill. This is important to everyone. We need to be able to hear our Members speak. Thank you. Senator Rauschenberger.

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SENATOR RAUSCHENBERGER:

Thank you, Mr. President. And I'll try to -- to short it up. But we're -- we're about to pass a supplemental that is going to establish a security presence in the Capitol that is going to be roughly the size of the Department of Labor, almost the size of the Department of Agriculture. So, as we look across State government, security's important; we need to secure the Capitol. But I -- I would just caution all of us here and -- and hope that, as a Body, we will work with the Secretary of State to assess this risk as we go forward, because much of what we're adding because we're concerned -- nobody wants to say no to an Inspector General. Nobody wants to say no to Capitol security. But we may have to, as a Body, be a lot more realistic about how much we can invest in them in these difficult times. This has been agreed to, as I understand, in principle, with the Speaker of the House. And I'm not arguing with the sponsor. I just want people to be aware, as we kind of launch on this Inspector General and this new security, that -- that we need to be cautious of what we expect the other State agencies to be able to afford at a time when we seem to be willing to spend a lot of money on both of those internal things. So, I support this supplemental and appreciate Senator Trotter's tolerance of my comments.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Trotter, to close.

SENATOR TROTTER:

I -- I thank Senator Rauschenberger for his thoughtful comments, and I just ask for an affirmative roll call.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall House Bill 2749 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 59 Ayes, no Nays, none voting Present. House Bill 2749, having received the required constitutional majority, is declared passed. There will be a meeting of the Rules Committee immediately in the Antechamber. Rules Committee meeting immediately. Senator Viverito, for what purpose do you rise?

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SENATOR VIVERITO:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DEL VALLE)

State your point.

SENATOR VIVERITO:

I wish everybody would listen to me in the Chamber, if you would be so kind. The young man that shines our shoes and everything in the wonderful washroom we have is celebrating his forty-seventh birthday. He does a wonderful job for us, and I think it would really behoove all of us if we'd get a shine from him today to wish him a happy birthday. So, consider doing that. Thank you very much.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Happy birthday.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR HALVORSON)

Madam Secretary, Committee Reports.

SECRETARY HAWKER:

Senator Viverito, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Be Approved for Consideration - House Bill 699.

Senator Viverito, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to Executive Committee - Floor Amendment No. 2 to House Bill 699 and Floor Amendment No. 7 to House Bill 3589; and Be Approved for Consideration - House Joint Resolution 100.

PRESIDING OFFICER: (SENATOR HALVORSON)

We're going to be going to page 5, Secretary's Desk, Resolutions. Oh, Senator Silverstein, for what purpose do you rise?

SENATOR SILVERSTEIN:

For a committee announcement.

PRESIDING OFFICER: (SENATOR HALVORSON)

State your announcement.

SENATOR SILVERSTEIN:

The Senate -- Executive Committee will meet at 5:10 in Room 212.

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PRESIDING OFFICER: (SENATOR HALVORSON)

Thank you, Senator. So, on page 5 of the Calendar is the Order of Secretary's Desk, Resolutions. Senator del Valle, do you wish your resolution considered? Madam Secretary, please read the resolution.

SECRETARY HAWKER:

Senate Joint Resolution 89, offered by Senator del Valle. There are no committee amendments reported.

PRESIDING OFFICER: (SENATOR HALVORSON)

Are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

Yes. Floor Amendment No. 1, offered by Senator del Valle.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator del Valle, on Floor Amendment No. 1.

SENATOR DEL VALLE:

Thank you, Madam President. The Floor amendment becomes the resolution. This is the denial waiver resolutions. This round we had forty-two applications. The summary, quick summary, of the applicants -- applications transmitted to the General Assembly are eleven for driver education, ten for physical ed, nine for parent-teacher conferences, five for school improvement in-service training, two for content of evaluations, two for substitute teachers, one for limitation of administrative costs, one for nonresident tuition, one for statement of affairs. We are, with this resolution, agreeing with the recommendation of the State Board of Education, and we are denying only two of the waiver requests - two out of forty-two - and they both involve substitute teachers. They are Arlington Heights School District 25 and Mount Prospect School District 57. I'll be glad to answer any questions.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Senator Cronin.

SENATOR CRONIN:

Thank you, Madam President. I rise in support of this resolution. This is the old commitment that -- devote -- keeps us committed to local control. Yes means no and no means yes here, and I think this is a wonderful policy. We've taken some direction from the State Board, the newly constituted State Board, under the leadership of Governor Blagojevich.

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Enlightened leadership has showed us what local control means. And I'm persuaded that this is the right thing to do, and I highly recommend this to my colleagues.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator del Valle, to close.

SENATOR DEL VALLE:

I agree with our Minority Spokesperson on the Education Committee. I think he stated it very well, and I ask all the Members to support the resolution.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator del Valle moves the adoption of Floor Amendment No. 1 to Senate Joint Resolution 89. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Senator del Valle, on the resolution.

SENATOR DEL VALLE:

Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HALVORSON)

This resolution regarding school waivers requires a -- record vote. Those in favor of Senate Joint Resolution 89 will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Yeas, none voting Nay, none voting Present. The resolution is adopted.

PRESIDING OFFICER: (SENATOR DEL VALLE)

We are still on the Order of Secretary's Desk, Resolutions. We are now going to Senate Joint Resolution 90. Senator Emil Jones. Senator, do you wish to proceed with your resolution? Madam Secretary, please read the resolution.

SECRETARY HAWKER:

Senate Joint Resolution No. 90, offered by President Jones, Senator Watson and all Members.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Emil Jones.

SENATOR E. JONES:

Thank you, Mr. President. This is a -- Senate Joint Resolution 90 is a very simple resolution. What it does primarily is declare the month of November Diabetes Month in the -- in the State of Illinois. Illinois ranks third in the nation with the number of persons who are afflicted with diabetes.

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Diabetes cause many heart problems, kidney failure and amputations and drive up the cost of health care, and the purpose of the awareness is bring -- is to bring this issue in the forefront wherein our medical -- our medical establishments, as well as people, will be aware as -- as to what diabetes does and more proper care can be given to this particular issue. If attention is drawn to it, it will -- it will lessen the cost of health care and those persons who are afflicted will be able to take care of themselves more readily. So, that's all the resolution does.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? If not, Senator Jones moves the adoption of Senate Joint Resolution 90. All those in favor will say Aye. Those opposed, Nay. The Ayes have it. The resolution is adopted. We will now proceed to page 5, Secretary's Desk, Concurrence, Senate Bills. Senate Bill 1641. Senator Halvorson, do you wish to proceed? Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1641.

Motion filed by Senator Halvorson.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Halvorson, to explain your motion.

SENATOR HALVORSON:

Thank you, Mr. President. Senate Bill 1641 -- House Amendment No. 1 to 1641, which is on Concurrences, basically amends the Line of Duty Compensation Act to include the Armed Forces members killed in connection with September 11th. There were two people from Illinois that died in the Pentagon, one in Flossmoor and one in Naperville, and that would add them into the Compensation Act. It also sets and brings up to date the amounts of compensation, and I would appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Any discussion? Seeing none, this is final action. The question is, shall the Senate concur in House Amendments No. 1 to Senate Bill 1641. 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?

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Take the record. On that question, there are 59 Ayes, none voting Nay, none voting Present. Senate Bill 1641 -- the Senate concurs in House Amendments No. 1 to Senate Bill 1641, and the bill, having received the required constitutional majority, is declared passed. Senate Bill 1737. Senator Wendell Jones. Senator Jones, do you wish to proceed? Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1, 3 and 4 to Senate Bill 1737.

Motion filed by Senator Wendell Jones.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Jones, to explain your motion.

SENATOR W. JONES:

Thank you, Mr. President. This bill left here as a quick-take bill for Palatine and a couple other communities, but we changed it -- or, the House changed it and it came back with some quick-takes and some property switches in various counties. If you'll bear with me, I can share where they are. It deletes everything and came -- came back here as a quick-take bill. Authorizes the Director of Agriculture to exchange certain property in Perry County with the owners of the property. Amends the Code of Civil Procedure. Authorizes the Village of Bridgeview, the City of Ottawa, the City of Oakbrook Terrace, Ogle County and the Village of Plainfield and the Rochester Road -- Road District to use quick-take procedures for specified purposes. Authorizes a land transfer between the Department of Transportation and the City of East Peoria. And this was a quick-take bill, as I said, was in my name, and it's still in my name so they asked me to present it. I'll be happy to answer any questions, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Halvorson.

SENATOR HALVORSON:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR HALVORSON:

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Senator Jones, my only concern - you weren't in Exec yesterday to answer this question, and I just want to know if there's any homeowner or property owner that is against any part of this quick-take bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Jones.

SENATOR W. JONES:

I have no idea.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Viverito.

SENATOR VIVERITO:

Thank you. I just want to speak in favor of this particular bill. I'm a cosponsor, along with the Honorable Senator, and obviously this is an important bill, especially for the southwest side. I think Bridgeview's got something to do in there, too, with the new soccer fields and everything that are going in there. So, I would certainly encourage a positive vote on both sides of the aisle simply because this is a great economic development tool as well. And I commend the Senator in presenting this bill today.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Wendell Jones, to close.

SENATOR W. JONES:

Yes -- yes. In a little bit better response to Senator Halvorson's question, obviously on some of these quick-take procedures, some of the homeowners or property owners could be opposed to it, but remember, it goes to court, it has a proper appraisal. All quick-take does is speed up eminent domain. So, they will not be -- property will not be taken without due compensation and without -- without being published in the paper and what have you. So I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEL VALLE)

This is final action. The question is, shall the Senate concur in House Amendments 1, 3 and 4 to Senate Bill 1737. Those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 45 Ayes, 11 Nays, 1 voting Present. The Senate concurs in House Amendments 1, 3 and 4 to Senate Bill 1737, and the bill, having

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received the required constitutional majority, is declared passed. Senate Bill 2257. Senator DeLeo. Do you wish to proceed? Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 2257.

Motion filed by Senator DeLeo.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator DeLeo, to explain his motion.

SENATOR DeLEO:

Thank you very, very much, Mr. President, Ladies and Gentlemen of the Senate. This is a concurrence -- this is -- let me just give you a little brief overview of what this does. Three -- the last three Sessions, the last three Junes, we passed this bill out -- out of here and over to the House, and the last three years they changed the language. What this -- what the bill originally did, what the Illinois Senate passed, was that the Water Reclamation District commissioners could vote themselves a pay increase or a pay decrease or a pay adjustment, or ever what word you want to use. It's -- the Water Reclamation District is not funded by any State dollars. What the House amendment did is put in caps and it changed allowing them to vote their own salaries, put in a five-thousand-dollar cap for chairman, a five-thousand-dollar cap for vice president and four thousand dollars for -- for the members. Because they run in six-year terms and, as you know, they'll get sworn in this December 7th, this has to be done now, because there'll be -- there's members that have not received any pay adjustments in over ten years and they're going into a six-year term. So this would be a sixteen-year run without any pay adjustments. So I'd move to concur in the Speaker's Amendment No. 1, Mr. President. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR ROSKAM:

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Senator DeLeo, the bill that originally passed the Senate allowed for the Board to make the decision about whether their salaries would be increased and they would bear the political consequences of that decision. That was your original vision, is that right?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator DeLeo.

SENATOR DeLEO:

That's correct.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Roskam.

SENATOR ROSKAM:

That position was rejected by the Speaker and now the current version that you're asking people to vote on is for us to assume the responsibility of increasing the salaries. Is that right?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator DeLeo.

SENATOR DeLEO:

That's correct.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any other discussion? If not, this is final action. The question is, shall -- the Senate concur in House Amendments 1 to Senate Bill 2257. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 35 voting Aye, 20 voting Nay, and none voting Present. The motion fails. The -- the Chair will now entertain a motion to nonconcur. Senator DeLeo, do you wish to make that motion? Senator DeLeo.

SENATOR DeLEO:

Mr. President, my wish would be to put it on Postponed Consideration, sir.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator DeLeo.

SENATOR DeLEO:

My desire is to put it on Postponed Consideration, and I will refile my motion to concur, sir.

PRESIDING OFFICER: (SENATOR DEL VALLE)

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Senator DeLeo requests that the -- the motion to -- to concur on Senate Bill 2257 be postponed. The bill will be placed on the Order -- or, the motion will be placed on the Order of Postponed Consideration. Senate Bill 2299. Senator Jacobs, do you wish to proceed? Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1 and 3 to Senate Bill 2299.

Motion filed by Senator Jacobs.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Jacobs, to explain your motion.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move that we concur in House Amendment 1 and House Amendment 3 to Senate Bill 2299. Amendment 1 creates a licensure for pyrotechnic distributors while maintaining the license requirement for pyrotechnic operators. What we did previously, in a bill that we discussed from last year, we licensed the pyrotechnic but we didn't license the boss. We -- we licensed the employee but not the boss, and -- and this takes care of that and -- so that the distributor would also have to have a license requirement plus proof of one million dollar in general and product liability insurance as well as workers' compensation. No. 3, Amendment 3, certifies that an individual -- individuals who have been convicted of a felony within five years of their application may not be licensed as a pyrotechnic distributor. This removed the opposition of the State Fire Marshal in regards to the sprinkler systems. I know of no opposition and ask for your support.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? This is final action. The question is, shall the Senate concur in House Amendments 1 and 3 to Senate Bill 2299. Those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, none voting Nay, 1 voting Present. The Senate concurs in House Amendments 1 and 3 to Senate Bill 2299, and the bill, having received the required constitutional majority, is declared passed. We are now turning to page 2,

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House Bills 3rd Reading. We're going back through the Calendar on House Bills 3rd Reading. House Bill 626. Senator Martinez. Out of the record. House Bill 640. Senator Emil Jones. Senator Jones. House Bill 740 {sic}. Do you wish to proceed? On Senate Bill -- or, House Bill 640, we have a change of sponsor from Senator Emil Jones to Senator Haine. Senator Haine, do you wish to proceed? Senator Haine seeks leave of this Body to return House Bill 640 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 640. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Haine.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Haine, to explain the amendment.

SENATOR HAINE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill -- this amendment is an initiative of the local election authorities - the county clerks, the election boards locally - which includes the County of Cook and the Chicago Board of Election commissioners, DuPage County election commissioners and the downstate county clerks. It's a dispute between the local election authorities and the State Board of Elections. The State Board of Elections is opposed to this bill. The opposition or the disagreement between the two has to do with an interpretation of the United States government's view that unless Illinois adopts a single unified database of -- of voters under the control of the Board of -- of Elections of the State, then the State is in violation of the -- of HAVA, which is -- the Help America Vote Act. Thank you. I thought it was a new soap, but it's the Help America Vote Act. That's Lava, I guess. But -- however, the United States government, through Attorney General Ashcroft, has not given a -- a definitive opinion. This is the State Board's reasonable anticipation that we will lose State dollars. However, there's a contrary opinion on the local county clerks and local boards. The -- the -- the proposal that's in this bill has not been specifically ruled out by the United States Attorney General's Office, and we would like to make this a part of Illinois law to establish the

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principle that elections and voter lists are in the dual hands of the local election authorities where they have historically been. And if there's a State database, that's all well and good, but the local -- the county clerks and the other officials, which are accountable for the enforcement of these laws locally where people register and vote, for six thousand five hundred local government units in this State, should be the primary focus. And if the United States -- there's a year before this HAVA is finally implemented and there's plenty of time for the United States -- the Attorney General of the United States to tell our Attorney General that there's something wrong with our law. And I would ask the Senate of Illinois to vote with the local election authorities and to implement a reasonable principle that the statewide data ought to be under some kind of a control of the local election authorities also.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any..

SENATOR HAINE:

That's it in a nutshell, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Thank you, Senator. Is there any discussion? Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Mr. President. I rise in support of this bill. And for this side of the aisle, this passed in bipartisan support. I think the good Senator from Alton has given a good description of -- of this bill, and certainly we want to keep the local officials involved. We will have a centralized database, but we'll have it -- we don't have to have it till the year 2006, as indicated. So I would urge an Aye vote on this side of the aisle. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Haine moves the adoption of amendment -- Floor Amendment No. 1 to House Bill 640. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

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PRESIDING OFFICER: (SENATOR DEL VALLE)

3rd Reading. Now on the Order of 3rd Reading, Senator Haine, do you wish to proceed? Senator Haine. Madam Secretary...

SENATOR HAINE:

Mr. President, Ladies and Gentlemen of the Senate, I urge an Aye vote. It's a reasonable bill pursued by those that have been in charge of this process for many years. I respect the capabilities of the State Board of Elections.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator, we -- we have to read the bill into the record first, Senator.

SENATOR HAINE:

Oh.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill -- pardon me, House Bill 640.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Okay. Senator Haine, now to close.

SENATOR HAINE:

I would ask an Aye vote. It's a reasonable bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Thank you. The question is, shall House Bill 640 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 59 Ayes, no Nays, none voting Present. House Bill 640, having received the required constitutional majority, is declared passed. House Bill 678. Senator Jacobs. Out of the record. House Bill 757. Senator Radogno. Senator Radogno, do you wish to proceed? Senator Radogno seeks leave of this Body to return House Bill 757 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 757. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

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PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Radogno, to explain your amendment.

SENATOR RADOGNO:

Thank you, Mr. President. The reason for this amendment was generated by a situation in my district where a young lady who has Down's syndrome had -- and had been mainstreamed most of her school career, had finished four years of high school and wanted to participate in graduation ceremonies with her class. The school was uncomfortable allowing her to do that, thinking that if she participated, she would no longer be eligible for funding that those students get from age eighteen to twenty-one. What I found after that -- situation arose is that -- is that this lack of clarity exists around the State. A number -- I got a number of calls from different school districts who had the same problem -- or, parents, I should say, in school districts, although some school districts do go ahead and let those kids participate in ceremonies. So, all this -- the amendment does is just direct each and every high school district in the State to come up with a policy that will permit kids that have an individual education plan to participate in graduation ceremonies once they've completed their four years of high school.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? If not, Senator Radogno moves the adoption of Amendment No. 2 to House Bill 757. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Bomke, to explain your amendment.

SENATOR BOMKE:

Thank you, Madam President. The Senate Amendment 3 really clears up or cleans up Senate Bill 2810 that we had in the spring Session regarding the ambiguous {sic} way that school board members are listed on a ballot. We -- we thought we had it cleared up and there was some concerns with the State Board of Election. This is now an agreed board with the -- bill with

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the State Board of Elections, the Illinois Associated -- of School Boards and the County Clerks' Association. If there are any questions, I'd be happy to address them.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, Senator Bomke moves the adoption of Amendment No. 3 to House Bill 757. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any other Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator del Valle, to explain your amendment.

SENATOR DEL VALLE:

Thank you, Madam President. This amendment is more of a technical and clean-up amendment. You'll recall that we took action and passed Senate Bill 2115 and Senate Bill 2918 regarding reenrolling children in school and also addressing the change in the compulsory attendance age. We've worked out an amendment with the regional superintendents and the State Board of Education to work out the inconsistencies between the two bills that were signed by the Governor, and what this does is -- is that it clears that up. In addition, with regard to the community service requirements for truants, it makes community service an appropriate -- age-appropriate at the discretion of the regional superintendent, and it also addresses the age limit for participation in graduation incentive programs.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, Senator del Valle moves the adoption of Amendment No. 4 to House Bill 757. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any other Floor -- amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Madam Secretary -- pardon me, President.

PRESIDING OFFICER: (SENATOR HALVORSON)

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3rd Reading. Now on the Order of 3rd Reading is House Bill 757. Senator Radogno, to the bill. Do you wish to proceed? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 757.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HALVORSON)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Madam President. You've just heard the explanation of all three amendments that are contained in this bill, so I would just appreciate -- well, certainly, if there's any questions, we would answer them, but otherwise, I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR HALVORSON)

Is there any discussion? Seeing none, the question is, shall House Bill 757 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Yeas, none voting Nay, none voting Present. And House Bill 757, having received the required constitutional majority, is declared passed.

PRESIDING OFFICER: (SENATOR DEL VALLE)

House Bill 768. Senator Winkel. You wish to proceed? Senator Winkel seeks leave of this Body to return House Bill 768 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 768. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Winkel, to explain your amendment.

SENATOR WINKEL:

Thank you, Mr. President. Floor Amendment No. 1 addresses a local concern that arose in my district. Representative Bill Black brought this to my attention, as well as others. We have a group of schools that are trying to form a cooperative high

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school district and it's believed we cannot pass a referendum without the ability to build a new high school. This language originally was contained in House Bill 2439. It passed the House 118 to 0. What it does is it -- it amends the School Construction Law to include cooperative high schools in definition of a school district, and I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator John Sullivan.

SENATOR J. SULLIVAN:

Yeah. A question of the sponsor.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR J. SULLIVAN:

Senator, can you explain what a cooperative high school is?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Winkel.

SENATOR WINKEL:

Yeah. A cooperative high school is established between distinct high school districts that are contiguous. They can join together in an agreement and with certain enrollment limits, which I'd be glad to discuss if you want to know those enrollment limits. They can come together and form a cooperative, which is not a consolidation, but it is a way of addressing -- a way of delivering, let's say, high school services at high school in a more efficient, cost-efficient way, particularly among some rural school districts.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator John Sullivan.

SENATOR J. SULLIVAN:

So, why form a cooperative district as opposed to a consolidated district? What's the advantage/disadvantage?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Winkel.

SENATOR WINKEL:

Well, if your experience is as mine, particularly in rural school districts, there's obviously a great deal of community pride in having a school district remain intact within a community. There's a strong sentiment. I know in years past,

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we've changed the law concerning consolidation which maybe has lasted a few months before we repealed that law because there's a strong community sentiment to keep a school district intact. What we have found over the years, that instead is a lot of the school districts have ventured into cooperatives, for instance, in athletic activities and have found that those athletic activities, that that sort of cooperative has worked very well. While we may still not be to the stage with these districts that they're willing to actually go the ultimate consolidation, they are willing to go so far as to explore the ability to act on a cooperative basis. Cooperatives are already allowed in the School Code. They are in our -- our laws. They're statutorily okayed. We can do them. What we're suggesting here then, is we can actually achieve cooperatives and move on perhaps eventually some day to consolidation, but the thing that's inhibiting that process is they do not have access to the school construction grant program, and this would address that problem.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator John Sullivan.

SENATOR J. SULLIVAN:

So, these -- the districts that are forming this co-op district, do they -- are they unit districts? And you could just nod yes or no. Are they unit districts? And if they are, do their high school -- what happens to their high school districts, their existing high school districts?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Winkel.

SENATOR WINKEL:

Their high school districts remain intact, and, yes, they are -- they can be unit districts.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR BURZYNSKI:

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Just very quickly, Senator, if -- if they access the school funding program as cooperative school, will they then be able to also -- access the fund if they should become consolidated?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Winkel.

SENATOR WINKEL:

After consulting with staff, I believe the answer is that they can and always have been able to.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Burzynski.

SENATOR BURZYNSKI:

My only concern is, currently we have schools that have been able to -- or, that really have been put in a position of consolidation, rather than going with the cooperative route, in order to access certain funds that the State has, in order to access school construction programs, and yet, we're going to reward these school districts, who have chosen, by their own volition, by their own ability to pass a consolidation, we're going to reward them for maintaining their -- their status quo. I think that's -- that's kind of a tough thing. The other question I'm going to ask you is, will this impact other school districts' ability to access school construction grants, if and when we should ever have any? I know I'm getting phone calls right now from schools. And -- so would this new school district or cooperative schools be on the same playing field as my current school districts that are trying to access construction grants?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Winkel.

SENATOR WINKEL:

Senator, I believe the answer is yes, and we've already had that debate and we've already decided a long time ago that we would allow under the statute cooperative school districts. But that is a very hollow thing -- if we do not allow the very thing that we've allowed to exist by statutory enactment, that they cannot have the same sort of access and eligibility to school construction grant programs, then that's a very hollow thing that we've created by statute. We have, a long time ago, Senator, decided that we will allow cooperative school districts

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to exist. All we're asking here is, is that they be -- treated in the same way, that if they enter into that sort of cooperative relationship, that they should have access just like other school districts to the same school construction grant program. So, I guess the answer to your question is yes. That's a debate we've had years ago. We've decided to go the route of allowing cooperative high school districts. We should also allow them access to the school construction grant program.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Burzynski.

SENATOR BURZYNSKI:

Well, obviously we have a difference of opinion. Yes, we had the debate on whether or not to allow cooperative schools years ago. We did not have the debate on whether or not to allow cooperative schools to access school construction grants. So, that argument does not carry water. Secondly, you know, I -- what you're doing is you're asking the General Assembly to be responsible for your school districts and your constituents who have not been willing to pass a consolidation effort. Plain and simple. That's what this is all about. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Maloney.

SENATOR MALONEY:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR MALONEY:

Senator, the -- I'm just trying to understand the concept of cooperative. Does -- does the -- will they maintain separate school boards, and who -- who ultimately is responsible then for the administration of the cooperative high school in this case?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Winkel.

SENATOR WINKEL:

The -- the agreement that they enter into will -- will control how that district, that cooperative district, is actually operated. So, they negotiate that. It -- the actual districts themselves do not disappear. They continue. The idea here is, is that we've been very slow in the process of moving

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toward consolidation, but this is kind of a middle ground, an area that we can move into in a lot of these different areas where they can try it out, hopefully see that it works, and ultimately consolidate. That would be the goal.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Shadid.

SENATOR SHADID:

Yeah. Thank you, Mr. President. I have two questions. Does the State Board have a position on this legislation?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Winkel.

SENATOR WINKEL:

No.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Shadid.

SENATOR SHADID:

If you do what you're trying to do, will each school -- high school still maintain their own principal, their own administrators and own -- their own principals and superintendents of the district?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Winkel.

SENATOR WINKEL:

Senator, this -- this would be a cooperative high school with -- with one principal, one set of administration, one set of faculty. It would simply be under the control, by agreement, of multiple districts, but you'd only have one set of administrators and one set of faculty. It's just an -- a way of achieving a high school among unit districts through a cooperative agreement.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Shadid.

SENATOR SHADID:

Let me get this straight in my head. You're talking about how many high schools, and how many school districts are going to be involved in this cooperative effort?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Winkel.

SENATOR WINKEL:

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It depends. They have to be contiguous. In our case, we're talking about three school districts in Vermilion County - Catlin, Oakwood, Jamaica. These are very small districts. They're not able to convince the people locally at this time, at this stage, to consolidate, but they do want to actively look at a cooperative effort. And ultimately, I -- I believe the goal is, if it -- if it works in this cooperative basis, that ultimately they would consolidate some day.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Winkel moves the adoption of Amendment No. 1 to House Bill 768. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

3rd Reading. Now on the Order of 3rd Reading, do you wish to proceed, Senator? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 768.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Winkel.

SENATOR WINKEL:

Thank -- thank you, Mr. President. Just briefly to the bill. We've had a full discussion -- debate on -- on the amendment. It becomes the bill. This is a way -- we've talked for years about how many school districts we have, how difficult it has been through the years to combine, particularly the rural school districts, the very small districts, to combine them, to consolidate them to reduce the number of districts. What we have decided as a -- as a Body, as a State, quite awhile ago, is that we would allow cooperative high schools. All that we are asking by this bill is that if contiguous unit districts wish to combine, as we've already said that they can do, into a cooperative high school district, that in that case, if they reach that agreement, that they be able to access school construction grant funds. And I would ask your Yes vote.

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PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall House Bill 768 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 33 Ayes, 26 Nays, 0 voting Present. The bill, having not received the required constitutional majority, is declared failed. Senator Winkel.

SENATOR WINKEL:

Would ask that this be put on Postponed Consideration, and I will refile a motion.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Winkel requests that House Bill 768 be postponed. The bill will be placed on the Order of Postponed Consideration. House Bill 872. Senator Sandoval. Out of the record. House Bill 914. Senator -- Senator Schoenberg. Out of the record. House Bill 1002. Senator Harmon. Senator Harmon. Out of the record. House Bill 1068. Senator Jacobs. Out of the record. House Bill 2751. Out of the record. House Bill 2753. Out of the record. House Bill 3589. Senator Schoenberg. Out of the record. House Bill 4241. Senator DeLeo. Out of the record. Supplemental Calendar No. 1 has been distributed. It should be on your desk. We are now turning to Supplemental Calendar No. 1. House Bill -- House Bills 3rd Reading. House Bill 612. Senator Walsh. Senator Walsh seeks leave of this Body to return House Bill 612 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 612. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator -- Senator Shadid.

SENATOR SHADID:

I'm referring to my elder, Senator Walsh.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Well, with leave of the Body, Senator Walsh will explain the amendment.

SENATOR WALSH:

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Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Amendment No. 1 to House Bill 612 contains clean-up language for the Downstate Firefighters Article of Pension Code. House Bill 599, from last spring, allowed firefighters to receive annuities from multiple downstate fire pension systems, and it also allowed surviving spouses to receive a survivor's annuity based on the annuity of the deceased firefighter rather than on his or her final salary. House Bill 599 contained drafting errors in the provisions regarding the repayment of refunds in order to establish service credit in multiple funds. In addition, in the provisions concerning the new surviving spouse benefit, the bill omitted the surviving spouses of both the deferred annuitants and those receiving disability pensions. This bill corrects all of these omissions. Again, this is just a clean-up bill. To my knowledge, there is no opposition and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Dave Sullivan.

SENATOR D. SULLIVAN:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR D. SULLIVAN:

Senator, is there any language in this amendment that applies to Senators who are elected county executive?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Walsh.

SENATOR WALSH:

No, but after today, I think there should be.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Walsh moves the adoption of Floor Amendment No. 1 to House Bill 612. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

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3rd Reading. Now on the Order of 3rd Reading, Senator, you wish to proceed? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 612.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Walsh.

SENATOR WALSH:

Thank you, Mr. President. And to all my colleagues, I just ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? If not, the question is, shall House Bill 612 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 59 Ayes, no Nays, none voting Present. House Bill 612, having received the required constitutional majority, is declared passed. We're proceeding to Secretary's Desk, Resolutions. Senate Resolution 645. Senator Silverstein. Senator Silverstein.

SENATOR SILVERSTEIN:

Mr. President, Senate Resolution 645 creates the Senate Task Force on Illinois Alcoholic Beverage Laws. There is pending a -- a -- a case in the -- U.S. Supreme Court that can have an effect on how liquor -- and especially the wine industry is going to be affected. The Task Force is going to be consisting of legislators, be appointed by both the Minority and the -- and the President and the Minority, as well as a member from the Illinois Liquor Commission. Through a prior resolution which -- we -- we had -- we amended it, put a whole bunch of other -- people in the industry on the committee, but this will just be made up of legislators. I'll take any questions if there's any concerns.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. To the bill: I rise in strong support. I know that Senator Silverstein is trying to be

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proactive in anticipating maybe some questions that may result in litigation at the United States Supreme Court, and I urge its passage.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Silverstein moves the adoption of Senate Resolution 645. It is the opinion of the Chair that this resolution requires the expenditure of State funds and therefore a roll call vote must be taken. Those in favor of the resolution will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 59 Ayes, none voting Nay, none voting Present. The resolution is adopted. Senator Collins, on Senate Resolution 717. Madam Secretary, read the resolution.

SECRETARY HAWKER:

Senate Resolution 717, offered by Senator Collins.
There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, I would like to offer Senate Resolution 717. Give me -- I'm going to give you a brief sort of analysis of what this resolution does. It calls upon Members of the Illinois Senate to condemn the government of the Sudan for its participation in atrocities committed on its people. It urges the U.S. Congress and the federal executive branch to support federal House Resolution 5061 in an effort to end human rights abuses occurring in the Sudan. House Resolution 5061 is a bipartisan bill currently under consideration in the 108th Congress to provide assistance for the current crisis in the Dafur region of the Sudan. This legislation, known as the Comprehensive Peace in Sudan Act, was sponsored by Republican Representative Tom Tancredo of Colorado and received unanimous support, bipartisan support, in the House with a vote of 412 to 3. As you know, I don't know if you've been following the -- the media coverage of this issue, but the Dafur region of the western Sudan is site of the 21st century's first great episode of genocidal destruction. President Bush, the U.S. Congress and Secretary of State Colin

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Powell have all deemed the Sudanese government as genocidal. Within the last twenty-one months of -- months of violence, there has been the wholesale destruction of villages, water sources, food and seed stocks and other precious resources. This terror has meant the mass execution of African men and boys and the systematic use of rape as a weapon of war. Those who have fled the violent attacks, primarily women and young children, are dying from starvation and disease. Up to one thousand are dying each day. I'm open for any questions.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Any discussion? If not, Senator Collins moves the adoption of Senate Resolution 717. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The resolution is adopted. Senator Geo-Karis, for what purpose do you rise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I would like to know how much longer we're going to be in Session today.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator, we will inquire and we'll get back to you on that. We are now proceeding to Supplemental Calendar No. 2. Supplemental Calendar No. 2. On the Calendar -- on the page is the Order of Consideration Postponed on House Bill 1000. As the bill has already been presented and debated on the Floor, debate on this bill will be limited to one proponent and one opponent. Senator Rauschenberger, for what purpose do you rise?

SENATOR RAUSCHENBERGER:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DEL VALLE)

State your point.

SENATOR RAUSCHENBERGER:

I'd like to inquire of the Chair whether there's been any new news or information about a potential calendar for January. It's normal, over the last decade or so, that sometime in early November, usually the first week of Veto Session. So, just wanted to let the Chair know that many of us are anxious to satisfy those people that really run our households and get some

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kind of determination of what January and February might look like.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator, thank you for that question. It's a very important one. I've been informed that the calendar will be distributed tomorrow morning. We will return to House Bill 1000, but we're going to proceed to Senate Bill 2257. Senator DeLeo.

SENATOR DeLEO:

Thank you very much, Mr. President...

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator DeLeo. Again, this bill is on the page of Supplemental Calendar No. 2, and as the bill has already been presented and debated on the Floor, debate on this bill will be limited to one proponent and one opponent. Senator DeLeo.

SENATOR DeLEO:

Thank you very much, Mr. President. As you mentioned, this bill was debated just moments ago. There were some people off the Floor. I see that everybody's back on the Floor. It's the Water Reclamation District bill. The amendment -- the concurrence is the language that the Speaker put in, and I'd ask for a favorable roll call and a concurrence to House Amendment No. 1 to Senate Bill 2257, sir.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? If not, this is final action. The question is, shall Senate Bill 2257 -- shall the Senate -- the question is, shall the Senate concur with Senate Bill 2257, House Amendment 1. Those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 41 Ayes, 12 voting Nay, none voting Present. The Senate concurs in House Amendment No. 1 to Senate Bill 2257, and the bill, having received the required constitutional majority, is declared passed. We are now returning to Supplemental Calendar No. 1. Secretary's Desk, Concurrence. Senate Bill 2133. Senator Meeks. Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 2133.

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Motion filed by Senator Meeks.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Meeks, to explain your motion.

SENATOR MEEKS:

The motion is simply an amendment, and what the amendment does is it gives the clerk's office the opportunity that individuals who are registered within the fourteen-day grace period, the clerk's office designates the registration place and whether or not the registration will take place by mail-in or whether or not the individual can vote absentee.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Wendell Jones.

SENATOR W. JONES:

Yes. Thank you, Mr. President. We had a partisan roll call on this in committee. It passed 6 to 4, but there are some of us who feel that a -- that the current law, which is twenty-eight days, is sufficient. If people want to vote, the next election, I'm announcing right now, is in March. So, if -- if they want to vote, they've got plenty of time to go register. Then there will be one in April and then there'll be another one, you know, in November of 2005, and then there's another one in November of 2006. So there's plenty of time to go vote. If you run it down to fourteen days before the election, it -- it kind of gives the officials that Senator Haine was talking about, it kind of puts 'em under the gun because they have to turn all this information around, they have to get it in the binder, they have to send it out to the election officials. Those of you that have -- have been in an election location all day long, you know how hard these people work. They have to get people in the binder. There's a lot of information that has to be turned around in fourteen days. Even though we have computers, if a lot of people register, it inundates our elected officials, and we think that the current law of twenty-eight days, in this case twenty-eight days and twelve months or six months to register to vote, is plenty. Now, my good colleague from Chicago will tell you that there's some states that let you register to vote on the day of the election. Ladies and Gentlemen, we are playing around with our right to vote here, and there needs to be some rules and some logic behind it so we

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get people registered to vote, so we know where they live, we can get 'em on the rolls to vote. And we think twenty-eight days, which the current law says, is enough, and fourteen days is just too soon to turn around all that data. I would appreciate a No vote. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Meeks.

SENATOR MEEKS:

...much -- thank you so much, Senator Jones. Actually, this election cycle, the registration would have cut off -- it did cut off on the -- October the 5th, which means that the deadline to register actually came before the second Presidential debate, which means that if they're using debates for individuals to make up their mind, the debate actually would have -- any individual who would have decided as a result of the debate that they wanted to change their mind or their vote, they wouldn't have had the opportunity to do so. There are six -- there are six states that have same-day registration and fifteen states, including California, they have fourteen. And I think you misspoke, Senator, because the individual under this bill who registers, they're actually registering in their particular -- they don't have to send information out because they're registering right there on the spot. And so, they're registering with the county clerk and so the county clerk does not have to send the information back to himself or back to herself.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Wendell Jones.

SENATOR W. JONES:

Yes. The -- it's an interesting comment that you should make about the debates because Bush didn't win a debate till the third one. And so -- you know, you don't have to -- you don't have to wait to register to vote to make up your mind who to vote for for President. You could register to vote three or four months before the debates, and you could even wait until election day to make up your mind. This is about registering to vote, and I'm telling you, there are elections coming up. Everybody within the sound of my voice, there are elections coming up in the future. This takes it down to fourteen days. Pretty soon it's going to be fourteen minutes. Pretty soon

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you're going to have to vote at McDonald's in the drive-through. This -- this makes no sense. We're playing with the rules of how we vote, and it makes no sense. It makes no sense, if you're -- if you're an election official, to try to get all of this data compiled and sent back to the precincts so when a person walks in and says, "I'm registered to vote", you can actually verify it. All we're trying to do is verify who is registered to vote. Now, this may be a foreign concept in Chicago because we know cemeteries vote in Chicago, but we don't -- we don't want to go down that road in the rest of the State. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Let's have order. Let's have order in the Chamber. Let's be respectful of the speakers. Senator Meeks.

SENATOR MEEKS:

Yes. Senator, let me respond. It does not go back to the precinct. This information stays at the office of the clerk, and the information does not go back to the precinct. And, Senator, we have something today called technology, and we don't have to compile a lot of data and information. Via computer, if anything had to be exchanged, it could be done in a matter of moments or seconds. So, it's just -- it's just whether or not Illinois is going to keep up with the technological advances of the rest of the world.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR RIGHTER:

Senator Meeks, first, I -- there was some noise in the Chamber and I didn't hear if you gave an explanation - I apologize if you did - the difference in the bill now as opposed to when it left this Chamber.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Meeks.

SENATOR MEEKS:

Thank you so much, Senator. The House put an amendment on that said that the individuals who were seeking to register

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during the grace period have to register at a -- they have to register in person at the office of the county clerk, and -- and then the county clerk would determine whether that individual would be able to vote then via -- then absentee or by mail. And so that was the change, and I think the change actually satisfied some people and that's why they put that amendment in.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Senator Meeks, as -- as I read your bill now, the ballots that will be cast during the grace period are going to be held at the central location of whoever the -- you know, the voting authority is, the election authority is. Now, it doesn't change State law, though, with regards to the ballots -- the absentee ballots that are obviously cast before -- I mean, does that -- does that change where the absentee ballots cast before the election are counted?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Meeks.

SENATOR MEEKS:

No, not at all. Absentees remain the same.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Righter.

SENATOR RIGHTER:

So, is there a situation now where -- that every county clerk then or -- or, election commissioner is going to have a stack of ballots, some of 'em are going to go out to the precincts to be counted and some of 'em are going to stay in the office?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Meeks.

SENATOR MEEKS:

Yes. This is -- this is something the clerks asked for, to keep it. Only those that fall in the fourteen-day grace period will actually stay there. And so, this is actually what the clerks asked for.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Righter.

SENATOR RIGHTER:

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Last question. Senator Meeks, what's -- what's magic about the two-week grace period, I mean, as opposed to a one-week grace period or a three-week grace period or two days before the election? I mean, is there -- is there a survey out there or a study or a poll, or have you had conversations with constituents who said, "You know what, doggone it, it's just two weeks with me that I forget to register"? I mean, what's magic about that fourteen days?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Meeks.

SENATOR MEEKS:

I think the basic intent, Senator, is that oftentimes when you get closer to an election - I was sharing with Senator Jones earlier - that there are individuals who somebody might see a great Wendell Jones commercial and that individual was going to drop out of the process and then they decide that because of the great Wendell Jones commercial, that they want to vote. There's nothing magical about fourteen days. It's just that there are other states who recognize that during the election cycle, the more people see commercials, the more people hear from candidates, there are some people who just make up their mind late and decide to get into the process, and so fourteen days was chosen.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Geo-Karis. Senator, you indicated it was your last question. I've called on Senator Geo-Karis. We'll get back to you.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, our forefathers came to this country for the right to vote. It is a very precious right. I hold it very precious. I was born in Greece. Ninety percent of the people vote there because they consider it a very -- very holy thing to do. It's something that's -- they've earned from years ago, just like we did. And I think if anyone is conscientious as an American, they shouldn't have to wait for fourteen days. For heaven sakes, the clerks have plenty to do in order to get everything done, the registrations. Twenty-eight days is not long. And much as I love the sponsor of this bill, the highest -- and I have the highest

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respect for him, I don't feel that we are creating better voters this way. What we're creating is non-responsible type of voters who don't care but then they go -- they got fourteen days, they can do it. No. I like to be tied to twenty-eight days. I think that's only fair. It gives the clerks time to get everything done. And I'm sorry, but I'm asking for a No vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator John Jones.

SENATOR J. JONES:

Thank you, Mr. President. To the bill. You know, this bill came out of Local Government Committee about 12:30 today, and it's amazing how information travels from this -- this building back to our districts. I happen to represent all the parts of eleven counties in southeastern Illinois. Most of my county clerks are Democrats. I have had most of them call me since 12:30 today saying, "Don't vote for this bill. We've got enough to do in the twenty-eight-day period without moving it to fourteen days." I think each and every one of you better consider before you vote for this bill and better -- better make a phone call back to your local county clerks to see where they're really at on this bill, because they're opposed to it. And I would encourage a No vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Garrett.

SENATOR GARRETT:

Mr. -- thank you, Mr. President. To the bill. As an ex-President of the League of Women Voters and as a voter registrar, I stand up in strong support of this legislation. As somebody who just came out of a campaign, going door to door, I can tell you how many times that I -- I talked to people who said that they would love to vote but, in fact, they missed the deadline and they couldn't register to vote. This isn't a Chicago issue. This is actually in the north suburban area, for first-time voters, for students, for people who out of the fact that they work every day don't have the opportunity to be able to register to vote. Be -- registering to vote is not as simple and convenient in Illinois as it is in other states -- as it is in other states. So, having said that, we should give our residents, our citizens, every opportunity to be able to access

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the right to vote, in a -- in a convenient and pragmatic way. And I don't think fourteen days should be -- it should be limited to twenty-eight days. I understand that the county clerks aren't supportive of this because it actually means extra work, but to the citizens of this State, whether they vote Republican or Democrat, they should have that ability to be able to access the polls in twenty-eight days or fourteen days. And I think this is a move in the right direction. I ask for a -- a Yes vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I just wanted to weigh in with a couple of thoughts. I think it's important that people have the right to vote and access to vote, but -- but there is something to the registration process besides simply ascertaining that someone has the right to vote. We all rely on access to -- to walk lists and on mailing lists to be able to contact voters so we can inform them about the elections, so we can inform them about the candidates. When you look at the Cook County ballot, for example - I don't know how many judges we were -- we had on the Cook County ballot this year, but there were more than sixty - people are making decisions that -- that -- that are large decisions. And impulsively saying that I want to vote seventeen days before the election is not the same thing as planfully engaging in the process. If we're going to go to a -- to a no registration system or a instant registration system, we all need to contemplate what that means about our ability to communicate and inform the electorate. If we believe that -- that contacting voters, being able to dialogue with voters is important, that means we have to have lists that are accurate and that we can rely on and lists that are available to us the last fourteen days of the election not only so the clerks can check the validity, so that we can - the Republicans, the Democrats, the pros, the cons, the people for the referendums, and opposed to it - can reach those people. So, in the midst of all of this, before we trundle into the process of copying Wisconsin or other states that have gone directions that I think

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they're not as happy with, I think we ought to be cautious about shortening the time period to such a level that candidates and people interested in the process don't have a chance to access people. So, although I -- I think Reverend Meeks, Senator Meeks' bill is well-intended and -- and perhaps a good item for debate, I don't think it's the right time for us to move the registration down to a point where we're going to be maybe bringing some more people to the polls, but maybe not informed voters or people prepared to participate in the process.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Soden.

SENATOR SODEN:

Thank you, Mr. President. To the bill. You're talking about convenience. Maybe I misunderstood you, but you're saying that the individual has to go to the county clerk to register, the county election commission to register?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Meeks.

SENATOR MEEKS:

Yes.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Soden.

SENATOR SODEN:

Whatever happened to townships and why can't people register at the village hall like they normally do now?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Meeks.

SENATOR MEEKS:

It was actually a concession to the clerks, because the clerks are actually neutral on this bill. The clerks are not all opposed to the bill. There was no opposition of it in committee. They didn't come down to testify against it. They were actually in -- they're actually neutral. They've taken a neutral position. This was a concession to the clerks.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Soden.

SENATOR SODEN:

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Senator Garrett talked about convenience. You're meaning that people in Chicago have to walk all the way down to the county building to register?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Meeks.

SENATOR MEEKS:

They -- they have to go to the place that's designated by the election board, wherever that is.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Soden.

SENATOR SODEN:

That's not what I understand your bill to say. You mentioned county. You didn't say anything about local townships. You have townships.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Meeks.

SENATOR MEEKS:

It's wherever the election authority indicates and it's only for those persons who are in that fourteen-day period.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Soden.

SENATOR SODEN:

I still think you're overburdening the election commission because of the time frame. As a precinct committeeman, I get my information on my precinct approximately about six to seven days before elections so I can check my roster of voters and my constituents. And I don't think fourteen days gives the election board time enough to give me the information. If I get it a day before election, it's going to be very difficult to cover my precinct.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. You know, it's amazing. We've taken about thirty minutes to talk about trying to keep people from having the right to vote, and all of last year we heard about voter apathy and trying to get more people involved. This is America. I thought it was America. And America was founded on giving people the right to vote, to select their own

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government. If Senator Meeks had come up with twenty-one days, you would have criticized it. Anything he came up with, you would have criticized it. You know, I haven't heard this much hot air and demagoguery since I -- since this whole Session. I was sitting here in my chair saying I wasn't going to say anything. You are lucky that you're dealing with an intelligent, God-fearing individual like Senator Meeks, who's going to give you a pass and say honorable things about you instead of telling you to your face what you really sound like when you try to prevent people from having the right to vote. It's not a Chicago thing. This is statewide. It's not a Democratic thing or a Republican thing. They could vote for anybody. Fourteen days is a sufficient amount of time. So, please, it is late. Why get up and spend all of this time trying to keep the American people, the people from Illinois from having the right to vote? And yet, you'll get up in your district and say how you're all for freedom, you're all for participation, and then you get up here on the Senate Floor and talk all crazy like this, as if he's doing a terrible thing, knowing that the man is an honorable man, a decent man, who only wants to get more Illinoisans participating in -- in -- in the election opportunity. And, sure, everyone in this room knows when the elections are coming up, but back there at home we have to tell them and let them know and inform the people. And there's nothing wrong with allowing people the American dream, the ability to vote and participate in their government. That's why we're fighting over in Iraq and Afghanistan, dying right now. We got elections coming up January 9th. You want to stop their right to vote? No, you don't. So, why stop it here in Illinois?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator -- Senator Garrett, for the second time.

SENATOR GARRETT:

Since my name was used in debate, I'd like to respond to the convenience part of this legislation. And I think the point needs to be made -- and I -- I -- I understand that there's resistance. But when you talk to people, not knowing if they're Republicans or Democrats, and they say they wish they had been able to have the opportunity; because it's been inconvenient in

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the past or maybe they work, they didn't have the ability to register to vote - that isn't fair. We should do whatever we can to shorten that period to make sure that they have more opportunity to be able to register to vote. And to some of the other comments about how it doesn't work on -- in our behalf as candidates to have that list in front of us so we can communicate directly with our -- our potential constituents, what about the people who are being denied the right to register to vote? That should come first, not how and when we can communicate to them. We need to make sure that everybody has as much opportunity as possible to be able to register to vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. Just briefly to the bill. You know, I find it ironic that my -- my colleague from the back row, who was minding his own business and was sort of -- somebody yanked his chain and he got animated and he yanked my chain and I'm animated now. I find it ironic that the same person that is -- that is -- they're defending the -- the right to vote, here criticizes Senators for asking questions in good faith. Because why? Because it's late? That's the best reason to close off debate on a massive change for how we deal with registering and dealing with eleven and a half million people, because it's late? Trying to intimidate Senators from asking good questions, Senator Ray Soden who never opens his mouth here in the State Senate, because it's late? Spare me. We've got time. We get paid by the month and you can listen in respect to Senator Soden and everything he's got to say.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Thank you, Senator. Senator, your name was not used in debate. Senator -- Senator Hendon.

SENATOR HENDON:

Thank -- thank you, Mr. President. I'm sorry, Peter.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Meeks, to close.

SENATOR MEEKS:

Well, thank you so much. What an interesting debate. I'm joined by the House sponsor of this bill, Representative Robin

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Kelly. And I'm grateful that there are no more chains to yank. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

This is final action. The question is, shall the Senate concur in House Amendments No. 1 to Senate Bill 2133. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 33 Ayes, 24 Nays, and 2 voting Present. The Senate concurs in House Amendment No. 1 to Senate Bill 2133, and the bill, having received the required constitutional majority, is declared passed. We are -- the -- Senator -- Senator Geo-Karis, for what purpose do you rise?

SENATOR GEO-KARIS:

I'm just curious. Didn't that bill require 33 -- 36 votes?

PRESIDING OFFICER: (SENATOR DEL VALLE)

The effective date is July 1st, 2005.

SENATOR GEO-KARIS:

Fine. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The regular Session of the Senate will stand in recess to the call of the Chair, after the Executive Committee meets, and that meeting will be immediately after we stand in recess. Then we'll reconvene to receive Committee Reports and for further Floor action. Senator Emil Jones.

SENATOR E. JONES:

Yeah. Thank you. As -- as a way of explanation, we do have a matter that must pass this evening. Immediately after the Exec Committee, we'll come in. I don't think it will take too long if Peter Roskam doesn't talk so long. And we'll come right back to the Floor and deal with that issue that's been agreed upon as relate to, I believe, the nursing homes across the State of Illinois. And then we'll be out of here and we'll have plenty of time to go register to vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The Senate stands in recess to the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

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PRESIDING OFFICER: (SENATOR DEL VALLE)

The Senate will come to order. Would the Members please come to the Floor? Madam Secretary, Committee Reports. Madam Secretary, Introduction of Bills.

SECRETARY HAWKER:

Senate Bill 3395, offered by Senator DeLeo.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Madam Secretary, Resolutions.

SECRETARY HAWKER:

Senate Resolution 745, offered by Senator Dave Sullivan and all Members.

And Senate Resolution 746, with the same sponsorship.

And they're both death resolutions.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Resolutions Consent Calendar. The Senate Rules Committee will meet immediately in the Anteroom - the Senate Rules Committee. Madam Secretary, Committee Reports.

SECRETARY HAWKER:

Senator Silverstein, Chairperson of the Committee on Executive, reports Senate Amendment No. 2 to Senate Bill -- pardon me, to House Bill 699 and Senate Amendment 7 to House Bill 3589 Be Adopted.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Madam Secretary, Committee Reports.

SECRETARY HAWKER:

Senator Viverito, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Be Approved for Consideration - Floor Amendment No. 3 to House Bill 699.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Supplemental Calendar No. 3 has been distributed. We are going to House Bills 3rd Reading. House Bill 699. Senator Silverstein, do you want to proceed? Senator Silverstein seeks leave of this Body to return House Bill 699 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill

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699. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Silverstein, to explain Floor Amendment No. 2.

SENATOR SILVERSTEIN:

Thank you, Mr. President. There'll be another amendment, but let me just explain this. Floor No. 2 deletes everything. Effective -- 1/1/05, the Medicaid reimbursement rates for skilled nursing facilities or immediate care facilities must be raised by the difference between a facility's per -- per diem property, liability, and malpractice costs as reported in the cost reports transmitted to the Department of Public Aid and to be used in the determined rates of 1/1/05 and the exact costs as reported in the facility's 2002 cost reports. Amendment No. 3 -- well, let's adopt this, and then we'll...

PRESIDING OFFICER: (SENATOR DEL VALLE)

We'll adopt Amendment No. 2 first. Senator Silverstein moves the adoption of Amendment No. 2, Floor Amendment No. 2, to House Bill 699. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Silverstein, to explain Floor Amendment No. 3.

SENATOR SILVERSTEIN:

Thank you, Mr. President. We just amended the date for the rates to be determined from 1/1/05 to July 1st, '04 {sic}. This is an agreed -- all parties and interests have agreed to this. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Silverstein moves the adoption of Amendment No. 3, Floor Amendment No. 3, to House Bill 699. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

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SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

3rd Reading. Now on the Order of 3rd Reading, Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 699.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Silverstein.

SENATOR SILVERSTEIN:

Third time will be the charm, I hope. Again, I explained the -- the two amendments. This is a bill that was agreed upon by the Illinois Council on Long Term Care and the Illinois Health Care Association and Life Services Network. I'll take any questions if there are..

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Rutherford.

SENATOR RUTHERFORD:

Thank you, Mr. President. I -- I stand in support of Senator Silverstein's legislation. And just for the indulgence of everyone here - we know it's going to be late - but this is kind of an interesting moment, because this will be the first piece of legislation with regards to long-term care dealing with the MDS that I think, in the last twenty years, I have finally seen all facets of associations involved with long-term care having come together unanimously to bring about some positive action. As Senator Silverstein and I have been working on this over this past year, we admonished everyone that nothing will happen in a positive movement forward for our elderly in long-term care until we all come together. This is an excellent piece of legislation. Everyone is on board this, and I stand in support of the legislation.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Silverstein, to close.

SENATOR SILVERSTEIN:

Ditto what Senator Rutherford said. So, hopefully, we can pass this out tonight. Thank you.

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PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall House Bill 699 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 59 Ayes, none voting Nay, none voting Present. And House Bill 699, having received the required constitutional majority, is declared passed. There being no further business to come before the Senate, the Senate stands adjourned until the hour of 9 a.m. on Thursday, November 18th. The Senate stands adjourned.