

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
REGULAR SESSION  
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42nd Legislative Day

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PRESIDING OFFICER: (SENATOR HENDON)

The regular Session of the 94th 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 -- will be given by Dr. David Pinkerton, First Baptist Church, Raleigh, Illinois. Reverend Pinkerton.

DR. DAVID PINKERTON:

(Prayer by Dr. David Pinkerton)

PRESIDING OFFICER: (SENATOR HENDON)

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

SENATOR MALONEY:

(Pledge of Allegiance, led by Senator Maloney)

PRESIDING OFFICER: (SENATOR HENDON)

Madam Secretary, Reading and Approval of the Journal.

SECRETARY HAWKER:

Senate Journal of Monday, May 16, 2005.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Hunter.

SENATOR HUNTER:

Mr. President, I move that the Journal just read by the Secretary be approved, unless some Senator has additions or corrections to offer.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Hunter moves the approval of the Journals just read by the Secretary. There being no objection, so ordered. Madam Secretary, Resolutions.

SECRETARY HAWKER:

Senate Resolution 207, offered by Senator Hunter {sic} (Harmon) and all Members. It is a death resolution.

PRESIDING OFFICER: (SENATOR HENDON)

Resolutions Consent Calendar.

SECRETARY HAWKER:

And Senate Resolution 208, offered by Senator Schoenberg.

And Senate Joint Resolution 47, offered by Senators Lightford, del Valle and Meeks.

They're both substantive.

PRESIDING OFFICER: (SENATOR HENDON)

Madam Secretary, Committee Reports.

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SECRETARY HAWKER:

Senator Meeks, Chairperson of the Committee on Housing and Community Affairs, reports Senate Amendment No. 1 to House Bill 328, Senate Amendment No. 1 to House Bill 515, Senate Amendment 1 to House Bill 2462, Senate Amendments 2 and 3 to House Bill 4023 are recommended Do Adopt.

Senators Cullerton and Dillard, Co-Chairpersons of the Committee on Judiciary, reports Senate Amendment No. 1 to House Bill 180, Senate Amendment 1 to House Bill 215, Senate Amendment 5 to House Bill 350, Senate Amendment 1 to House Bill 367 -- I'm sorry, that is 369, Senate Amendments 1 and 2 to House Bill 566, Senate Amendment 2 to House Bill 596, Senate Amendment 1 to House Bill 712, Senate Amendment 1 to House Bill 763, Senate Amendment 2 to House Bill 783, Senate Amendment 2 to House Bill 1319, Senate Amendment 1 to House Bill 1562, Senate Amendment 1 to House Bill 1588, Senate Amendment 2 to House Bill 1870, Senate Amendment 2 to House Bill 3801, Senate Amendment 1 to House Bill 3874 and Senate Amendment 2 to House Bill 4030, Senate Amendment 1 to House {sic} (Senate) Bill -- pardon me, 1138 and Senate Amendment 1 to Senate Bill 1180, are recommended Do Adopted.

Senator Maloney, Chairperson of the Committee on Higher Education, reports Senate Amendment 1 to House Bill 60 and Senate Amendments 3 and 4 to House Bill 755, all Be Adopted.

Senator Collins, Chairperson of the Committee on Financial Institutions, reports Senate Amendment No. 3 to House Bill 1100 recommended Do Adopt.

Senator Sandoval, Chairperson of the Committee on Commerce and Economic -- Economic Development, reports Senate Amendment No. 1 to House Bill 509 Be Adopted.

PRESIDING OFFICER: (SENATOR HENDON)

It is the intention of the Chair to go to 2nd Readings and then 3rd Readings. Will the Members please be in the Chamber? Please call your bills. We're going to go to 2nd Readings. In a few moments we're going to start on the top of page 90. Will Members please be in their seats? While we have the moment, the -- Chair will also announce that the Senate/House softball game is scheduled for tomorrow at 5 p.m. in Lincoln Park. It has been changed from the firefighter's place back to Lincoln Park, straight down 6th Street at the old diamond where Senator Geo-

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Karis has called all the games. Tomorrow, 5 p.m. And we did take in consideration the functions afterwards, that's why we moved the game up half an hour so the Senate could recognize their excellent staff. That's why we moved the game up to 5 o'clock, so we will be on time and start on time. Madam Secretary, Messages.

SECRETARY HAWKER:

A Message for the Governor by Joseph B. Handley, Deputy Chief of Staff for Legislative Affairs, May 5, 2005.

Mr. President - The Governor directs me to lay before the Senate the following message: To the Honorable Members of the Senate, 94th General Assembly, I have nominated and appointed the following named persons to the offices enumerated below and respectfully ask concurrence in and confirmation of these appointments of your Honorable Body.

Rod Blagojevich, Governor.

I have a like Message dated May 10, 2005, and May 16, 2005.

PRESIDING OFFICER: (SENATOR HENDON)

Will you please turn to page 90 of your Calendar? Page 90 of your Calendar, to the Order of 2nd Readings. We are going to go through 2nd Readings and 3rd, so please call your bills if you want them called. Senator Schoenberg, for what purpose do you seek recognition?

SENATOR SCHOENBERG:

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

PRESIDING OFFICER: (SENATOR HENDON)

State your point.

SENATOR SCHOENBERG:

Thank you. I'm joined today at my left by two -- by two very bright and talented young people from my community. Aaron Suiter, who's at Wilmette Junior High -- I'm sorry. Anna Suiter, who's at Wilmette Junior High and her brother, Aaron, who's a student at Highcrest Middle School in Wilmette. If you could all give them a warm Senate welcome today, I'd greatly appreciate it. Thank you very much.

PRESIDING OFFICER: (SENATOR HENDON)

Please welcome our young, bright and intelligent guests to the Senate. Welcome to the Illinois Senate. On the Order of 2nd

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Reading is House Bill 2. Senator Crotty. House Bill 2. Senator Crotty. House Bill 23. Senator Righter. House Bill 23. Senator Righter. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 23.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. House Bill 27. Senator Haine. House Bill 27. Senator Haine. House Bill 44. Senator Crotty. House Bill 56. Senator Sandoval. Senator Sullivan, for what purpose do you rise?

SENATOR J. SULLIVAN:

A point of personal privilege.

PRESIDING OFFICER: (SENATOR HENDON)

State your point, Senator.

SENATOR J. SULLIVAN:

Ladies and Gentlemen of the Senate, I'd like you to welcome a couple of constituents of mine. To my right is, Linda Ward. She's the Schuyler County Clerk in Schuyler County and her daughter, Shari Thurman. I'd like you to welcome them to Springfield.

PRESIDING OFFICER: (SENATOR HENDON)

Welcome our guests to the - Senate. Will you please stand? Welcome, our guests. Welcome, Clerk. Moving on, 2nd Readings. House Bill -- House Bill 128. Senator Schoenberg. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 128.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on State Government adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR HENDON)

Have there been any Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

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3rd Reading. Senator Harmon, for what purpose do you seek recognition?

SENATOR HARMON:

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

PRESIDING OFFICER: (SENATOR HENDON)

State your point.

SENATOR HARMON:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, I'm joined on the Floor here today by two special constituents from my district. Dana Wax, from Oak Park, and Ray Quirk, from Franklin Park. Both are participants with the West Suburban Special Recreation Association, which is down here today. I'd ask you all to join me in welcoming them to the Senate.

PRESIDING OFFICER: (SENATOR HENDON)

Will our guests please rise and be welcomed to the Illinois State Senate? Welcome. Thank you. House Bill 157. Senator Link. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 157.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Pensions and Investment adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR HENDON)

Have there been any Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. House Bill 165. Senator Lightford. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 165.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. House Bill 188. Senator Althoff. Oh!

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Senator Halvorson. Senator Halvorson. House Bill 220. Senator Petka. House Bill 310. Senator Clayborne. House Bill 310. Senator Clayborne. Top of page 91. Ladies and Gentlemen. House Bill 361. Senator Righter. 361. House Bill 380. Senator Raoul. House Bill 383. Senator Lightford. Madam -- 383. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 383.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. House Bill 384. Senator Lightford. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 384.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. House Bill 396. Senator Petka. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 396.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. House Bill 399. Senator Halvorson. House Bill 399. House Bill 406. Senator Meeks. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 406.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. House Bill 466. Senator Raoul. House Bill 487. Senator Wilhelmi. House Bill 527. Senator Lightford.



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Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 527.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Top of -- top of page 92. House Bill 690. Senator Righter. Senator Righter. Let's go back. Just a moment. House Bill -- Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 690.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Senator Wojcik, for what purpose do you seek recognition?

SENATOR WOJCIK:

Yes. Mr. President and Members of the Senate, I have a -- I have a special guest sitting next to me. His name is Ed Schopa, and Ed is with the Northwest Special Recreation Group of people down here today. So, let's welcome him.

PRESIDING OFFICER: (SENATOR HENDON)

Senators, welcome Ed to the Senate. Welcome to the Illinois Senate. Continuing on, top of page 92. On the Order of 2nd Reading. House Bill 695. Senator Lightford. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 695.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. House Bill 708. Senator John Sullivan. House Bill 755. Senator Meeks. Madam Secretary, read the bill. Senator Meeks, to your chair, please.

SECRETARY HAWKER:

House Bill 755.

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(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR HENDON)

Have there been any Floor amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 2, offered by Senator Meeks.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Meeks, to explain your amendment. Chair recognizes Senator Meeks. Amendment No. 2.

SENATOR MEEKS:

Just added funding for early childhood.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Righter. Seeing no discussion. Senator Meeks moves the adoption of Amendment No. 2 to House Bill 755. All those in favor will say Aye. Opposed will say Nay. The Ayes have it, and amendment is -- Senator Roskam, for what purpose do you seek recognition?

SENATOR ROSKAM:

Thank you, Mr. President, to request a -- a recorded vote on Floor Amendment No. 2.

PRESIDING OFFICER: (SENATOR HENDON)

That is in order. All those in favor will vote Aye. Opposed will vote Nay. And the voting -- Senator Meeks, for what purpose do you seek recognition?

SENATOR MEEKS:

Senate -- Senator, that was the wrong amendment and so, let me take it out of the record for now.

PRESIDING OFFICER: (SENATOR HENDON)

Take it out of the record. House Bill 872. Senator Silverstein. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 872.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Senator -- Senator Righter, for what purpose do you rise?

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SENATOR RIGHTER:

Inquiry -- inquiry of the Chair, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

State your inquiry, sir.

SENATOR RIGHTER:

Mr. President, it's my recollection that last week...

PRESIDING OFFICER: (SENATOR HENDON)

Excuse me, Senator. The -- the Chair truly needs to hear right now. There's too much discussion on the Senate Floor. If you could hold it down just a little bit I -- I would certainly appreciate it. Senator Righter, what's your inquiry, sir?

SENATOR RIGHTER:

It's my recollection, Mr. President, that last week it was announced from the Chair, I think on more than one occasion, that Friday -- last Friday, the close of business would be the deadline for filing of amendments. I know that in just one of the committees here in the Senate since that time we've received four new amendments that were filed after that deadline. Can the Chair offer a little advice to Members on this side of the aisle, particularly the committee spokespersons, on how we're supposed to deal with that?

PRESIDING OFFICER: (SENATOR HENDON)

Well, sir, the Rules Committee kicked out some amendments. If you have issue with that I recommend that you speak with Senator Viverito, who is the Chairman of the Rules Committee. They did kick out a number of amendments today. I mean -- or, in the last couple of days, sir. So, you are correct, but the Chairman did decide to send those amendments out to the Floor. Senator Righter.

SENATOR RIGHTER:

Well, I -- I -- I appreciate that very much, Mr. President, but I think that this issue is a little broader than that. I think that this issue has to do a little bit with the credibility of the announcement that was made Friday. Because I can assure you, that for the twenty-seven Members on this side of the aisle, we had to make decisions on whether to file amendments based on the Friday close of business deadline. And so, I mean, we are placed at a significant disadvantage, when apparently, there are some others who felt like they could file after that. I don't

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think it's just an issue of what the -- the Chair of the Rules Committee is going to decide to do. I think it's an issue for you, sir, in -- in how are we going to deal with these amendments and whether or not these amendments will be considered or not, based on the announcement last week.

PRESIDING OFFICER: (SENATOR HENDON)

Certainly, Senator, I do understand, but there are some Republicans who filed an amendments, as well, and Senator -- Leader Watson can certainly get anything done in this Chamber pretty much that he would like. So, if there are some amendments, then I would recommend that you file 'em. Senator Viverito.

SENATOR VIVERITO:

Thank you, Mr. President. I rise, as my name was mentioned by the very distinguished President. We will get back to Senator Righter on that matter. I think it's a legit question and we will get back to you.

PRESIDING OFFICER: (SENATOR HENDON)

And we're now on -- Leader Watson. Chair recognizes Leader Watson.

SENATOR WATSON:

Yes. Thank you. It's -- Mr. President, I appreciate that and thank you for mentioning my name as someone who can really get something done here. My -- my problem with this whole thing is it's a matter of management and it's a matter of the conduct by which we run our business here in the Senate. And to cavalierly just make some comment last week that a deadline will take affect and then just totally disregard it, is not good management. That's not the way you want to run a business. That's not the way we want to run the Senate operations. So, I would hope that you would take the under consideration in the future when somebody gets up and makes a comment like this. And you can all smile and laugh and do all you want, but this is serious business, what we do here. And there is a manner in which we ought to operate and there are rules by which we should operate. That's all we're asking. It's not unreasonable.

PRESIDING OFFICER: (SENATOR HENDON)

I -- I appreciate your comments, Leader Watson, and I wasn't attempting to be cavalier. I was just saying that I'm certain

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President Jones will make adjustments for you, as the Leader, whenever necessary. There are situations where matters come up at all times and extending deadlines is a common practice around this building. And I was simply saying that as Leader, we will give you far more courtesy than just a normal Member, because of your stature. If we could move on if -- unless you're -- okay. Let's move on. We're on the middle of page -- yes. 872 is on 3rd Reading. Now we're on House Bills -- 872. It's moved to 3rd -- 3rd Reading. 1041. On House Bill 1041. Senator Althoff. House Bill -- Senator Sullivan, for what -- for what purpose -- captain of the softball team on that side of the aisle and a great guy, for what purpose do you rise?

SENATOR D. SULLIVAN:

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

PRESIDING OFFICER: (SENATOR HENDON)

State your point, sir.

SENATOR D. SULLIVAN:

Thank you. If the Senate could please welcome -- we -- we have several members from the Northwest Suburban Special Recreation District and the West Suburban Special Recreation District around the Floor. Senator Harmon has some. Senator Wojcik, Risinger, Althoff, Peterson, Wendell Jones and Luechtefeld, and I think others. Senator John Jones. If we could just welcome these friends of ours who are visiting us here today in the Senate.

PRESIDING OFFICER: (SENATOR HENDON)

Would all of our friends stand and be welcomed to the Illinois Senate? You're most certainly special people and we love having you here. Welcome to the Illinois Senate, all of you. Welcome. And run fast and throw that ball. Matter of fact, you probably could give some pointers to some of our Senate players on the softball game tomorrow. Let them get out there and work as hard as you do. Thank you. Welcome to the Illinois Senate. House Bill 1074. Senator Sieben. House Bill -- 1457. Senator Schoenberg. 1457. Senator Schoenberg. Procurement. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 1457.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. President Emil Jones, Jr.

SENATOR E. JONES:

Yeah. Thank you, Mr. President. There was some discussion -- I was in the office on some other business, but there was some discussion regarding amendments. And the amendments that did come out of the Rules Committee were amendments filed prior to that deadline. However, it is my understanding that Members are still filing amendments and the amendments will go to the Rules Committee. And sometime I have a good relationship with the Chairman. Sometimes I don't have a good -- with Chairman of the Rules Committee, but that didn't preclude Members from filing. Sometime amendments still may be filed that may deal with the total operation of government, so we didn't want to preclude - saying no further amendments will be filed. But the -- the Rules Committee will take all those things in -- consideration. That's the proper way you run a Chamber. Now, Members have individual bills they have interest in, just individual bills. So the announcement was for those Members who have those bills on the Calendar or in committee, so that they wouldn't wait till the last minute. We wanted to meet the deadline. However, there will be other amendments filed that will go to the Rules Committee as we work toward adjournment - that's the proper way you run a Chamber. So we did not want to preclude any future amendments being filed. We still have an entire budget to deal with. We got -- we got the budget implementation bills we have to do. So, we couldn't say no other amendments at all would be filed. If we did that, then -- then the government would cease to operate. So we try to give ourselves the flexibility to make those decisions. I'm quite sure the Chairman of the Rules Committee will look at each one individually and see how it impacts State government and we will proceed from there.

PRESIDING OFFICER: (SENATOR HENDON)

House Bill 1504. Senator Wendell Jones. 1504? Oh! Senator Crotty. 1504? Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 1504.

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(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. House Bill 2004. Senator Munoz. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 2004.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Health and Human Services adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR HENDON)

Have there been any Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Senator Brady, for what purpose do you seek recognition, sir?

SENATOR BRADY:

A point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

State your point, Senator.

SENATOR BRADY:

I would like to introduce my Page of the Day. A freshman from U-High, Jenny Morrow. If you'd please recognize her.

PRESIDING OFFICER: (SENATOR HENDON)

Will the Senate please recognize Jenny Morrow? Welcome to the Illinois Senate. House Bill 2343. Senator Garrett. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 2343.

(Secretary reads title of bill)

2nd Reading of...

PRESIDING OFFICER: (SENATOR HENDON)

Take it out of the record. House Bill 2351. Senator Risinger. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 2351.

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(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. House Bill 2480. Senator Lightford. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 2480.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. House Bill 2509. Senator Trotter. House Bill -- House Bill 2533. Senator Trotter. House Bill 2578. Senator Lightford. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 2578.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. House Bill 3504. Senator Righter. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3504.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. House Bill 3755. Senator Wilhelmi. House Bill 3874. Senator Silverstein. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 3874.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR HENDON)

Have there been any Floor amendments approved for consideration?

SECRETARY HAWKER:



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

PRESIDING OFFICER: (SENATOR HENDON)

Senator Silverstein, to explain your amendment.

SENATOR SILVERSTEIN:

Thank you. This adds, I think, government special interest groups to the bill. There'll be another amendment coming, but I just want to move it to 3rd Reading at this time.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Silverstein moves the adoption of Amendment No. 1 to House Bill 3874. All those in favor will say Aye. Opposed will say Nay. The Ayes have it, and the amendment is adopted. Have there been any other Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now, we will return to page -- we're going to go to House Bills 3rd Reading. That will be top of the order page 67. This is 3rd Reading. Final action. House Bill 3. Senator Crotty. House Bill 18. Senator Dillard. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 18.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Dillard.

SENATOR DILLARD:

Thank you -- thank you, Mr. President and Members of the Senate. I'll start us off on 3rd Reading today with what is -- hopefully an easy one. The Senate President, Senator Jones, has long been an advocate for tackling one of the fastest growing afflictions of children today in our society and that is autism. When I was a young child we didn't have nearly as many autism cases as we do today, and it is a growing, growing concern. Especially among people who are having children that some day their child might get autism. This is a tax checkoff for autism research and it flew out of committee and I'd appreciate a favorable vote to try to put some additional funds into trying to

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find the cause of autism and hopefully the -- the eventual cure.  
Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Harmon.

SENATOR HARMON:

Just wanted to let folks on this side of the aisle know that the bill came out of Revenue Committee without opposition and I urge its passage.

PRESIDING OFFICER: (SENATOR HENDON)

Further discussion? Seeing none, the question is, shall House Bill 18 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. House Bill 18, having received the required constitutional majority, is declared passed. House Bill 21. Senator Cullerton. House Bill 29. Senator Cullerton. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 29.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. This bill was an initiative of State Representative Jerry Mitchell in response to complaints from residents in his district concerning minors hanging out at a local tattoo parlor. So, the bill lowers the age -- the threshold from twenty-one to eighteen for the age for which the offenses of tattooing the body of a minor and that, I guess, is consistent with other bills we've passed here making eighteen the -- the age of majority. But it also prohibits owners and employees of tattooing or body-piercing businesses from allowing persons under the age of eighteen to enter or remain in the business. So, it's -- it's kind of a compromise. It does lower the age to eighteen, but it strengthens the penalties for letting minors under eighteen into the -- into the tattoo parlor. I think it's a pretty good compromise and ask for

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an Aye vote. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 29 pass. All those in favor, vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 voting Aye, 5 voting Nay and none voting Present. Senate Bill 29 -- House Bill 29, having received the required constitutional majority, is declared passed. House Bill 35. Senator DeLeo. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 35.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator DeLeo.

SENATOR DeLEO:

Thank you very much, Mr. President and Ladies and Gentlemen of the Senate. House Bill 35 provides that a -- person convicted of aggravated discharge of a firearm shall receive more -- no more than 4.5 days of good conduct credit for each month of sentence. This is a proponent in -- the Illinois Citizens of Handgun Control. Currently, a -- a person convicted of aggravated discharge of a firearm is eligible for day for day. This shortens it. I ask for a favorable roll call on House Bill 35, sir.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 35 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. House Bill 35, having received the required constitutional majority, is declared passed. Jeff Muniz from WEEK-TV 25, from Peoria/Bloomington seeks leave of the Body to record. Leave is granted. House Bill 48. Senator Winkel. Madam Secretary, read the bill.

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House Bill 48.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Winkel.

SENATOR WINKEL:

Thank you -- Thank you, Mr. President. House Bill 48 reverses a -- a statute that we -- repeals a statute that we had put in place last year. We had an opportunity to go after the farm progress show last year. This allowed, under certain conditions, for a liquor license in a township, an otherwise dry township. This repeals that statute. Be glad to answer any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. Briefly to the bill. I just want to compliment Senator Winkel and Representative Black. They presented this bill, asked for authority for a specific project and -- and they said if the project didn't come through that they would move to repeal the bill and I just want to point out that they're honorable people, who have kept their commitments and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there further discussion? Seeing none, the question is, shall House Bill 48 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Aye, none voting Nay, none voting Present. House Bill 48, having received the required constitutional majority, is declared passed. House Bill 53. Senator Dillard. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 53.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Dillard.

SENATOR DILLARD:

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Thank you, Mr. President and esteemed coach of the Senate Red Raiders. House Bill 53 amends the terrorism article of our Criminal Code and makes sure that endangering the food supply and endangering the water supply is, in fact, an act of terrorism. And for purposes of legislative intent, Mr. President and Members, of -- of this bill, I want to make it clear that the term public utility in each reference will include all municipal owned and operated utilities, such as electric, water, wastewater and natural gas and electric cooperatives and any entity that generates, transmits or distributes electricity. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 53 pass. All those in favor, vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. House Bill 53, having received the required constitutional majority, is declared passed. House Bill 55. Senator Dillard. House Bill 59. Senator Demuzio. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 59.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Demuzio.

SENATOR DEMUZIO:

Yes. Thank you, Mr. President and Members of the Senate. House Bill 59 amends the Illinois Insurance Code regarding the mental health parity sunset date. And what this does is, that it deletes the December the 31st, 2005, date -- sunset date for the mental health parity provisions in the Illinois Insurance Code.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Brady.

SENATOR BRADY:

Thank you, Mr. President. To the bill. The bill that passed out of committee. I voted for it. I think some of the Members may be interested though, it does eliminate -- it does

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create a mandate, eliminates the sunset of mandates on insurance.  
I just wanted to make the Members aware of that.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Radogno.

SENATOR RADOGNO:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR HENDON)

She indicates she'll yield. Senator Radogno.

SENATOR RADOGNO:

The -- the Department of Insurance was to produce a report talking about the cost effect of this mandate when we passed it originally. Was that received and reviewed?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Demuzio.

SENATOR DEMUZIO:

It was -- yes, it was.

PRESIDING OFFICER: (SENATOR HENDON)

Further discussion? Seeing none, the question is, shall House Bill 59 pass. All those in favor, vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. House Bill 58 -- 59, having received the required constitutional majority, is declared passed. On the Order -- Senator Maloney, on House Bill 60. Senator Maloney seeks leave of this Body to return House Bill 60 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. Now, on the Order of 2nd Reading is House Bill 60. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HENDON)

Senator Maloney, to explain your amendment.

SENATOR MALONEY:

Thank you, Mr. President. The -- the amendment simply says that the scholarship that is awarded, the money for the scholarship would go to the institution rather than to the student. Be happy to answer any questions.

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PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Maloney moves the adoption of Amendment No. 1 to House Bill 60. All those in favor will say Aye. Opposed will say Nay. And 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 HENDON)

3rd Reading. Now, on the Order of 3rd Reading is House Bill 60. Oh! House Bill 62. Senator Silverstein. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 62.

(Secretary reads title of bill)

2nd Reading -- pardon me, I'm sorry. 3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you, Mr. President. This creates the Local Government Consolidation Commission. The purpose of this commission is to analyze the structure and functions of various local government entities. The commission will make recommendations to increase efficiency and eliminate duplication of powers and I'll take any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Wendell Jones.

SENATOR W. JONES:

Yes. Thank you, Mr. President. This bill came through Local Government. There were several of us that questioned whether we needed another commission to discuss the various levels of government in Illinois. We think we're over commissioned and this is just another layer of bureaucracy that we didn't need to study something that we already know about. I'd recommend a No vote.

PRESIDING OFFICER: (SENATOR HENDON)

Any further discussion? Senator Silverstein, to close.

SENATOR SILVERSTEIN:

Just ask for a favorable roll call.

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PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall House Bill 62 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there 32 voting Aye, 23 voting Nay, and none voting Present. House Bill 62, having received the required constitutional majority, is declared passed. WICS-TV requests permission to videotape. Is leave granted? Leave is granted. House Bill 112. Senator Cullerton. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 112.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

...an amendment? I'm sorry. Out of the record, 'cause the committee has not met yet. Sorry.

PRESIDING OFFICER: (SENATOR HENDON)

Out of the record. We'll come back to that order of business. House Bill 114. Senator Cullerton. House Bill 115. Senator Cullerton. Madam Secretary, read House Bill 115.

SECRETARY HAWKER:

House Bill 115.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. This bill amends the Election Code to allow absentee voter ballots that are received within ten days after an election, but postmarked before election day, to be counted. The -- the State Board of Elections ruled in October of 2004, that as long as overseas or military absentee voter ballots are received within ten days following election an absentee ballot could be counted if it was postmarked. The Election Code provision addressing overseas and military absentee ballots states that anything



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postmarked after 11:59 p.m. the day before must be destroyed. Thirteen states allow election officials to count mailed absentee ballots that arrive after the polls close and this is an initiative of -- supported by the -- the State Board of Elections and I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 115 pass. All those in favor, vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there 58 voting Aye, none voting Nay, none voting Present. House Bill 115, having received the required constitutional majority, is declared passed. House Bill 120. Senator Brady. Senator Brady, on House Bill 120. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 120.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Brady.

SENATOR BRADY:

Thank you, Mr. President. Senate Bill 120 amends the Criminal Code. It provides heightened criminal penalties for the criminal damage to farm equipment or -- immovable items of agricultural production, including but not limited to the grain bins and barns. Results from an incident in my area and I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 120 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. House Bill 120, having received the required constitutional majority, is declared passed. House Bill 121. Senator Dillard. House Bill 130. Senator Haine. House Bill 130. Senator Haine. House Bill 132. Senator Roskam. Madam Secretary, please read the bill.

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SECRETARY HAWKER:

House Bill 132.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 132 has been vastly improved, based on the suggestion of Senator Harmon and an amendment that he crafted that passed unanimously out of the Senate Judiciary Committee. Essentially, what we're doing is, we're following up on an Illinois Supreme Court case that -- that prohibited multiple charging of firearms offenses if there were multiple firearms involved. So in other words, the court said the way the -- the statute is currently crafted you can only charge once even though there's many firearms that -- that are involved in -- in -- in illegal activity. This changes that and gives prosecutors the ability to not only charge once, but multiple times based on the -- the number of firearms involved. I know of no opponents.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any objection? Is there any discussion? Senator Roskam's throwing me off. I'm about to call him Congressman Roskam. I hope he has no opponents in his election. Seeing none, the question is, shall House Bill 132 pass. All those in favor, vote Aye. Opposed, vote No. 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 58 voting Aye, none voting Nay, none voting Present. House Bill 132, having received the required constitutional majority, is declared passed. President would like to recognize the presence of Attorney General Lisa Madigan and State Representative Robin Kelly. Will we welcome our guests to the Senate? House Bill 174. Senator Geo-Karis. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 174.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

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Senator Geo-Karis.

SENATOR GEO-KARIS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. 174 increases the -- says that we can have a jury of six for damages of fifty thousand or less, but it -- it's optional. If the -- if they wanted to have the jury for twelve, they can do it. So, I would like to ask for favorable consideration.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 174 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there -- 58 voting Aye, none voting Nay, none voting Present. House Bill 174, having received the required constitutional majority, is declared passed. House Bill 175. Senator Trotter. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 175.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

President recognizes Senator Trotter on House Bill 175. Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President, -- Members of the Senate. This is the House version of the Abandoned Newborn Infant Protection Act, which simply removes the repeal date of July 1st, 2007.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President, Ladies and Gentlemen of the Chamber. I rise in support of the bill. This bill did pass out of Health and Human Services Committee unanimously, and I urge its passage. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Further discussion? Seeing none, the question is, shall House Bill 175 pass. All those in favor will vote Aye. Opposed

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will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. House Bill 175, having received the required constitutional majority, is declared passed. House Bill 180. Senator Cullerton. Senator Cullerton seeks leave of the Body to return House Bill 180 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. Now, on the Order of 2nd Reading is House Bill 180. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton, to explain your amendment.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This bill was just -- amendment was just approved by the Judiciary Committee. It would make the juvenile division of the Department of Corrections into a separate Department of Juvenile Justice with responsibilities for all duties currently assigned to the Juvenile Division of the Department of Corrections. It sets qualifications for personnel of the new department, creates a transition schedule preserving the rights of all current employees of the juvenile division and it provides for the appropriations of the new department shall not exceed the appropriations for the previous year for the juvenile programs. And it has the effective date of January 1st, 2006. I move for its adoption.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Cullerton moves the adoption of Amendment No. 1 to House Bill 180. All those in favor will say Aye. Opposed will say Nay. And 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 HENDON)

3rd Reading. House Bill 190. Senator Peterson. Madam

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Secretary, read the bill.

SECRETARY HAWKER:

House Bill 190.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President, Members of the Senate. House Bill 190 amends the Health Care Services Lien Act. Changes the definition of health care provider to include licensed long-term care facilities. Under current law doctors, dentists, optometrists, naprapaths, psychologists on infinitum are able to file a lien under the Health Care Services Lien Act. This bill would add long-term care facilities to that list. The Amendment 1 makes this amendatory Act applies to causes of action -- occurring on or after its effective date. I know of no opposition. Ask for your support.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 190 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. House Bill 190, having received the required constitutional majority, is declared passed. House Bill 211. Senator Hunter. Madam -- Senator Crotty, for what purpose do you seek recognition?

SENATOR CROTTY:

Thank you, Mr. President. I would like to introduce to the Senate one of my constituents from Matteson, Illinois. Gabrielle Brummel. She's a sophomore from Rich South, but this is her first time in Springfield. So, if we could just welcome Gabrielle.

PRESIDING OFFICER: (SENATOR HENDON)

Will we welcome Gabrielle to the Illinois Senate, Senators. Welcome, Gabrielle. House Bill 211. Senator Mattie Hunter. Madam Secretary, please read the bill.

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House Bill 211.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Chair recognizes Senator Hunter.

SENATOR HUNTER:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 211 amends the Department of Commerce and Economic Development Law and, basically, what this bill does is to form an Illinois Foods Services {sic} (Systems) Policy Council. And the council will be responsible for developing policies for food access and security, improving individual health and well-being, promoting economic incentives for Illinois farmers, agribusinesses and other private enterprises, and encourages public/private partnerships among healthy food options. And I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 211 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. House Bill 211, having received the required constitutional majority, is declared passed. House Bill -- 212. Senator Haine. House Bill 215. Senator Martinez. Senator Martinez seeks leave of the Body to return House Bill 215 to the Order of 2nd Reading for the purposes of amendment. Hearing no objection, leave is granted. Now, on the Order of 2nd Reading is House Bill 215. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HENDON)

Senator Martinez, to explain your amendment.

SENATOR MARTINEZ:

Thank you, Mr. President, Members of the Senate. Floor Amendment No. 1 retains the -- House Bill 215 and provides that the court's consideration of the impact of multiple trials is subject to constitutional limitations.

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PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is -- Senator Martinez moves the adoption of Amendment No. 1 to House Bill 215. All those in favor will say Aye. Opposed will say Nay. And 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 HENDON)

3rd Reading. House Bill 227. Senator Martinez. House Bill 237. Senator Dillard. 237. Senator Dillard. House Bill 245. Senator Brady. House Bill 245. Senator Brady. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 245.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

The Chair recognizes esteemed Senator Brady on House Bill 245. Senator Brady.

SENATOR BRADY:

Thank you, Mr. President. This bill changes the application, how it's made, for a sexually dangerous person to come in and -- and receive a change in their status. Right now, it's in a situation where they can come in every time they wanted to reapply. This would only allow them to reapply every year, unless they received a doctor's notice.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 245 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. House Bill 245, having received the required constitutional majority, is declared passed. There will be a meeting of the Rules Committee immediately in the President's Anteroom and we'll stand at ease for just a moment. The Chair would also like to recognize Representative John Fritchey from the House. Welcome to the Illinois Senate. We

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hope you don't hit any hits tomorrow. Hope you don't even play. A Rules Committee meeting right now. We'll stand at ease for about five minutes.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR HENDON)

Madam -- Madam Secretary, Committee Reports.

SECRETARY HAWKER:

Senator Viverito, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Re-refer to Rules - Floor Amendments 1 and 2 to House Bill 481 and Floor Amendments 1 and 2 to House Bill 2596; refer to Education Committee - Floor Amendment No. 1 to House Bill 3678, Floor Amendment 3 to House Bill 3680 and Floor Amendment 3 to House -- pardon me, to Senate Bill 1856; refer to Environment and Energy Committee - Floor Amendment 1 to House Bill 3532; refer to Executive Committee - Floor Amendment 4 to House Bill 325, and Floor Amendments 1 and 2 to House Bill 481; refer to Health and Human Services Committee - Floor Amendment 1 to House Bill 2509; refer to Licensed Activities Committee - Floor Amendment 1 to Senate Bill 926; refer to Pensions and Investments Committee - Floor Amendments 2 and 3 to House Bill 157; refer to State Government Committee - Floor Amendments 1 and 2 to House Bill 2596 and Floor Amendment 1 to Senate Joint Resolution 13; and refer to Transportation Committee - Floor Amendment 6 to House Bill 21.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Ronen, for what purpose do you rise?

SENATOR RONEN:

For purposes of an announcement, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

There's about to be an announcement. State your announcement.

SENATOR RONEN:

The Health and Human Services Committee will be meeting at 3 o'clock today in Room 400 and in addition to the amendments posted the amendment that just came out of Rules now will also be heard at 3 o'clock in the Health and Human Services Committee.



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PRESIDING OFFICER: (SENATOR HENDON)

Health and Human Services will meet today at 3 p.m. in Room 400. House Bill -- returning to 3rd Reading. House Bill 265. Senator Brady. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 265.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Brady.

SENATOR BRADY:

Thank you, Mr. President. Some -- a few years ago we passed the Use of Credit Information for {sic} (in) Personal Insurance Act, and this simply allows, permissively, for someone to explain to their insurer an extraordinary life event in the analysis of their risk.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 265 pass. I'm sorry. Senator Haine.

SENATOR HAINE:

Yes. Mr. President, I rise in support of this bill. It passed the Insurance Committee. There was a great celebration on that day and we would support Senator Brady in his great bill. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Any further discussion? Seeing none, the question is, shall House Bill 265 pass. All those in favor, vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. House Bill 265, having received the required constitutional majority, is declared passed. House Bill 298. Senator Haine. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 298.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Haine.

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SENATOR HAINE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a rewrite of the Illinois Athletic Trainers (Practice) Act, which will sunset in January 1, 2006. It creates new exemptions for licensure and mandates additional education requirements for this very important work. As -- as our -- especially our athletes compete it redefines a referral and has numerous other aspects to it. It's a -- I don't know of any opposition to this. The Trainers' Association is for it and the Department is also for it.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 298 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, none voting Nay, none voting Present. House Bill 298, having received the required constitutional majority, is declared passed. House Bill 315. Senator Harmon. House Bill 316. Senator Peterson. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 316.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President. House Bill 316 changes the name of business organizations licensed to sell insurance from "registered firm" to "business entity" to conform with usage to changes made by Public Act 92-386. The committee amendment adds to the bill. It amends the Illinois Insurance Code to make technical changes to Section 5/201.1 {sic} (5/205.1) of the Code. I know of no opposition, ask for your support.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 316 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take

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the record. On that question, there are 56 voting Aye, 1 voting Nay, none voting Present. House Bill 316, having received the required constitutional majority, is declared passed. House Bill 325. Senator Winkel. Oh! I'm sorry. Senator -- just a moment, Senator Winkel. Senator Demuzio, for what purpose do you seek recognition?

SENATOR DEMUZIO:

Yes. Mr. President, I hit the wrong button. I -- would like to be recorded as an Aye.

PRESIDING OFFICER: (SENATOR HENDON)

On House Bill 316?

SENATOR DEMUZIO:

Yes, sir.

PRESIDING OFFICER: (SENATOR HENDON)

The record will so reflect. House -- moving on. House Bill 328. Senator Collins. Senator Collins -- Senator Collins seeks leave of the Body to return House Bill 328 to the Order of 2nd Reading for the purposes of an amendment. Seeing no objection, leave is granted. Now, on the Order of 2nd Reading is House Bill 328. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HENDON)

Senator Collins, to explain your amendment.

SENATOR COLLINS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Floor Amendment No. 1 to House Bill 328 retains the underlying bill, but creates an exception allowing landlords to refuse cash payments for rent as it is very rare and often unsafe for rent payments to be accepted in such a manner. This amendment came in agreement with the landlords in reference to the original legislation that asks for the -- lessee to be able to pay -- make payments at a business office in a -- in a apartment or building in which they reside in.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Collins moves the adoption of Amendment No. 1 to House Bill 328. All those in favor will say Aye. Opposed will say Nay. The Ayes have it, and

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

SECRETARY HAWKER:

No further amendment reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. House Bill 330. Senator Jacobs. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 330.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. This bill provides a county board of any county that has created a public building commission for a limited or specific purpose may expand the purse {sic} by -- by resolution. The purpose of the commission may not be expanded until the question of expanding the purpose of commission has been submitted to the electors of the county. I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Just a question on this. You know, I served maybe thirteen/fifteen years ago on Kane County Public Building Commission, and I remember that we were able to issue bonds and without referendum and those kinds of things. Is there any part of that power in this bill?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Jacobs.

SENATOR JACOBS:

I do not believe so, Senator. I think this simply allows them to carry on the work that they started with the electorate giving them approval to keep moving on the question.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lauzen.

SENATOR LAUZEN:

Then to the bill. You know, until we have an answer to a

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question as massive as that is back home, I would suggest that we either pull it out of the record so that we could get a confirmation. I mean, that is a major -- I mean, tens of millions of dollars in a relatively small county like Kane County and it was a matter of about five/six people sitting around a table issuing these bonds. And until we have an answer to that question, I would suggest that either, if the sponsor would be kind enough to pull it out of the record, I got a feeling we're going to be here a long time this year. And I am sorry -- I -- I just, as I'm reading the screen, I don't mean to interfere, but I think that to safeguard what we do back home, we might want to have an answer to that question before we vote in the affirmative for this.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Mr. President. If I may clarify on this issue. It came through Local Government. This particular bill that Senator Jacobs is sponsoring provides for a referendum to endorse the resolution. So I -- I think that -- there's protection in this bill. It passed unanimously out of Local Government, because of that referendum protection. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

The -- the -- the question is, shall House Bill 330 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 voting Aye, 3 voting Nay, 1 voting Present. House Bill 330, having received the required constitutional majority, is declared passed. House Bill 337. Senator Link. House Bill 339. Senator Cullerton. House Bill 340. Senator Sieben. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 340.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Sieben.

SENATOR SIEBEN:

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Thank you very much, Mr. President. This legislation amends the Criminal Code of 1961. Provides that the waiting period for withholding delivery of a firearm after application for its purchase has been made, does not apply to the transfer of an -- an operable firearm in exchange for another operable firearm. Be pleased to answer any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill -- oh! I'm sorry. I apologize. Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Mr. President and Members of the Senate. I would rise in opposition to the bill. I did offer an amendment in committee that I thought was a reasonable one that did not pass. So, I'll just explain that so that you could consider voting No and -- and perhaps adopting the amendment. This allows for the exchange of -- of a trade in, if you will. And -- and this is a common practice. Customer trades in one or more guns that they already own as part of a -- the price of a gun that they are purchasing and -- and that's -- that's fine. The premise is that the purpose of the waiting period is to allow a person to cool off before receiving a firearm, and they've already -- they've already obtained a firearm. The -- what I wanted to do was offer an amendment that -- that assumes that the purpose of the waiting period is to allow a person to cool off -- before receiving a firearm, but this bill could be used to defeat that purpose, because you could trade in a -- you know, a -- a particular type of obsolete shotgun and then you get a -- a handgun. And so, I wasn't trying to kill the bill, just offered an amendment. Did not pass in committee. I really couldn't understand the logic behind it, the opposition and I think it would be a better bill if an amendment was adopted. So, for now I -- I would just urge a No vote and hopefully the sponsor then would amend it.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Sieben.

SENATOR SIEBEN:

Well, thank you very much, Mr. President. We were aware of the sponsor's amendment. We considered that a -- a hostile

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amendment to the bill, that it does not, in our view, really improve the bill, because it -- this requires that there -- it must be an operable gun, not an obsolete shotgun, but an operable gun that a current gun owner who has a FOID Card, who's already a -- a law abiding citizen has come into the -- the gun shop and wants to trade that in for another firearm. He doesn't really need a cooling off period, because he already possesses a -- a firearm, already is qualified to own that firearm. The person involved in this exchange of the firearm still must pass the background check that would be done at the time of the purchase. So, still have to go through the background check. Still have to have a firearm. All this says is that if you bring in an operable gun and want to trade that in on another operable gun purchase there would not be the twenty-four- to seventy-two-hour waiting period and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall House Bill 340 pass. All -- those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 36 voting Aye, 21 voting Nay, none voting Present. House Bill 340, having received the required constitutional majority, is declared passed. House Bill 348. Senator Schoenberg. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 348.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 348 requires the State Police to report to local law enforcement agencies when someone within that jurisdiction attempts to purchase a firearm which they are disqualified from doing so under certain -- specified statutory reasons. There is -- this is supported by the State Police which -- and this is the current policy of the State Police, the City of Chicago, the Chiefs of Police, the -- the National Rifle

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Association, the Coalition Against Handgun Violence. I know of no opposition. I'm happy to answer any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 348 pass. All those in favor, vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. House Bill 348, having received the required constitutional majority, is declared passed. Senator Clayborne, for what purpose do you seek recognition?

SENATOR CLAYBORNE:

I was told by Will Burns that I need to make the announcement that Environment and -- Energy will meet at 3 -- 3 p.m. today at 212.

PRESIDING OFFICER: (SENATOR HENDON)

Energy and Environment will meet today in 212 at 3 o'clock. 3 p.m. Thank you. House Bill 349. Senator Dillard. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 349.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. This is another bill trying to clean up and make sure that our statutes that deal with terrorism are in order and this makes it a criminal trespass to the restricted areas and restricted landing areas of an airport a Class 4 felony. Today it's kind of astonishing that it's only a misdemeanor even though you know and have been warned that you are criminally trespassing. It's only a Class A misdemeanor to be in a place at an airport that you shouldn't be. And it also makes the -- the possession of a weapon, a replica of a -- weapon or ammunition a Class 3 felony in these types of situations and I'd urge a favorable vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is,



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shall House Bill 349 pass. All those in favor, vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. House Bill 349, having received the required constitutional majority, is declared passed. Chair would -- like to recognize Representative Skip -- Saviano to the -- Saviano to the Senate Floor. Welcome, Skip. Sorry about that. House Bill 350. Senator Collins. House Bill 360. Senator Winkel. House Bill -- Senator Winkel. Let's move forward. House Bill 369. Senator Trotter. House Bill 394. Senator Cullerton. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 394.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

Yes. Inquiry of the Chair. Have we adopted the amendment?

PRESIDING OFFICER: (SENATOR HENDON)

One amendment has been adopted.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. This -- this bill, it deals with the issue of grandparent visitation. Kind of an interesting story. The -- we had passed a grandparent visitation bill a few years back and it was challenged in court as being unconstitutional. The court did find that it was unconstitutional and the lawyer who is representing the parties who sought to declare it to be unconstitutional decided he would see if he could draft a bill which is constitutional. His name is Mike Goldberg. So, we passed a -- his bill last year. These are modifications to it, which Representative Lindner and I have been working on. This makes changes to the Marriage Act, replaces "sibling" with "sibling of the child", which is meant to be a clarification. It has that same language that we had already passed out when we eliminate the word "illegitimate child" and call that person a "child born out of wedlock". And it -- it would delete language that was in the previous Act that

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we passed concerning the modification of orders granting, denying or limiting the visitation rights of a grandparent. All with the support of the AARP, as well as, the Illinois State Bar Association. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will. Senator Geo-Karis.

SENATOR GEO-KARIS:

I've heard this -- this -- this document aired before. However, I'm not certain what rights you would give grandparents. I think grandparents should have some rights. What rights to the grandparents have on your bill?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

Yes. You and I agree. The purpose of this bill is to grant visitation rights to grandparents. The Supreme Court had declared earlier attempts to do that as unconstitutional. This bill is carefully crafted and this is modification of a bill which we passed last year in order to allow grandparents to have visitation rights, but in -- under restricted circumstances such that the court would declare it to be constitutional.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Geo-Karis.

SENATOR GEO-KARIS:

The point that I'm driving at, you are giving grandparents some visitation rights. I believe that grandparents are very important and I may not be one, but I can tell you there are others who are and I'm not certain -- you say that you're giving them visitation rights, but where do you qualify? Where do you restrict them?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

The -- the -- the bill was drafted with the Supreme Court opinion in mind, which found it to be unconstitutional. So, we

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are trying to allow visitation rights for grandparents and we're trying to do it in a constitutional way so that the Supreme Court allows it. If -- if we do it in an unconstitutional way they'll strike it down like they did the last time. So...

PRESIDING OFFICER: (SENATOR HENDON)

Senator Geo-Karis

SENATOR GEO-KARIS:

Well, the bill you talk about that was declared unconstitutional had other -- other items in it, too, that didn't refer to -- did not refer to grandparents rights. You know that. So, I understand that. Are you going to tell me that this bill is better for grandparent's rights or not? That's what I want to know.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

Yes. Absolutely. This in -- expands the right of grandparents to adopt -- to have visitation rights.

PRESIDING OFFICER: (SENATOR HENDON)

Senator -- Geo-Karis.

SENATOR GEO-KARIS:

That case, I'll support your bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lauzen.

SENATOR LAUZEN:

Question for the sponsor. I guess I -- I come to it from a different perspective. Is this in the case of a divorce proceedings where it's already a horrible mess and are we saying through this bill that now we're going to introduce grandparents having visitation rights that might come ahead somehow of what the parents want for their children?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

Senator, last year we passed a bill, I -- that dealt with that issue. It reinstated, under limited circumstances, grandparent rights. Okay? That bill's passed. This bill is a modification of that bill, which primarily deals with post-adoption visitation rights for biological parents and it doesn't

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address -- it doesn't modify the law that we passed last year dealing with grandparent visitation rights, in general. I believe that the philosophy of the legislation that we passed last year is to, obviously, allow the courts to decide what's in the best interest of the child in determining whether a grandparent should have visitation rights. I -- I don't have that language right in front of me. There are certain presumptions that were -- that we had passed into the law so as to give guidance to the courts, but it -- it was done with the understanding that previous attempts to give grandparents visitation rights were held to be unconstitutional. So, it was and -- and as I said, the lawyer who challenged the constitutionality of the original bill was the one that drafted this, so as an attempt to make it constitutional.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lauzen.

SENATOR LAUZEN:

I guess in -- I'm sorry, Senator. The -- the explanation as far as last year's bill, that's not the bill that's in front of us now. So, when you talk about last year's bill, unfortunately, it just confuses me. However, the bill that you're talking about here if I -- if I heard accurately what you said, does this only apply to adoption -- adoptive children?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton. Senator John Cullerton.

SENATOR CULLERTON:

Yes. Yes. The -- this bill deals with post-adoption visitation rights. If you look on page 3 of the -- of the amendment I can explain it.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lauzen, to...

SENATOR LAUZEN:

Senator, I -- I -- I consider you one of the most able attorneys in the entire General Assembly. I'm trying to simplify it as opposed to make it more complex. I -- I know that you could run circles around, you know, ten smart folks on this. The question is simply, does your bill apply to only adopted children?

PRESIDING OFFICER: (SENATOR HENDON)

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Senator Cullerton.

SENATOR CULLERTON:

Yes. I'd like to take it out of the record. I can come over and...

PRESIDING OFFICER: (SENATOR HENDON)

Take -- take it out of the record. Senate {sic} Bill 395. Leader Watson. 395. Leader Watson. Senate {sic} Bill 398. Senator Crotty. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 398.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Crotty.

SENATOR CROTTY:

Thank you very much, Mr. President and Ladies and Gentlemen of the Senate. House Bill 398 amends the Abuse and Neglected Long Term Care Facility Residents Reporting Act to provide that in conjunction with the biennial program audit required under the Act, the Auditor General shall examine, on a test basis, facility's records concerning reports of suspected abuse of facility staff by patients or residents. There were two questions asked in committee. One of them were, why the -- why the Auditor General and why attached to the audit? The answer to that is, the auditor already did an audit with violence or suspected abuse against patients. So, the House sponsor had asked him if -- why he didn't do it for -- for patients against staff and he said it wasn't law. So, that's -- that's one reason. The second question was, will there be training of staff with the collecting of this information? Yes. It would because -- is there -- is there an amendment? I didn't think so. No. There's -- there's no amendment. I didn't think so. Okay. Okay and back to the bill, the -- the answer is, yes there will be training, because House Bill 399 carried by Senator Halvorson will include the training. So, those were the only questions.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

Will the sponsor yield, please?

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PRESIDING OFFICER: (SENATOR HENDON)

She indicates she will. Senator Righter.

SENATOR RIGHTER:

Thank you. Senator Crotty, in -- in committee, you're right, we had a discussion about whether or not the Auditor General was the appropriate -- I think that she's got something to tell you, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Crotty.

SENATOR CROTTY:

Take -- can I take this out of the...

PRESIDING OFFICER: (SENATOR HENDON)

Take it out of the record. House Bill 414. Senator Link. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 414.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. Basically, what this bill does in definition, provides that a -- a facility accepting general construction or demolition debris, that as of January 1st, 2000, located in a county with a population of seven hundred thousand or more persons is not a pollution control facility under the Act. Makes a similar change regarding waste storage or waste treatment or waste disposal permit to provide that no permit be required for facilities in counties of population over seven hundred thousand as of January 1st, 2000. I know of no opposition.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 414 pass. All those in favor, vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. House Bill 414, having received the required constitutional majority, is declared passed. House

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Bill 438. Senator Sandoval. Senator Hunter, for what purpose do you rise?

SENATOR HUNTER:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

State your point.

SENATOR HUNTER:

I'd like for us to give a round -- round of applause and -- and -- and wish Bryen Johnson, one of the communication staffers, a very happy birthday today.

PRESIDING OFFICER: (SENATOR HENDON)

Happy birthday, Bryen. You don't look a day over twenty-one. House Bill 438. Senator Sandoval. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 438.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. President, Members of the Senate. House Bill 438 declares that the -- eligibility guidelines for home health services and other preventive services for the disabled must be -- consist of an asset limit of twenty thousand dollars. The -- House Bill 438 is similar to past legislation in the 92nd and 93rd General Assemblies to address the asset standard for DHS home services program. I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 438 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there 58 voting Aye, none voting Nay, none voting Present. House Bill 438, having received the required constitutional majority, is declared passed. House Bill 457. Senator Cronin. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 457.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cronin.

SENATOR CRONIN:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. This is one of a number of identity theft bills and I - no, I think there's an amendment that Senator Cullerton proposed to this. Is that -- am I correct?

PRESIDING OFFICER: (SENATOR HENDON)

Nothing reported, sir. Senator Cullerton. Senator Cullerton.

SENATOR CULLERTON:

I believe there's an amendment that's been filed that's going to the Executive Committee tomorrow. So, if the Senator would consider it.

PRESIDING OFFICER: (SENATOR HENDON)

Take it out of the record. It is the intention of the Chair to speed the pace up a little bit. So, be prepared. House Bill 457. Senator Cronin. Oh, I'm sorry. House Bill 480. Senator Dillard. House Bill 481. Senator Harmon. House Bill 488. Senator Clayborne. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 488.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President. House Bill 48 -- 488 requires that all contracts for work to be done and supplies and materials to be purchased by the Sanitary district, exceeding ten thousand dollars, are to be competitively bid. This is -- changes the current law from five thousand dollars. I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 488 pass. All those in favor, vote Aye. Opposed will vote Nay. The voting is open. Have all voted who



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wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 46 voting Aye, 10 voting Nay, none voting Present. House Bill 488, having received the required constitutional majority, is declared passed. House Bill 504. Senator Garrett. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 504.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Garrett.

SENATOR GARRETT:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 504 provides that if interest is due on property tax refunds it shall be at the annual rate of the lesser of five percent or the percentage increase in the Consumer Price Index For All Urban Consumers during a twelve-month calendar year preceding the levy year for which the refund was made. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 504 pass. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 voting Aye, 5 voting Nay, none voting Present. House Bill 504, having received the required constitutional majority, is declared passed. House Bill 509. Senator Luechtefeld. Senator Luechtefeld seeks leave of the Body to return House Bill 509 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 509. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR HENDON)

Senator Watson, to explain the amendment.

SENATOR WATSON:

Yes. Thank you very much, Mr. President. This allows for not-for-profits to utilize the easements along roads for water

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districts, the same as what public water districts have.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Watson moves the -- adoption of Amendment No. 1 to House Bill 509. All those in favor will say Aye. Opposed will say Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No committee or Floor amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. House Bill 511. Senator Hunter. House Bill 515. Senator Clayborne. Madam Secretary, read -- Senator Clayborne seeks leave of the Body to return House Bill 515 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 515. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Clayborne.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Clayborne, to explain your amendment.

SENATOR CLAYBORNE:

Thank you, Mr. -- Mr. President. Basically, it's a technical change, but we are allowing the county as the agent of the trustee to remove the abandoned mobile homes. That's the change.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Clayborne moves the adoption of Amendment No. 1 to House Bill 515. All those in favor will say Aye. Opposed will say 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 HENDON)

3rd Reading. House Bill 523. Senator Collins. House Bill 529. We'll skip that one. We'll return to that. House Bill 551. Senator Righter. Senator Righter. House Bill -- moving on. Senator -- Senator Righter, on 551? Madam Secretary, read

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the bill.

SECRETARY HAWKER:

House Bill 551.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President, Ladies and Gentlemen of the Chamber. House Bill 551 would extend to six months the amount of time that someone who has come off active duty if they're a member of the Illinois National Guard or the Army Reservists, would have with regards to delinquency in property taxes. It's an attempt to accommodate more of our service men and women. Obviously, the National Guard and the reserves are bring relied on to a much greater extent that they have been in the past, and this is an -- attempt to accommodate them and I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Any discussion? Senator -- Lauzen.

SENATOR LAUZEN:

I would just like to pass along to the Chamber that this passed the Revenue Committee unanimously. Urge an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall House Bill 551 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. House Bill 551, having received the required constitutional majority, is declared passed. House Bill 561. Senator Munoz. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 561.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Munoz.

SENATOR MUNOZ:

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Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 561 is an agreed bill to extend the Roofing Industry Licensing Act for another ten years and it puts the administrative cleanup language requested both by the Illinois Department of Financial and Professional Regulation and the Roofing Industry. Proponents AFL-CIO of Chicago and Downstate, Illinois Roofing Contractors Association, along with the Roofers Local 2 and the Department of Financial and Professional Regulation. I know of no opponents and I will attempt to answer any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Discussion? Senator Wojcik.

SENATOR WOJCIK:

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

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will. Senator Wojcik.

SENATOR WOJCIK:

Senator, for clarification what is the reason for removing the fees?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Munoz.

SENATOR MUNOZ:

To the best of my knowledge, Senator, nowhere in the bill does it say the fees will be increased -- the application fees. It just stays consistent, which was set.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Wojcik.

SENATOR WOJCIK:

That was my other question, that the Department would not raise the -- any fees. None whatsoever. Okay. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Question is, shall House Bill 561 pass. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Aye, none -- 4 voting Nay, none voting Present. House Bill 561, having received the required constitutional majority, is declared passed. House Bill 566. Senator Link seeks leave of the Body --

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out of the record. House Bill 582. Senator Cullerton. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 582.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This bill also amends the Adoption Act. The proponents are Department of Public Health, Children and Family Services and Adoption Advocates of Illinois and the Illinois State Bar Association. It expands the scope of the Illinois Adoption Registry and Medical Information Exchange, which is referred to as the Registry. This bill addresses the issues that have risen since the implementation of the Registry and the expansion of the confidential intermediary laws, which we passed. It makes certain changes that have been agreed upon by these groups, including people who are surrendered for adoption, but who've never been adopted and allow them access to the information contained in the Registry, and to allow certain secondary parties to allow to register with the Registry. We can -- expand the documents that can be submitted to the Registry. Also would allow for the petition to the court for a confidential intermediary to, as long as proof of registration with the Registry has -- has accompanied their petition and also require that confidential intermediaries be certified by the Department of Children and Family Services. Again, no opposition. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 582 pass. All those in favor, vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. House Bill 582, having received the required constitutional majority, is declared passed. House Bill 594. Senator Jacobs. Mr. Secretary, read the bill.

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ACTING SECRETARY KAISER:

House Bill 594.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Jacobs.

SENATOR JACOBS:

Out of the record.

PRESIDING OFFICER: (SENATOR HENDON)

Out of the record. House Bill 595. Senator Hunter. House Bill 596. Senator Jacobs. Senator Jacobs seeks leave of the Body to return House Bill 596 to the Order of 2nd Reading for the purposes of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 596. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 2, offered by Senator Jacobs.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Jacobs, to explain your amendment.

SENATOR JACOBS:

Mr. President, this -- this amendment just clarifies the term "emergency worker".

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Jacobs moves the adoption of Amendment No. 2 to House Bill 596. All those in favor will say Aye. Opposed will say 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 HENDON)

3rd Reading. House Bill 598. Senator Winkel. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 598.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Winkel. Senator Winkel, on House Bill 598.

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SENATOR WINKEL:

Thank you, Mr. President. House Bill 598 is an initiative of the Illinois Crime Stoppers. What it does, it amends the Code of Civil Procedure. It creates an informant's privilege. Provides that if an individual submits information concerning a criminal act to a law enforcement agency or to a community organization that acts as an intermediary in reporting the enforcement and requests -- anonymity, this offers protection to that informant. I'd be glad to any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 598 pass. All those in favor will say -- vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. House Bill 598, having received the required constitutional majority, is declared passed. House Bill 601. Senator John Sullivan. House Bill 610. Senator Righter. 610. Senator Righter? Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 610.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President, Ladies and Gentlemen of the Chamber. House Bill 610 is a simple initiative to allow fire protection districts -- voluntary fire protection districts throughout the State of Illinois be a part of the State Fire Marshal's website with regards to the exchange or sale of certain used equipment. Right now, that -- that website and the program is restricted simply to certain kinds of equipment. This would broaden that and as many of us know, particularly downstate, we have fire protection districts that are using twenty-, thirty-, forty-year-old equipment and if they can upgrade to a fifteen-year-old piece of equipment that's a great improvement for them. I'll be happy to answer any questions.

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PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 610 pass. All those in favor, vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. House Bill 610, having received the required constitutional majority, is declared passed. House Bill 612. Senator Martinez. 612. Senator Martinez. House -- House Bill 615. Senator Martinez. House Bill 617. Senator Cullerton. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 617.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This is an initiative of the Illinois Coalition Against Sexual Assault. It amends the Civil No Contact Order Act to expand it so that -- and it would allow the issuance of emergency civil no contact orders if there are facts sufficient to show nonconsensual sexual contact. Know of no opposition and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 617 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. House Bill 617, having received the required constitutional majority, is declared passed. House Bill 655. Senator Althoff. House Bill 657. Senator Link. Senator Link, on 657. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 657.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)



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Senator Link.

SENATOR LINK:

Thank you, Mr. President. House Bill 657 increases the penalties for DUI violations committed with a child under sixteen years old in the vehicle. The bill also removes two sections of duplicative language to clarify the application for certain enhanced penalties. I know of no opposition to the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 657 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Aye, none voting Nay, none voting Present. House Bill 657, having received the required constitutional majority, is declared passed. Senator Althoff, for what purpose do you seek recognition?

SENATOR ALTHOFF:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR HENDON)

State your point, madam.

SENATOR ALTHOFF:

Thank you, Mr. President, Members -- and Ladies and Gentlemen of the Senate. I'd like to introduce members of the Roundout School from Lake Forest, Illinois. They're here traveling on their eighth-grade trip. They are in the gallery behind the Democrats. Can we wave and welcome them to Springfield?

PRESIDING OFFICER: (SENATOR HENDON)

Welcome to Springfield. House Bill 668. Senator Althoff. 668? House Bill 669. Senator Haine. 669. House Bill 672. Senator Cullerton. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 672.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This is

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very similar to Senate Bill 254, which is currently in the House, and which passed overwhelmingly here in the Senate. This provides that a home rule unit or any municipality may regulate smoking in public places. This would remove the absolute preemption to a limitation of home rule and allow for local municipalities to make their own decisions with regard to their laws dealing with the regulation of smoking in public places. There's a whole host of supporters of the legislation and it is designed to return local control back to these municipalities. If they don't wish to pass any laws, that's totally up to them. As you probably remember, there were some eighteen jurisdictions that were grandfathered in when this bill passed some sixteen years ago. All we're saying is that the rest of the State should be able to make their own decisions with regard to this issue. I'd be happy to answer any questions and ask for your support just as you did the last time we had this matter before us.

PRESIDING OFFICER: (SENATOR HENDON)

Discussion? Senator Dillard, the gentleman from DuPage.

SENATOR DILLARD:

Thank you, Mr. President. And I hate to get up and ever speak against the bill of my friend, Senator Cullerton and actually, I'm not even really against his bill. Like most of you, I voted for the Senate version a month or so ago of this bill, but then I went home and I heard from many, many of my restaurateurs about the impact that this bill might or might not have on them. One of the restaurants that called me which really got my attention is an old family-owned, three-generation restaurant. If you go to Senator Bomke or Senator Brady's area, of this restaurant is in the Route 66 Hall of Fame and the third-generation owner of this restaurant called me and he said, "As I look out the window of my dining room, I can look at the village next to us, which is only three blocks away and see three of my major competitors and if my village decides to make me no-smoking, my third-generation, family business is gone." And that telephone call prompted me to start thinking about this bill and I have filed, and granted Senator Cullerton, you used the term, hostile amendment. And I respect you to call your bill any way you want to, but on a bill of Senator Sieben's, you used the terminology "hostile amendment". I do have a -- probably a

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hostile amendment filed on this bill, which has been trapped in the Rules Committee. But let me tell the Members what that is. And my point is, whether it's my amendment, which I believe makes this bill more realistic, or another idea that one of you may have, I think Senator Cullerton's bill is a bit over the edge and for those of us who have a good relationship with our restaurateurs, especially those who are multi-family-owned or multi-generation restaurants, those really get my attention. But simply, my amendment would say that if you hold a liquor license -- if you hold a liquor license, essentially, if you're a restaurant, you're exempt from this particular bill. Our local units of government can regulate everybody else, but a liquor license held by a restaurant would be exempt. And very importantly, for those who, like myself, don't smoke and would probably, with my children, prefer to go to a nonsmoking restaurant if I could, there would be what some states have utilized as the sticker program on the front door of the restaurant. A green sticker would say that there's no smoking anywhere in the establishment. A yellow one would be smoking in the designated areas only. That's what most restaurants probably have today. And then a red sticker, which would warn me, before I walk in with my four-year-old and two-year-old, that smoking is allowed anywhere in the establishment and I can pick and choose whether I go to another restaurant down the road. My amendment is supported by the -- the Illinois Licensed Beverage Association and the Illinois Restaurant Association. And I just think that that makes it more realistic than the bill which is before us today. So, I know my amendment is stuck in the Rules Committee, but I just think that this might go over the edge. I think we ought to work on this a little longer and I know that, with all due respect, there are zealots on the other side that push Senator Cullerton and Senator Radogno to keep moving this as it is. But if nothing else, I'd urge a Present vote, so that we can go back to the drawing board and try to make sure that we don't lose family-owned restaurants and put 'em out of business in the State of Illinois and again, I apologize to Senator Cullerton. There's no one here I admire more than John for standing up and raising my comments about this bill. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

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The President would like to inform the Members that there are a number of speakers. If you could be succinct, make your point, I would appreciate it. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I fully concur with Senator Dillard's remarks. I think this is an awful bill. Absolutely awful, because it will put people out of business, that we need to have business. So, I certainly concur with Senator Dillard and I ask for a No vote or Present vote on this bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President, and I'll be -- also be brief. I was strongly supportive of legislation that would ban smoking in public places. My concern is that smoking is -- is legal in this State. It's legal in this country and the idea of banning smoking from private restaurants is, I think, going way beyond what our scope is here. I would hope that we would look at supporting the amendment that Senator Dillard had talked about. I think that's a compromise, but clearly to take away the rights of what individuals can do on private property is going farther than we should be going.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Shadid.

SENATOR SHADID:

Thank you. Thank you very much, Mr. President. To Senator Cullerton, I usually get up and oppose your bills and this time I'm going to support your bill, 'cause I think it's the right way to go. When you first approached me with this bill, I took it upon myself to call my new mayor, who just got elected a couple weeks ago, and a couple of the councilmen to ask them what they felt about this, and if we sent the power to them, what would they do about it. They told me very clearly that they were going to allow the business people in their city to determine if they want smoking in their place of business or if they don't want smoking, or they want part of it or not. They're going to leave it up to them and let the business climate determine how they should do it. So, I give you credit, Senator Cullerton, because

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we're always sending down things to them and I'm not so sure that we're smarter than they are locally. Sometimes I don't think we are. And I think we ought to give them a lot of credit to do what's right and allow a person who's got his money invested in a place of business to determine if he wants someone to smoke in it or not smoke in it, or partially smoke or whatever. I think that should be his call in his place of business to be determined on how much business he makes, how much he loses, by -- by what he does. So, I support it very strongly and I hope you get it passed.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Madam -- Mr. President. I, too, share the concerns that Senator Dillard had. I had a conversation this morning with Larry Blankenbaker, who owns Benjamin's Restaurant in Galena and shared the same type of concerns he has with the impact of this bill in Galena. Now, he doesn't know whether the City of Galena's going to pass an ordinance banning smoking in all the establishments in Galena, but he certainly knows that many of his patrons come into Benjamin's because they like to have a beer and a cigarette, and -- and -- and watch a ballgame or whatever. And he has part of his restaurant that's nonsmoking, part that's smoking, and he would prefer that we have the amendment that Senator Dillard has offered introduced on this bill. I certainly support the underlying concept of the bill for health reasons, but I would encourage the sponsor to consider adopting the amendment or -- or considering the amendment from Senator Dillard, which I think would improve the bill. For those reasons I plan to vote No on the bill as it now stands.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Jacobs.

SENATOR JACOBS:

Let's call the previous question.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Jacobs moves the previous question. There are three additional speakers. Senator Haine.

SENATOR HAINE:

Thank you very much, Mr. President and Ladies and Gentlemen

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of the Senate. I speak against this bill. This bill, although a public health measure, styled as -- as such, will have the unintended consequence, I believe, based upon a reasonable observation of human -- nature, in observing what's going on in St. Louis County across the river from me, it will pit those units of government that ban smoking against those who decline to do so, under Senator Shadid's -- scenario. And so the -- the establishments in one community will be at a great competitive disadvantage to those in the other. That's what's happening across the river from us now. It pits well-meaning people against one another. Granted, smoking is certainly unhealthy, but it's also enjoyed by many people, just as other activities are unhealthy and enjoyed by many folks. It's an activity which is old as the republic itself. It is an activity based upon a voluntary act by the -- the citizen to go into the establishment or to avoid it. And for the State to allow a city to further restrict this at a -- again, creating the -- the clash between municipalities and businesses within those municipalities, I think is unfortunate. Although, I don't question the -- certainly the sincerity of those who are proposing the bill. I just think it's -- I'd prefer Senator Dillard's approach, which would allow our licensed beverage establishments to flourish and continue to generate the great sums of money that they do to our local and State community. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR HENDON)

To the bill, sir.

SENATOR RIGHTER:

Thank you. Two quick -- two quick points I'd like to make, Mr. President. First, all of us like to stand up in our campaigns and here on the Senate Floor and in committee and say we're for local control. I'm for local control. I'm for allowing the local municipalities and the counties to make the decisions. Well, this is a vote to demonstrate that you are for local control. If you vote for this bill, you're promoting local control. It's an easy thing to say, but voting for this bill,

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which in some ways maybe is not an easy thing to do, is demonstration that you truly believe in that. Second, the notion that somehow the General Assembly, particularly in the last two years, is somehow the safe-keeper of small business is a joke. And for us to assume that we care more about them and their businesses than the mayors and the city commissioners who they see everyday on the street corner, who they go to church with, who's children goes to school with their children - those are the people who care about them. They're right here in their community and for us to think that we're going to care more about those people than right there, that local government, is -- is really foolish. So, Mr. President, I urge an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Leader Shadid, for the second time.

SENATOR SHADID:

Yes. I'm sorry, Mr. President. I just wanted to ask a question. Senator Cullerton, can the -- with your bill -- oh -- oh, no. Presently, can the cities change any of the smoking rules today the way the law is?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

Some eighteen jurisdictions have had the right since 1989, to keep their ordinances the way they want, but the other -- the rest of the -- the municipalities have no right. We've preempted them and all this bill does is to allow them to make those decisions at a local level.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Shadid.

SENATOR SHADID:

So the local mayors and the city councils will have the authority to determine where and when you can smoke in any of those public buildings. Is that correct?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

Yes.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton, to close.

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SENATOR CULLERTON:

Yes. Thank you for the discussion. I may have to remind everybody what the bill does and what it doesn't do. It -- it isn't even a public health measure as it's drafted. It's -- it's strictly a -- a local control. If the municipalities involved don't want to change their laws or pass any laws, they don't have to. So, it doesn't -- this bill, in and of itself, does not in any way pass any no smoking laws. So, in that regard, it's not a public health initiative. It's -- when you think about it, it's -- a deal was cut back in 1989. We passed a real minimal Illinois Clean Indoor Air Act and we grandfathered in eighteen jurisdictions that had already passed ordinances. So that meant that -- that forever, the rest of the municipalities were not going to be allowed to pass ordinances -- that's -- since 1989? That's almost silly. It -- and that's all this bill does. It just allows them to pass ordinances. I heard from -- some people say, well, the riverboats -- the riverboat towns, they want to make sure that they can still smoke. Put that in your bill. Why should I do that at the State level? Let those -- local municipalities in Aurora, Joliet and Elgin, Metropolis, let them decide. That's all this bill is about. This is not a bill supported by zealots. If -- if we had zealots trying to pass a bill, then we try to pass a bill to ban smoking in the State of Illinois. That's not what this does. It's all about local control. I have restaurants in my district in the City of Chicago, some of the finest ones on the north side of Chicago. The City of Chicago has passed an ordinance. They allow for smoking in restaurants. So, it -- it's up to the local control. That's all we're doing with this bill. I urge the same Aye votes that you gave the last time we considered it. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall House Bill 672 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 35 voting Yes, 16 voting Nay, 3 voting Present. House Bill 672, having received the required constitutional majority, is declared passed. House Bill 676. Senator Petka. Chair would like to recognize former Senator back to the House of Lords,



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Senator -- now Representative Bobbie Molaro, who made three -- three errors in the House/Senate softball game. Knowing he was going to the House the -- that following year. So, get out of here. Senator Petka, on House Bill 676. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 676.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Petka.

SENATOR PETKA:

Thank you, Mr. President and Members of the Senate. House Bill -- 676 merely extends legislation that passed the General Assembly during the 93rd Session, House Bill 765, and permits two more years as part of the extension. This would permit downstate school boards to perform interfund transfers between the Educational Fund and the -- the Operation and Maintenance Fund and the Transportation Fund. It provides flexibility. Know of no opposition and urge its passage.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 676 pass. All those in favor will say {sic} Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, none voting Nay, none voting Present. House Bill 676 having received the required constitutional majority, is declared passed. House Bill 678. Senator del Valle. House Bill 678. Senator del Valle. House Bill 700. Senator Crotty. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 700.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Crotty.

SENATOR CROTTY:

Thank you, Mr. President and Ladies and Gentlemen of the

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Senate. House Bill -- this House bill amends the Assisted Living and Shared Housing Act by allowing long-term care establishments governed under the Act to employ licensed -- health care professionals for the purpose of administering sliding scale insulins to patients who are incapable of self-administration. It also requires the disclosure of the community fees in the service delivery contract for the purpose of informing the residents or the potential residents. In addition, if the fee is refundable it would be listed in the contract as being so.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 700 pass. All those in favor, vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. House Bill 700, having received the required constitutional majority, is declared passed. House Bill 709. Senator Harmon. House Bill 712. Senator Martinez. Senator Martinez seeks leave of the Body to return House Bill 712 to the Order of 2nd Reading for the purposes of an amendment. Seeing no objection, leave is granted. Now, on the Order of 2nd Reading is House Bill 712. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Martinez.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Martinez, to explain your amendment.

SENATOR MARTINEZ:

Thank you, Mr. President, Members of the Senate. House Bill 712 clarifies that the Marriage or residency with a sex offender by a parent is not subject to a two-year limitation on the modification of custody order.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 712 -- I mean, Senator Martinez moves the adoption of Amendment No. 1 to House Bill 712. All those in favor will say Aye. Opposed will say Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

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ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. House Bill 715. Senator Schoenberg. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 715.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

We're on House Bill 715. On the board, please. Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 715 amends the Election Code to -- easier -- to facilitate greater voter registration among college students here in this State. It provides that -- that colleges and universities should make on their websites available downloadable, printable voter registration forms and also provide that the institutions include voter registration information and registration materials along with their student registration materials. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Discussion? Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Mr. President, Members of the Senate. This bill was debated at length in -- in our committee. Several of us voted against it. I had a couple questions for the sponsor if he would yield.

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will. Senator Wendell Jones.

SENATOR W. JONES:

Senator, isn't it true that individuals that are going to college register at their home rather than at the university.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Schoenberg.

SENATOR SCHOENBERG:

Senator, this is to enable students to register at their primary place of residence, which throughout the majority of the

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year is on campus.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Wendell Jones.

SENATOR W. JONES:

That was a great answer, but didn't answer my question. Is -- aren't most of these people registered where they live, rather than where they go to school?

PRESIDING OFFICER: (SENATOR HENDON)

Senator -- Senator Schoenberg.

SENATOR SCHOENBERG:

I think the data would bear out that many of these students are unregistered period. And that this would simply provide that there would be greater opportunities to get them registered to participate in elections. I know this is something that Northwestern University has been doing in conjunction -- in my district, has been doing in conjunction with the -- the Cook County Clerk's Office for several years. The expense is minimal and yet the dividends, which is the amount of student registrations that results from this is significant.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Mr. President. I guess I have to ask -- answer my own question. The facts are that most individuals who attend college and universities in the State of Illinois are registered at their homes. And here we are putting a burden on our universities to force them to register people who should be registering to vote back in their domicile, which is their home district. And I think this is going beyond where we should be going. I mean, clearly we want these young people to register to vote, but this just goes beyond logic, because they're going to register to vote and should register to vote and vote either by absentee or in person in their own districts. I think this just burdens the statutes further. I would recommend a No vote.

PRESIDING OFFICER: (SENATOR HENDON)

Majority Leader Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President and Members of the Senate. I stand in strong support of this and it took a while to figure out that

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I at -- at first I was upset. My daughter went to school and she told me, she said, "Mom, I live in Champaign at the University of Illinois." Because I thought, why are you registering to vote where you go to college instead of at home. She says, "I don't live at home. I live and I participate it -- in college." And think whatever we can do to reach out to our college students is important. She went from dorm to dorm, door to door, talking to people about registering and being a part of -- of the campus. And if we can do something to make sure that our young people get involved in politics that is very, very important and this will just get our young people involved at a much earlier age.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Dave Sullivan.

SENATOR D. SULLIVAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. With all due respect to the sponsor and the Majority Leader who just spoke, when I just picked up my two college kids from school the other day I brought them home and they know that I brought them home. They said, "Hey, Pa, come bring me home." They are registered in Park Ridge. I went up to Marquette University, which is not in this State, it's up in Wisconsin, to speak to the young Republicans and rally those -- those kids - and there were hundreds of 'em at this rally - to be there for George Bush in Wisconsin where there was actually a Presidential race and those kids were actively engaged in their election up in Wisconsin and that was great. They needed to be, but they also needed to vote back home where they should be. This is about where people should be registered to vote. They don't live in Milwaukee, my two kids, they live in Park Ridge. They should be registered to vote in Park Ridge and they are. I urge a No vote.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Jacobs.

SENATOR JACOBS:

Mr. President, speaking of the importance of voting, I move the previous question.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Jacobs moves the previous question. There are three additional speakers. Senator Burzynski.

SENATOR BURZYNSKI:

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Thank you, Mr. President. To the bill. I -- I just rise in opposition to the bill. Another mandate on our public universities. You know, we have students all over the State attending universities, out of State, who are -- we treat them as adults. As adults, they have the opportunity to seek out where they should register to vote, when they should register to vote, whether they should register to vote in their home communities, whether they should register to vote on campus. We don't dictate that to them. You know, I -- I think it's important to realize that if we want kids to get involved in the political process part of that is taking responsibility for themselves to register to vote where -- no matter where they chose to do. And also, that there are those students that want to go door to door, have -- sponsor booths - I know that on Northern Illinois University's campus the Democratic Party, the -- the Republican Party, those college Dems and college Republicans, both offer all kinds of voter registration opportunities throughout the course of the year. I think this is an unnecessary bill and I would urge a No vote.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Wendell Jones, for the second time.

SENATOR W. JONES:

Thank you for recognizing me, Mr. President. I -- for the second time. This bill will mandate that public institutions of higher learning must provide voter registration forms that are created by the State Board of Elections. These forms may be illegal, because you're supposed to register where you live. We should not put our universities and colleges into the registration business. The Board of Elections in our local counties should do that. This is not a good bill, Ladies and Gentlemen. We should defeat this piece of legislation.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Schoenberg, to close.

SENATOR SCHOENBERG:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. With all due respect to those who have opposed House Bill 715 and mischaracterized it, I feel like this is déjà vu again, because we heard many of the same forms of resistance simply to making registration opportunities available - not

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coercing anybody, not holding a gun to their heads - when we had the question a number of years ago over whether that -- we should have motor voter. We simply -- we subsequently decided to do that. It proved to be a good thing. All we're asking is for materials and opportunities to be made available with the institutions of higher learning. There's no question where someone lives, but I think we do want to provide people with opportunities to make their own choices. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall House Bill 715 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there -- 33 voting Aye, 20 voting Nay, 2 voting Present. House Bill 715, having received the required constitutional majority, is declared passed. House Bill 720. Senator Link. House Bill 721. Senator Risinger. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 721.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Risinger.

SENATOR RISINGER:

Thank you, Mr. President. What this bill does is authorize the Director of Natural Resources to -- convey, at fair market value, certain property in Peoria County to the Princeville Family Health Center. There's a -- small background to this, this -- this piece of property was deeded to the City of Princeville in 1968, by the -- by the Park Foundation and then later in 1969, when they deeded land for the Rock Island Trail they mistakenly deeded this property a second time. So, this has been up in the air for some time. This will be cleaned up by being bought at fair market value and I know of no opposition.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 721 pass. All those in favor, vote Aye. Opposed, vote Nay. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the

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record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. House Bill 721, having received the required constitutional majority, is declared passed. House Bill 733. Senator Hunter. House Bill 748. Senator Haine. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

House Bill 748.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Haine.

SENATOR HAINE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This merely establishes the office -- in the Office of State Fire Marshal two divisions. Doesn't hire anybody. Doesn't add anything. Except it breaks up -- one division -- will assume the duties of fire prevention and other one is a law enforcement type division. So, it -- it is better able to -- focus their particular expertise and I -- I don't know of any opposition to this and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 748 pass. All those in favor, vote Aye. Opposed, vote Nay. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, none voting Nay, none voting Present. House Bill 748, having received the required constitutional majority, is declared passed. We're going to return to House Bill -- let's go -- House Bill 756. Senator Lauzen. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 756.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lauzen.

SENATOR LAUZEN:

Thank you very much, Mr. President. House Bill 756 amends the Department of Veterans Affairs Act to create a Veterans



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Memorial Commission to protect the monuments that we have around the State from being defaced. It came out of committee with unanimous support. I'd be happy to answer any questions or ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 756 pass. All those in favor, vote Aye. Opposed will vote Nay. 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 voting Aye, none voting Nay, none voting Present. House Bill 756, having received the required constitutional majority, is declared passed. House Bill 760. Senator Ronen. House Bill 763. Senator Cullerton. House Bill 763. Senator Cullerton. Senator Cullerton seeks leave of the Body to return House Bill 763 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. Now, on the Order of 2nd Reading is House Bill 763. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 1, offered by Senator Cullerton.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. This amendment retains the underlying bill and adds the controlled substance analog to a description of the offense of possession of controlled substances.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Hearing none, Senator Cullerton moves the adoption of Amendment No. 1 to House Bill 763. All those in favor will say Aye. Opposed will say Nay. The Ayes have it, and amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. House Bill 766. Senator Haine. Mr. Secretary, read the bill.

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ACTING SECRETARY KAISER:

House Bill 766.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Haine.

SENATOR HAINE:

Thank you very much, Mr. President and Ladies and Gentlemen of the Senate. This amends the Parental Responsibility Law increasing the maximum recovery of actual damages to twenty thousand dollars, currently twenty-five hundred. This is an initiative of many park districts around the State that have suffered increasing levels of vandalism with no restitution available. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 766 pass. All those in favor will vote Aye. Opposed will vote Nay. 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 57 voting Aye, none voting Nay, none voting Present. House Bill 766, having received the required constitutional majority, is declared passed. House Bill 767. Senator Althoff. Mr. Secretary, read the bill.

ACTING SECRETARY KAISER:

House Bill 767.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Althoff.

SENATOR ALTHOFF:

Thank you, Mr. President, Members of the Senate. According to the Illinois Department of Public Health, vehicular crashes are the number one killer of fifteen- to twenty-five-year-olds. House Bill 767 is Brita's Law. She was fifteen when she lost her life to a speeder who rear-ended her car going thirty-two miles over the speed limit. Discovered during the investigation that he had committed two similar crashes in -- at excess speeds. As there were no drugs and alcohol involved in the accident, nothing could be done to respond to the loss of life. For Brita's death,

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he received a one-hundred-and-ninety-three-dollar ticket and he is still driving today. House Bill 767 amends the Unified Code of Corrections. It provides that the court may impose a more severe sentence upon a defendant who committed the offense of reckless homicide or the offense of driving under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or any combination thereof or a similar provision of a local ordinance and was operating a motor vehicle in excess of twenty miles per hour over the posted speed limit. This is a needed correction and I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

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

SENATOR LAUZEN:

Thank you. Just a question for the sponsor. First of all, I respect the work that you're doing on this. We -- we had a similar circumstance in Kendall County and I brought forward a bill and it was held in committee for the time being. Would there -- but it's -- it's slightly different fact situation. Does it matter what kind of vehicle is being driven? Is it -- is this only cars, or is it cars and trucks, buses, any kind of vehicle?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Althoff.

SENATOR ALTHOFF:

Thank you. Senator Lauzen, it covers any type of motor vehicle.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lauzen.

SENATOR LAUZEN:

Thank you very much. Thank you for your work on this.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate {sic} Bill 767 pass. All in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, none voting Nay, 1 voting Present. House Bill 767, having received the required constitutional majority, is declared passed. House Bill 780. Senator DeLeo. Mr. Secretary, read the bill.

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ACTING SECRETARY KAISER:

House Bill 780.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator DeLeo.

SENATOR DeLEO:

Thank you very much, Mr. President and Ladies and Gentlemen of the Senate. House Bill 780 creates the offence of online sale of stolen property, online theft by deception or electronic fencing. Currently, under Illinois law, it's unclear whether we can even prosecute stolen goods taken place via the Internet. This will provide criminal prosecution in online sale of stolen property. What it says here, it defines in what county this could be tried in and can be tried in wherever the offense took place in any county in this State. I ask for its favorable roll call on House Bill 780, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 780 pass. All those in favor, vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there 57 voting Aye, none voting Nay, none voting Present. House Bill 780, having received the required constitutional majority, is declared passed. House Bill 783. Senator Martinez. Senator Martinez seeks leave of the Body to return House Bill 783 to the Order of 2nd Reading for the purposes of amendment. Hearing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 783. Mr. Secretary, are there any amendments approved for consideration?

ACTING SECRETARY KAISER:

Floor Amendment No. 2, offered by Senator Martinez.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President, Members of the Senate. Amendment No. 2 allows an obligor to make child support payments at a licensed currency exchange. The Act requires that if an obligor makes such payments through a currency exchange the obligor is

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required to provide sufficient information to enable the exchange to transmit to the -- the -- the amount of the payment to the State Disbursements Unit.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, Senator Martinez moves the adoption of Amendment No. 2 to House Bill 783. All those in favor will say Aye. Opposed will say 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 HENDON)

3rd Reading. House Bill 788. Senator Trotter. Committee announcements. While we get the committee announcements ready, those -- some of you were not on the Floor. The Senate/House annual softball game is tomorrow, 5 p.m. We moved it up in consideration for the Republican's having an excellent staff and they want to do appreciation for that staff. So, it's 5 p.m. and it's in Lincoln Park, not at the firemen. Lincoln Park on Sixth Street. Where we used to have it at. Same diamond and let's get this doggoned victory. We're underdogs by about nine runs, but we know we're going to beat these House chickens. Senator Martinez, for what purpose do you rise?

SENATOR MARTINEZ:

For the purpose of an announcement.

PRESIDING OFFICER: (SENATOR HENDON)

Make your announcement.

SENATOR MARTINEZ:

The Committee on Pension and Investment will meet tomorrow, Wednesday at 12:30 in Room 400.

PRESIDING OFFICER: (SENATOR HENDON)

Pension and Investment will meet tomorrow in Room 400 at -- what time was that? 12:30. Senator Haine, for what purpose do you rise?

SENATOR HAINE:

For -- Mr. President, for a purpose of an announcement.

PRESIDING OFFICER: (SENATOR HENDON)

Make your announcement.

SENATOR HAINE:

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The Insurance Committee will meet tomorrow morning at 9 a.m. in Room 400, of the State House. Thank you, sir.

PRESIDING OFFICER: (SENATOR HENDON)

Insurance will meet tomorrow morning at 9 a.m. Senator Lightford, for what purpose do you rise?

SENATOR LIGHTFORD:

Purpose of an announcement.

PRESIDING OFFICER: (SENATOR HENDON)

Make your announcement.

SENATOR LIGHTFORD:

Thank you, Mr. President. Education will meet at 8:30 in Room 212, tomorrow morning. Education at 8:30.

PRESIDING OFFICER: (SENATOR HENDON)

8:30 a.m. tomorrow morning, Education in Room 212. Senator Forby, for what purpose do you rise?

SENATOR FORBY:

Announcement.

PRESIDING OFFICER: (SENATOR HENDON)

State your announcement, sir.

SENATOR FORBY:

Labor Committee will meet in Room 400 at 12 o'clock. 12 o'clock.

PRESIDING OFFICER: (SENATOR HENDON)

Labor will meet tomorrow, Room 400 at 12 p.m. Senator Garrett, for what purpose do you rise?

SENATOR GARRETT:

For purpose of announcement.

PRESIDING OFFICER: (SENATOR HENDON)

Make your announcement.

SENATOR GARRETT:

State Government tomorrow, 11 a.m., A-1.

PRESIDING OFFICER: (SENATOR HENDON)

State Government will meet tomorrow in A-1 at -- 11 a.m. Senator Crotty, for what purpose do you rise?

SENATOR CROTTY:

For an announcement.

PRESIDING OFFICER: (SENATOR HENDON)

Make your announcement.

SENATOR CROTTY:

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Local Government will be meeting tomorrow morning at 9 a.m. in the Stratton Building, A-1.

PRESIDING OFFICER: (SENATOR HENDON)

Local Government will -- meet at A-1 at 9 a.m. tomorrow morning. Senator Munoz, for what purpose do you rise?

SENATOR MUNOZ:

For the purpose of announcement, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

State your announcement, sir.

SENATOR MUNOZ:

Transportation Committee will meet in Room 400 at 12:45 p.m.

PRESIDING OFFICER: (SENATOR HENDON)

Transportation will meet tomorrow in Room 400 at 12:45 a.m. {sic} Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

Purpose of an announcement.

PRESIDING OFFICER: (SENATOR HENDON)

Make your announcement, ma'am.

SENATOR DEMUZIO:

Yes. Licensed Activities will meet at 12 noon, tomorrow in A-1 Stratton Building.

PRESIDING OFFICER: (SENATOR HENDON)

Licensed Activities, 12 noon, tomorrow in A-1 Stratton Building. Senator Harmon, for what purpose do you rise?

SENATOR HARMON:

To make an announcement, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

Make your announcement, sir.

SENATOR HARMON:

The Senate Revenue Committee will meet tomorrow morning at 11 a.m. in Room 400. We have a very short docket and if folks are on time we'll be done very quickly.

PRESIDING OFFICER: (SENATOR HENDON)

Revenue will meet tomorrow morning in Room 400 at I believe that was 11 a.m. Senator Viverito, for what purpose do you rise?

SENATOR VIVERITO:

Thank you, Mr. President. For -- to tell you the -- the Executive Committee will meet at 12 o'clock -- I mean, 11 o'clock, in Room 212.

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PRESIDING OFFICER: (SENATOR HENDON)

Executive Committee will meet tomorrow morning at 11 a.m. in Room 212. There... There being no further business to come before the Senate, the Senate stands adjourned until the hour of 11 -- I mean, 1 -- 1 -- 1 p.m. on Wednesday, May 18th, the day of our softball game. 1 p.m. on Wednesday. The Senate stands adjourned.