

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

HB0441	Third Reading	128
HB0810	Out Of Record	129
HB0810	Recalled	129
HB1110	Recalled	129
HB1110	Third Reading	130
HB3697	Third Reading	132
HB3697	Vote Intention	133
HB3923	Motion	194
HB4046	Motion	194
SB0027	Concurrence	11
SB0038	Concurrence	14
SB0047	Concurrence	3
SB0069	Concurrence	9
SB0069	Vote Intention	10
SB0089	Concurrence	8
SB0122	Concurrence	10
SB0125	Concurrence	22
SB0133	Concurrence	24
SB0145	Concurrence	25
SB0149	Concurrence	27
SB0177	Recalled	155
SB0177	Third Reading	156
SB0206	Concurrence	28
SB0209	Concurrence	29
SB0212	Concurrence	32
SB0214	Concurrence	34
SB0246	Concurrence	35
SB0246	Vote Intention	39
SB0246	Vote Intention	53
SB0266	Concurrence	38
SB0269	Concurrence	39
SB0290	Concurrence	42
SB0291	Third Reading	158
SB0292	Third Reading	159
SB0318	Concurrence	43
SB0337	Concurrence	45
SB0340	Concurrence	45
SB0350	Discussed	114
SB0552	Recalled	144
SB0552	Third Reading	145
SB0574	Concurrence	46

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

SB0577	Concurrence	52
SB0587	Concurrence	54
SB0932	Recalled	146
SB0932	Third Reading	147
SB0932	Vote Intention	153
SB1133	Concurrence	62
SB1133	Vote Intention	64
SB1254	Concurrence	64
SB1300	Recalled	139
SB1300	Third Reading	140
SB1320	Recalled	141
SB1320	Third Reading	142
SB1325	Recalled	136
SB1325	Third Reading	137
SB1339	Concurrence	65
SB1341	Concurrence	66
SB1381	Recalled	160
SB1381	Third Reading	162
SB1384	Concurrence	67
SB1390	Concurrence	70
SB1391	Concurrence	71
SB1408	Concurrence	72
SB1486	Concurrence	73
SB1489	Concurrence	74
SB1490	Concurrence	75
SB1493	Concurrence	76
SB1499	Concurrence	78
SB1508	Concurrence	79
SB1544	Concurrence	80
SB1555	Non-Concurrence	81
SB1557	Concurrence	82
SB1583	Concurrence	83
SB1601	Concurrence	84
SB1629	Concurrence	85
SB1631	Concurrence	87
SB1662	Concurrence	87
SB1677	Concurrence	88
SB1685	Concurrence	89
SB1698	Concurrence	90
SB1718	Concurrence	91
SB1737	Concurrence	92
SB1770	Concurrence	93

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

SB1784	Concurrence	95
SB1801	Concurrence	96
SB1830	Concurrence	97
SB1866	Concurrence	98
SB1877	Concurrence	101
SB1882	Concurrence	102
SB1920	Concurrence	103
SB1922	Concurrence	107
SB1956	Concurrence	108
SB1975	Concurrence	109
SB2010	Concurrence	110
SB2026	Concurrence	112
SB2043	Concurrence	113
SB2045	Concurrence	116
SB2090	Concurrence	119
SB2090	Out Of Record	123
SB2111	Concurrence	123
SB2119	Concurrence	124
SB2272	Concurrence	125
SB2277	Concurrence	126
SR0273	Motion	192
SR0290	Motion	192
SR0291	Motion	193
SR0296	Motion	195
SR0297	Motion	193
SR0304	Resolution Offered	2
SR0305	Resolution Offered	135
HJR0040	Motion	194
SJR0072	Resolution Offered	136
Senate to Order-Senator Harmon		1
Prayer-The Reverend Florene Scott		1
Pledge of Allegiance		1
Journal-Postponed		1
Senate Stands in Recess/Reconvenes		2
Introduction of Guest-Senator Lauzen		44
Remarks by Honorius Prigoana		44
Senate Stands in Recess/Reconvenes		135
Messages from the House		135
Senate Stands at Ease/Reconvenes		152
Committee Reports		153

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Messages from the House	155
Senate Stands at Ease	190
Senate Reconvenes	191
Committee Reports	191
Adjournment	196

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

PRESIDING OFFICER: (SENATOR HARMON)

The regular Session of the 96th General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the galleries please rise? The invocation today will be given by the Reverend Florene Scott from Grace United Methodist Church in Springfield, Illinois. Reverend.

THE REVEREND FLORENE SCOTT:

(Prayer by the Reverend Florene Scott)

PRESIDING OFFICER: (SENATOR HARMON)

Please remain standing for the Pledge of Allegiance. Senator Maloney, to lead us in the Pledge.

SENATOR MALONEY:

(Pledge of Allegiance, led by Senator Maloney)

PRESIDING OFFICER: (SENATOR HARMON)

Madam Secretary, Reading and Approval of the Journal.

SECRETARY ROCK:

Senate Journal of Tuesday, May 26, 2009.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hunter.

SENATOR HUNTER:

Mr. President, I move to postpone the reading and approval of the Journal just read by the Secretary, pending approval -- arrival of the printed transcript.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hunter has moved to postpone the reading and approval of the Journals, pending the arrival of printed transcripts. There being no objection, so ordered. Senator Burzynski, for what purpose do you rise?

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

SENATOR BURZYNSKI:

Thank you, Mr. President. It's a beautiful day outside, and having said that, the Senate Republicans would request a caucus to discuss this beautiful day and all of the things and duties that we have today.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Burzynski, for how long do you expect the Republicans -- for one hour? Senator Burzynski has requested a Senate Republican Caucus for one hour. That request is always in order. The Senate will stand in recess until the call of the Chair. It is our intention to return to the Floor after the Senate Republicans have caucused at approximately 10 a.m. The Senate stands in recess.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The Senate will come to order. Stephen Bourque, with WICS-TV ABC, requests leave to shoot video. Leave is granted. Jerome Simmons, with Citizens -- Chicago Citizen Newspaper, is requesting still photos. Leave is granted. Madam Secretary, Resolutions.

SECRETARY ROCK:

Senate Resolution 304, offered by Senator Demuzio and all Members.

It's a death resolution, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Resolutions Consent Calendar. All Members at the sound of my voice, would you please come to the Floor? We're going to

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

proceed to final action. All Members please come to the Floor. We're going to go to page 61 on Order of Concurrences with Senate Bills. Senator Crotty, on Senate Bill 27. Senator Crotty. Out of the record. Turning to page 62. Senator Steans, on Senate Bill 38. Senator Steans. Out of the record. Senator Pankau, on Senate Bill 47. Madam Secretary, read the bill.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 47.

Signed by Senator Pankau.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Pankau, to explain.

SENATOR PANKAU:

Thank you, Mr. President. The House amendment that was put on basically rewrites the bill and this is working with the Comptroller's Office. It gives them a little more time to implement the details that we wanted put on the -- on their website about their different contracts. And it also gives them the ability to say if they did not get the information from the agency, then they don't have to put it on the computer. 'Cause if they don't have the information, they can't exactly put the information on there. It's a good solid amendment. I ask for your approval and I ask for passage of Senate Bill 47.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall the Senate concur in Senate Bill 47 -- 47. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

who wish? Take the record. On that question, there are 56 voting Yea, none voting Nay, none voting Present. Senate Bill 47 having received the required constitutional majority, the Senate does concur in Senate Bill -- House -- 47 -- Senate Bill -- Senate Bill 47. The bill will declare -- be declared passed. Senator -- Senator Koehler, for what purpose do you seek recognition?

SENATOR KOEHLER:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

State -- please state your point.

SENATOR KOEHLER:

With me today is a very good friend of mine. It's Dr. Elsburgh Clarke. He is the head of the emergency room at Methodist Hospital in Peoria, but his real passion is photography and he wanted to just come down and spend a day with me here in the State Capitol. So, please give a warm welcome to Dr. Clarke.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Welcome to Springfield, Dr. Clarke. Thanks for being here. Senator Schoenberg, for what purpose do you seek recognition?

SENATOR SCHOENBERG:

I rise on a point -- I rise on a point...

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point, Senator Schoenberg.

SENATOR SCHOENBERG:

...of personal privilege. Thank you very much, Mr. President and Ladies and Gentlemen of the Senate. I'm proud to say that I'm joined by Jacob Hurwitz as my Page for today. Jacob is a

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

ninth grader at Glenbrook South High School in Glenview. His -- his many interests and hobbies include debate, Legos, reading, chess club, math team, and biking. He has won many debate awards and he aspires to be accepted to Harvard - a lawyer and a politician. Sounds like somebody else we used to know from around here. So please give him and his grandmother, Joan Joyner, a warm Senate welcome. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Welcome to Springfield, and good luck to you. Senator Dahl, for what purpose do you seek recognition?

SENATOR DAHL:

Moment of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please -- please state your point.

SENATOR DAHL:

Thank you. I have with me as my Page today, Paul Carus, from Peru. He's a junior at St. Bede Academy. And he's down here today with his mom, Tammi, and his -- his brother, Luke, up in the -- up in the gallery up here. Give 'em a warm welcome.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Welcome to Springfield. Senator Rutherford, for what purpose do you seek recognition?

SENATOR RUTHERFORD:

Mr. President, for a point of personal privilege, if I may.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point.

SENATOR RUTHERFORD:

Mr. President, thank you. I would ask the Senate if they would welcome a member of my family who's here with me today.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

My nephew, Kaleb, turned eighteen years old, and on Friday, we got out of the Senate early enough that I could make it back for his high school graduation. He's taking a little time, as we're all trying to do over the summer, to spend time with our families. He's going to spend the day with me at the Senate. Next Monday, he will start his internship at State Farm Insurance, which is a very competitive program to be accepted in. And once he completes the summer, he's going to go to Illinois State University and be a very proud Redbird. And if you all in the Senate would please welcome my nephew, Kaleb Fornero.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Welcome to Springfield. Good luck to you. Senator A.J. Wilhelmi, for what purpose do you seek recognition?

SENATOR WILHELMI:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point.

SENATOR WILHELMI:

Thank you. I have with me today two Pages - one from Aurora, one from Shorewood. So they're both constituents of Senator Holmes. To my right, I have Charlie Gambs. To my left, I have Katie Dow. And they are first cousins. So Katie's mom and dad and Charlie's aunt and uncle are up in the gallery - good friends of mine, Tom and Colleen Dow. I'd like to welcome them to the Illinois Senate.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Welcome to the Senate. Will our guests please rise? Thanks for being here today. Senator Althoff, for what purpose

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

do you seek recognition?

SENATOR ALTHOFF:

Also point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point.

SENATOR ALTHOFF:

I actually have three very important guests with me today, one being Karen Foster, who serves on the City of Champaign City Council. Karen was part of the Lincoln Series and is back to shadow me a little bit today. And I also have Annie, to my right, and Katie, to my left, Krall. They go to Lincoln School. Are actually constituents of Dan Kotowski in Park Ridge. And I think most of you probably would be very familiar with their mother, who is Joan Etten. So, may we welcome them to Springfield, please?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Welcome to Springfield. Thanks for being here. Senator Demuzio, for what purpose do you seek recognition?

SENATOR DEMUZIO:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point.

SENATOR DEMUZIO:

Yes. I have a special guest with me today also. My granddaughter, Brooke, who is visiting today. And I would like to have everyone welcome Brooke to the Senate.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Welcome to Springfield, Brooke. Leader Radogno, for what

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

purpose do you seek recognition?

SENATOR RADOGNO:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point.

SENATOR RADOGNO:

Thank you, Mr. President. I also have guests visiting today. They are in the gallery in the center. And this is my constituent, Lee Groharing; his brother, Richard, who is from Senator Jacobs' district; and their father, who is ninety-six years old, Bruce, also from Senator Jacobs' district. They are here today. They're donating a complete atlas of Illinois from the 1800s to the Illinois Library. So, we hope they enjoy their visit and appreciate their generosity.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Thanks for coming. Welcome to Springfield. Senate Bill 69. Senator Silverstein. Out of the record. Senate Bill 89. Senator Dahl. Madam Secretary, please read the bill.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 89.

Signed by Senator Dahl.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Dahl, to explain the -- the bill -- the motion.

SENATOR DAHL:

Thank -- thank you, Mr. President. With House Amendments 1 and 2, the bill is essentially the same. It allows properties used for natural gas extraction and fractionation or olefin and polymer manufacturing to enter into assessment settlement

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

agreements with taxing bodies. And it only applies in cases in which litigation was pending as of January 1st, 2003 or thereafter. Passed the House unanimously, and the Senate.. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall the Senate concur in Senate Bill 89. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yea, none voting Nay, none voting Present. Senate Bill 89 having received the required constitutional majority, the Senate does concur with Senate Bill 89 and the bill is declared passed. With leave of the Body, going back to Senate Bill 69. Senator Silverstein. Madam Secretary, please read the bill.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment -- of House Amendment 1 to Senate Bill 69.

Signed by Senator Silverstein.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Silverstein, to explain..

SENATOR SILVERSTEIN:

Thank -- thank you, Mr. President, for accommodating me. This -- the House amendment made a technical change and provides that optometrists may utilize a percentage-based rental agreement.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall the Senate concur with Senate Bill 69 with House

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Amendments -- with House Amendment No. 1. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There are 57 voting Yea, none voting Nay, none voting Present. On that -- the Senate -- the Senate does concur with House Amendment No. 1 to Senate Bill 69, and the bill is declared passed. Senator DeLeo in the Chair.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Noland, for what purpose do you arise, sir?

SENATOR NOLAND:

Thank you, Mr. President. I wish to be recorded as an Aye vote on that previous bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Record will so reflect your intention, sir.

SENATOR NOLAND:

Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, continuing on Concurrences is Senate Bill 122. Senator Haine. Senator Haine, do you wish to proceed, sir? Senator Haine, you wish to proceed on the concurrence, sir? Madam Secretary, read the gentleman's motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 122.

Signed by Senator Haine.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine, to explain your motion, sir.

SENATOR HAINE:

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

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Senate. This is the Engineering Practice Act, and it extends the sunset. It also improves the Act. Adds some provisions that the engineers supported. And this -- the State Department of Professional Regulation supported. It's been a two-year effort and it is a model bill. It will encourage and maintain Illinois' reputation for engineering excellence. And I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

There any discussion? Any discussion? Seeing none, Ladies and Gentlemen, the question is, shall Senate Bill 122 -- the Senate concur in Amendment No. 1 -- to House Amendment No. 1 to Senate Bill 122. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 122 having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 122. The bill is declared passed. Leave of the Body, would we turn our Calendars back to page 61. We'll go to Concurrence. Senate Bill 27. Senator Crotty. Senator Crotty. She wish to proceed. Madam Secretary, read the lady's motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 27.

Signed by Senator Crotty.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Crotty, to the motion, ma'am.

SENATOR CROTTY:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Thank you very much. On -- on this Senate Bill 27 when it left the Senate and went to the House, it was the Silver Alert program. Now it's called the Endangered Missing Persons Advisory program. It's a coordinated program established within the Department of the State Police. The purpose of the Endangered Missing Person Advisory is to provide a regional system for the rapid dissemination of information regarding a missing person who is believed to be a high-risk missing person as defined in Section 10 of the Missing Persons Identification Act. The AMBER Alert shall serve as the task force for the Endangered Missing Person Advisory. The task force shall monitor and review the implementation and the operation of the regional system developed under that subsection, including its procedures, its budgetary requirements, and the response of the protocols. The Department of State Police, in coordination with the Illinois Department of {sic} (on) Aging, shall develop and implement a community outreach program to promote awareness among the State's healthcare facilities, nursing homes, assisted living facilities, and other senior centers. The Department shall...

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Thank you. Seeing no further discussion, the question is, shall the Senate concur in Amendment No. 1 to House -- to Senate Bill 27. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 27 having received the required constitutional majority, the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Senate does concur in Amendment No. 1 to Senate Bill 27, and the bill is declared passed. Senator Lightford in the Chair - musical Presidents.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Viverito, for what purpose do you rise?

SENATOR VIVERITO:

Madam President, personal privilege.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Please state your point.

SENATOR VIVERITO:

I would like very much to introduce a lovely little Page we have here today by the name of Caroline Hopper. She's from Savoy, Illinois, near Champaign. And her grandparents are Bobbie and Val Decatoire, and he's one of the carpenters here in this building. How about a nice warm welcome for this lovely little girl?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Please welcome Senator Viverito's guest to the Chamber. We hope you have a wonderful experience. Senator Raoul, for what purpose do you rise?

SENATOR RAOUL:

Point -- point of personal privilege.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

State your point, Senator.

SENATOR RAOUL:

Madam President, in the gallery behind you, we have some -- lovely ladies in the first row from the 4th Ward Office of Toni Preckwinkle. I'd like for the Senate to give -- give them a warm welcome.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Please welcome Senator Raoul's guests to the President's Gallery. We hope you have a wonderful experience observing the General Assembly. Senator Brady, for what purpose do you rise?

SENATOR BRADY:

Point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

State your point, sir.

SENATOR BRADY:

Thank you, Madam President. I'd like to introduce Kevin Baar, who is a Page for today. He is from Parkside Junior High School in Normal, Illinois.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Welcome, Senator Brady's guest, to the General Assembly. If you guys will give him a warm Senate welcome. With leave of the Body, we will return to Senate Bill 38. Senator Steans. Senator Steans, do you wish to proceed? She indicates that she does. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 38.

Signed by Senator Steans.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Steans.

SENATOR STEANS:

Thank you, Madam President. Senate Bill 38, as you may recall, it prohibits folks -- individuals except vets from euthanizing a companion animal. The House amendment clarifies that euthanasia techs can perform it. And it makes other

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

changes recommended by the IDFPR, the Department of Financial and Professional Regulation, to make it consistent with other of their laws.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion on the bill? I see quite a few lights lit, and I need to ask you guys to quiet it down please. Thank you. Is there discussion on this bill? Seeing none, Senator -- Senator Jones. I see your light lit, but there's a lot of lights lit. Would you like to speak on this bill, sir? Senator Jones.

SENATOR J. JONES:

Thank you, Madam President. To the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

...the bill.

SENATOR J. JONES:

You know, I -- I -- I rise in strong opposition to this piece of legislation and, folks, you better listen up, because quite frankly, this bill went over to the House and was changed drastically. Now, a vicious animal -- the people working in these animal shelters cannot deal with a vicious animal, because before they could -- they could put a drug into their food and - - and put 'em to sleep, but now they can't. You're going to have to have a veterinarian to do this. The other thing that ought to be great -- of great concern to everybody in this Chamber, we are now changing the fine on -- on somebody that violates this law from one thousand dollars to ten thousand dollars - from one thousand to ten thousand dollars. Quite frankly, I -- I think there shouldn't be a Yes vote in this Chamber on this bill. We're trying to deal with something like

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

this -- and we've seen a jillion of these bills come through the Chamber this year - in both chambers really - dealing with all kinds of -- of laws that we don't need to be changing in the State of Illinois, quite frankly. I have the only facility in the State of Illinois in my hometown that -- that -- that uses this procedure in putting an animal to sleep, and -- and we're changing it, when we ought to be dealing with the other serious problems in the State of Illinois. So I would encourage a No vote. You need to look at this. From -- when you -- when you start talking about increasing fines from one thousand to ten thousand dollars, and the Department of Professional Regulations, their reason for this - we want to make 'em all equal. All fines should be raised up to ten thousand dollars. So this is just one issue they're going to attack today and there's more coming. So, vote No, please.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Ladies and Gentlemen of the Senate, we're in the middle of the debate, if you could please quiet it down so that the Members could hear one another. Thank you. Senator Righter, for what purpose do you rise?

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Indicates she will. Senator Righter.

SENATOR RIGHTER:

Senator Steans, do you believe that the House amendment that was put on this bill makes this bill a better bill or a worse bill?

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Steans.

SENATOR STEANS:

This -- the amendment was recommended by the Department of Financial and Professional Regulations to make it more consistent with their fines that they have in other locations. It's clarifying that euthanasia techs - it's not just vets - can be performing euthanasia. I think it does make it a better bill and I do urge concurrence. There was also -- just for your information, nobody slipped at all an opponent -- as opponents to this amendment or to the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President. I'm sorry, Senator Steans, did you say that the bill does not restrict euthanasia to be done only by veterans {sic} or does restrict it to being done only by...

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Steans.

SENATOR STEANS:

Yeah. It can be done by euthanasia technicians.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter.

SENATOR RIGHTER:

I wonder if you can -- that's not our information, Senator Steans. I wonder, if you have the text of the bill in front of you, if you can point to the place where it allows euthanasia technicians, in -- in addition to veterinarians, perform this

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

procedure.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Steans.

SENATOR STEANS:

Page 6, line 10. Excuse me. She's -- and the engrossed one is page 5, line 2 and 3. And the -- the veterinarians also support this bill, by the way.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter.

SENATOR RIGHTER:

Well, that may be the case, Senator. Now, what is the rationale in eliminating the option of using solutions or powders added to food to kill a vicious animal? Why -- why are we getting rid of that option?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Steans.

SENATOR STEANS:

You can't use carbon monoxide, but you can still use those other things. That has not been changed in here, to my understanding and I'm not seeing that in here.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter.

SENATOR RIGHTER:

To the bill, please, Madam President.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

...the bill, Senator Righter.

SENATOR RIGHTER:

Thank you. Ladies and Gentlemen of the Chamber, I appreciate what Senator Steans is trying to do here, but

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

remember, like on other issues that we address here in this Chamber, not everywhere in the State is the same. Not everywhere in the State can you just pick up the phone and call a veterinarian and get one there in five minutes or ten minutes or whatever the case might be. In fact, this General Assembly has passed programs to help get more veterinarians in the State. We've passed a loan repayment program for veterinarians out of recognition that we don't have enough. Now we're going to say only veterinarians can exercise this type of option. I don't think that's the right direction to go. I'm not aware of a problem that we have in this area with regards to vicious animals being killed in some kind of cruel or inhumane manner. This seems to me to be a bill searching for a problem rather than addressing a real problem. I would urge a No vote.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Forby, for what purpose do you rise? Senator Forby.

SENATOR FORBY:

Thank you. To the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

To the bill, Senator.

SENATOR FORBY:

You know, I don't get up and talk very much up here, but every now and then -- seem like it's all about money. And seem like this bill here is all about money. I got the bottom thirteen counties. John Jones is right ahead of me, my county. We're all the same district. We don't have a problem down there. And we got most of the animals in the State of Illinois. I mean, here you are, you done away with the horse slaughtering

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

thing. How does people lives up north understand what we do down south? You know, if they want to put all this on 'em, let 'em bring that ten thousand dollars down there and give it to our veterinaries so we can do that. We don't have the money to do that. We don't have this issue. I'm not getting the phone calls. John Jones is not getting the phone calls. We don't need this. This is a very bad bill. You should -- everybody vote No on this bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Steans.

SENATOR STEANS:

Thank you, Madam President. Yes. Just in closing, I would like to say that, you know, this bill, we did already pass it out of the Senate, as well as in the House. This does not prevent the use of carbon monoxide if it's a licensed facility. It's just only now licensed facilities can use the carbon monoxide. The fines, there have been no fines ever to date. And if folks are not breaking the law, that would remain the case. So I would urge concurrence on this to bring it in line with the other IDFPR fines. Thank you.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Ladies and Gentlemen of the Senate, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 38. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 22 voting Aye, 27 voting Nay, 3 voting Present. Senate Bill 38, House Amendment No. 1 having not received the required constitutional majority, is declared failed. Senator Martinez,

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

for what purpose do you rise?

SENATOR MARTINEZ:

For point of personal privilege.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Please state your point, Senator.

SENATOR MARTINEZ:

Today I would like to have Springfield welcome a wonderful couple who are visiting us here from Puerto Rico. And it is Olga Melendez. She works for one of the -- for the Commonwealth State Fund in Puerto Rico. And also, Gabriel Vasquez, her husband, who is a big businessman in Puerto Rico. I'd like to welcome them to Springfield.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Let's please welcome Senator Martinez's guests all the way from Puerto Rico. Welcome. Senator Hendon, for what purpose do you rise?

SENATOR HENDON:

Point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

State your point, Senator.

SENATOR HENDON:

Thank you, Madam President. I just wanted to point out on Senator Steans' bill, if we could get the attention of the Body, that there are different...

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Ladies and Gentlemen of the Senate, will you please settle down? I've hit the gavel. I've asked you to quiet down. There's been debate. If you have conversations, if you can remove them from the Floor, please. Thank you. Senator Hendon.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

SENATOR HENDON:

I wanted to point out to the Body that even though I did not vote with the majority who voted against Senator Steans' bill, that it was bipartisan. And I would hope that that same spirit of bipartisanship continues in this Chamber while we deal with the vital issues of this State to keep this government going, like a real budget, like programs for people, and that we don't slip into this partisanship, which I see is going to happen to take us into overtime. Because the people of this State do not need us to go into overtime. So, I would just say to our Republican colleagues, I hope you appreciated that bipartisan vote you just got to kill a Democratic bill when it comes to the real problems of this State and not be partisan when it comes to getting us out of this mess, as I'm sure you're planning to do.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Link, on Senate Bill 125. Senator Link. Senator Link indicates he wish to proceed. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 125.

Signed by Senator Link.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Link.

SENATOR LINK:

Thank you, Madam President. House Amendment 1 just adds language to clarify that nothing in this Act would eliminate liability for any facility operating on {sic} (or) a site

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

operating without a permit prior to the immediate effective date of this Act. Be more than happy to answer questions.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

...you, Senator. Is there any discussion? Seeing -- Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR LIGHTFORD)

He indicates that he will. Senator Righter.

SENATOR RIGHTER:

Senator Link, knowing this bill was on the Calendar and noting that it received 37 No votes over in the House, I tried to do a little preliminary work in the time allowed to find out why that might have been the case. And the -- the -- the feedback I got, which was not very detailed, was concerns over the liability provisions in the bill. What -- can you talk to us a little bit more about what's in the bill with regards to liability?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Link.

SENATOR LINK:

Thank you -- thank you, Senator, for bringing that up. But there is nothing pertaining to liability on this. Basically, what this amendment says is, if you are operating illegally, you would not -- you would not be permitted under this to continue to operate illegally. There is nothing basically this amendment does, but it was added anyway.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Senator Righter.

SENATOR RIGHTER:

On that same point, Senator Link, I am looking -- now, I'm looking at -- at an analysis of the bill that states that there shall not be liability for any facility operating without any required legal permit. Are -- you -- you're saying that the bill will not remove any liability. Is that -- is that correct?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Quiet down, please. Senator Link.

SENATOR LINK:

Yes.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter. No further discussion? Seeing none, Senator Link, would you like to close?

SENATOR LINK:

I just would ask for an affirmative vote.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 125. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 125 having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 125, and the bill is declared passed. Now on the top of page 63, on the Order of Concurrences, Senate Bill 133. Senator Harmon. He indicates he wish to proceed. Madam Secretary, please read the motion.

SECRETARY ROCK:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 133.

Signed by Senator Harmon.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Harmon.

SENATOR HARMON:

Thank you, Madam President, Ladies and Gentlemen of the Senate. The underlying bill, Senate Bill 133, provides for notice of local ADA coordinators by local governments. When the bill passed the Senate, we promised we would amend it in the House to deal with some lingering issues. The House did exactly what we asked and expected, and I move to concur in their amendment.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 133. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 133 having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 133, and the bill is declared passed. Senator Link, on Senate Bill 138. Senator Righter, on Senate Bill 145. He indicates he wish to proceed. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 145.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Signed by Senator Righter.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President, Ladies and Gentlemen of the Chamber. Senate Bill 145, when it left this Chamber, added a provision in the Criminal Code that allows an individual who has received an emergency order of protection to require that certified copies of that order of protection go to health care facilities. The goal being to not allow the individual who's subject to the order of protection to acquire an address that we would not want them to have. The House added a number of other entities who should also be sent a certified copy of that order of protection should the petitioner request that, including a day-care facility, preschool, prekindergarten, private school, public school, college or university. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Seeing none, the question is, shall the Senate concur with Senate Bill 144 {sic}, House Amendment No. 1. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 145 having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 145, and the bill is declared passed. Senator Raoul, for what purpose do you rise?

SENATOR RAOUL:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Madam President, I hate to interrupt your flow, but a -- a point of personal privilege.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Please state your point, Senator.

SENATOR RAOUL:

Earlier, I recognized some workers from the 4th Ward organization. Alderman Toni Preckwinkle is in the gallery above you and Alderman Leslie Hairston is also in the gallery above you, both of whom without their support I probably wouldn't be serving in this Chamber. So I'd like the Senate to welcome them both.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Please welcome Alderman Hairston and Alderman Preckwinkle to the Illinois General Assembly. Thank you for coming on today to observe the process in the General Assembly. Gordon Graham, from WAND-TV, requests permission to seek videotape. Leave is granted. Senator Harmon, on Senate Bill 149. Senator Harmon. He indicates he wish to proceed. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 149.

Signed by Senator Harmon.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Harmon.

SENATOR HARMON:

Thank you, Madam President, Ladies and Gentlemen of the Senate. The underlying bill, Senate Bill 149, is the elevator safety bill that many of us worked very hard to pass. Senator

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Garrett, Representative Pihos, Senator Sullivan were all active in this. We passed it over to the -- the House. They've sent it back with a couple of technical amendments. None of which are objectionable or -- or cause any erosion of the underlying bill. So I move for the Senate to concur in those House amendments.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendment No. 1 {sic} (1 and 2) to Senate Bill 149. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please take the record. On that question, there are 59 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 149, House Amendment No. 1 {sic} having received the required constitutional majority, the Senate does concur to House Amendment No. 1 {sic}, and the bill is declared passed. Senator Bond. Senator Bond, on Senate Bill 206. He indicates he wish to proceed. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 206.

Signed by Senator Bond.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Bond.

SENATOR BOND:

Thank you, Madam President. This is a -- a technical change. It clarifies who will provide administrative support to the task force.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

PRESIDING OFFICER: (SENATOR LIGHTFORD)

There any discussion? Seeing none, the question is, shall Senate Bill 206 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 206 having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 206, and the bill is declared passed. Senator Steans, on Senate Bill 209. She indicates she wish to proceed. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 209.

Signed by Senator Steans.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Steans, on House Amendment No. 1.

SENATOR STEANS:

Thank you, Madam President. This should be a much easier concurrence than my last one. Senate Bill 209, as you recall, brings Illinois law into alignment with a Supreme Court decision that -- to clarify how a person must be able to fully understand the procedures for a voluntary admission to a mental health facility, including the right to request a discharge. This amendment retains the underlying bill primarily, but clarifies consent regarding the voluntary admission. This was agreed to by the Illinois Psychiatric Association and the Illinois State Bar Association as a helpful change.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Thank you, Senator. Is there any discussion? Senator Collins, do you seek to present... Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 209. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 59 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 209 having received the required constitutional majority, the Senate does concur in House Amendment No. 1, and the bill is declared passed. Senator Collins, for what purpose do you rise?

SENATOR COLLINS:

A point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Hi, Senator. Please state your point.

SENATOR COLLINS:

Thank you. I would like to join with my other colleagues in welcoming from Chicago some aldermen that are sitting in the President's Gallery. The ones that were not mentioned are now Alderman Latasha Thomas, Alderman Freddrenna Lyle, Alderman Carrie Austin, Alderman JoAnn Thompson. And I believe that's Alderman Beale sitting in the corner. So, I'd like everyone to welcome the aldermen and their constituents to the Illinois General Assembly.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Please welcome aldermen here from Chicago. Sounds like the south side of Chicago. Welcome to the Illinois General Assembly. Senator Hendon, for what purpose do you rise?

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

SENATOR HENDON:

Thank you, Madam President. Point of personal privilege.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

State your point.

SENATOR HENDON:

Senator, I had the pleasure of working with most of the aldermen that are here from the City of Chicago and I just wanted to point out to them that they could have waited till next month, 'cause it looks like we'll still be here. And the City Council never goes into overtime. So maybe we need Mayor Daley and some of those aldermen to come down here and show the Democrats how to do it, because we're committing suicide down here on this side of the aisle. So I just wanted to point that out, because the City Council never goes into overtime and never held hostage by the other side of the aisle, like we're about to allow ourselves to be.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Meeks, for what purpose do you rise?

SENATOR MEEKS:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator, state your point.

SENATOR MEEKS:

I, too, would like to welcome all of the aldermen from the City of Chicago. And while I have this opportunity to speak to all of them at one time, don't come see me. I ain't got no money. I ain't got no influence. There is nothing I can do to help your ward. So, while I can talk to all of you at the same time, I'm not the person that you want to come and see. Even my

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

own alderman, don't come and see me. I will take a picture with you, but don't come and see me, because there is absolutely nothing I could do about your concerns. But welcome to Springfield anyhow.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Millner, for what purpose do you rise?

SENATOR MILLNER:

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

PRESIDING OFFICER: (SENATOR LIGHTFORD)

State your point, Senator.

SENATOR MILLNER:

I would like to introduce Senator Cronin's two constituents, my sister, Nancy - my older sister, Nancy - and my brother-in-law, Richard.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

...Senator Millner's family to the Illinois General Assembly. Senator Koehler, on Senate Bill 212. Senator Koehler indicates he wish to proceed. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 212.

Signed by Senator Koehler.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Koehler.

SENATOR KOEHLER:

Yes. Thank you, Madam President, Members of the Senate. This is a technical amendment to the Medical Practice Act, the Nurses Practice Act, the Physician's Assistant Practice Act requesting the Division of Professional Regulation -- indicating

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

that a licensee cannot be disciplined for providing expedited partner therapy. Also, pharmacists were concerned on this, that they might receive a prescription for a partner that lacked a name or had an incomplete name. Filling these prescriptions would violate the Pharmacy Practice Act. And so this protects them, that they are able not to -- not to violate that and would be protected. So I would ask for concurrence.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Senator Syverson, is there discussion on this motion? Senator Syverson.

SENATOR SYVERSON:

Yes, I wanted to thank the sponsor. I think this amendment makes...

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Would you like the sponsor to yield, or are you speaking to the bill, sir?

SENATOR SYVERSON:

Just speaking to the bill. Thank you.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

To the bill.

SENATOR SYVERSON:

I want to thank the sponsor. I think this amendment addresses a couple of the concerns we had with the underlying bill. Clearly, we still have -- at least I have some concerns with the underlying bill. This still allows the fact that we can have teenagers fifteen or sixteen years old being allowed to be given drugs -- or prescriptions to be given out to their sexual partners without -- without having to see a doctor. So, I think we still have some concerns on that. But this

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

amendment, I think, addresses a couple of the concerns and makes the -- makes this bill a little bit better. So I want to thank the sponsor for working with the House Members on that.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Koehler.

SENATOR KOEHLER:

Just ask for a concurrence.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 212. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Aye, 3 voting Nay, 0 voting Present. Senate Bill 212 having received the required constitutional majority, the Senate does concur in House Amendment No. 1, and the bill is declared passed. Now on the Order of Secretary's Desk, Concurrences to Senate Bills, on the top of page 64. On the top of page 64. Senator Sullivan, do you wish to proceed? He indicates he does. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 214.

Signed by Senator Sullivan.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Madam President. I would like to concur with the amendment put on over in the House. It simply changes the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

date -- it moves the date from an effective date of July 1st of 2010 to -- and moves it to six months after the effective date of the legislation.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 214. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please take the record. On that question, there are 57 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 214 having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 214, and the bill is declared passed. Amanda Rivkin, from NYT, seeks leave to photo. Leave is granted. With leave of the Body, we will return to Senate Bill 235. Senate Bill 246. Senator Sandoval. He indicates he wish to proceed. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 246.

Signed by Senator Sandoval.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Madam President, Members of the Senate. Senate Bill 246 amends the Public Water District Act as relates to trustees compensation. I'd ask for concurrence. The amendment, it passed unanimously out of the Local Government Committee. I'd ask for favorable vote.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Senator Dahl, for what purpose do you rise?

SENATOR DAHL:

Thank you, Madam Chair. To the bill: For those that -- that may care, this is a pay raise.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter, for what purpose do you rise?

SENATOR RIGHTER:

Will the sponsor yield, please, Madam President?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

He indicates he will. Senator Righter.

SENATOR RIGHTER:

Senator, can you go into a little more detail about what the -- what the amendment does? In your opening statement, I think you said that it amends certain provisions of the bill that was sent -- that you sent over to the House. Can you tell us specifically what changes the House amendment makes?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Sandoval.

SENATOR SANDOVAL:

The amendment passed unanimously out of the Local Government Committee with full bipartisan support. And the amendment increases the amount paid to trustees of public water districts from its current level of six hundred per year to twelve hundred dollars per year. The change would be in effect only for trustees whose terms begin after 2010. Trustees of these districts have an annual operating budget of a million dollars or more and current -- currently receive a thousand

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

dollars. The amount is unchanged by Senate Bill 246. This largely supports the Metro East and downstate central water districts.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President. Senator Sandoval, I see in the House this bill received a whopping fifty-three No votes - fifty-three. Has the -- the water districts done something to irritate the Members of the other Chamber? Can you help me a little bit with why it had so much opposition in -- in the House Chamber?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Sandoval.

SENATOR SANDOVAL:

But, Senator Righter, it did receive a whopping sixty-one votes and passed the House of Representatives and...

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Sandoval, to close.

SENATOR SANDOVAL:

I ask the concurrence of this great Body.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 246. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 35 voting Aye, 14 voting Nay, 2 voting Present. Senate Bill 246 having received the required constitutional majority, the Senate

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

does concur in House Amendment No. 1, and the bill is declared passed. Senator Schoenberg, on Senate Bill 266. He indicates he wish to proceed. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 266.

Signed by Senator Schoenberg.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Madam President and Ladies and Gentlemen of the House. House Amendment 1...

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator, this is the Senate. This is the Senate. Senator Schoenberg.

SENATOR SCHOENBERG:

Madam President, this is the second time in about three weeks I've done this, and I've been trying to cut back on the amount of coffee I have in the morning - and maybe that has something to do with it. Madam President, Ladies and Gentlemen of the Senate, the Illinois Senate, where I've served now for seven years with distinction and hope to serve for many more - but you wouldn't know it - anyway, I ask that the Senate concur in House Amendments 1 and 2 to Senate Bill 266. House Amendment 2 removes rulemaking language which was inadvertently included in the underlying bill. And House Amendment No. -- and House Amendment No. 1 added some clarifying language on who would be represented in sitting on the -- which representatives would be on the advisory committees from the bar associations in the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

bill. There is no opposition and I urge your support.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? The question is, shall the august Body of the Senate concur in House Amendment No. 1 to Senate Bill 266. All those in favor -- House Amendments No. 1 and 2 for Senator Schoenberg. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 266 having received the required constitutional majority, the Senate does concur in House Amendments No. 1 and 2 to Senate Bill 266, and the bill is declared passed. Senator Holmes, for what purpose do you rise?

SENATOR HOLMES:

Thank you, Madam President. I'm sorry to interrupt you here. On Senate Bill 246, I voted Yes and I meant to vote No.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

The record will reflect, Senator. On the Order of 3rd Reading, Senate Bill 269. Senator Demuzio, do you wish to proceed? She indicates that she does. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 269.

Signed by Senator Demuzio.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Demuzio.

SENATOR DEMUZIO:

Yes. Thank you, Madam President and Members of the Senate.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

House Amendment No. 1 for concurrence to Senate Bill 269 adds a provision that deposits the one dollar of the increase of course fees that was to go into the State Board of Education revolving account -- what this does is that increased fee will now go into the regional office of education for bus driver training. That's the only change. I ask for concurrence.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR LIGHTFORD)

She indicates she will. Senator Righter.

SENATOR RIGHTER:

Senator Demuzio, why was the account into which the increased fee would be deposited changed over in the House?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you. The reason for that was the fact that the fund that was originally used for the deposit through the State Board of Education had been swept, and so therefore, without wanting to take any other -- we were trying to be a little more cautious, I believe, and therefore decided to put it into the State Board of -- rather than into the State Board of Ed, going into the regional office.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter.

SENATOR RIGHTER:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Thank you, Madam President. Are there any restrictions, Senator Demuzio, on what the regional office can spend this fee money on?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Demuzio.

SENATOR DEMUZIO:

Not that I'm aware of, Senator.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter.

SENATOR RIGHTER:

Okay. Senator Demuzio, our information is that the superintendent can charge for an initial classroom course on school bus driver safety and, two, the annual refresher course. Is that not what you have in the amendment?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Demuzio.

SENATOR DEMUZIO:

Yes, Senator, I believe you're correct.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President. To the bill: Simply arise to remind Members who are wary of fee increases that this bill does contain the same fee increase that was in the bill the first time we voted on it. Thank you, Madam President. Thank you, Senator Demuzio, for your responses.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Demuzio, to close.

SENATOR DEMUZIO:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Thank you. I just ask for concurrence.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 269. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 41 voting Aye, 17 voting Nay, 0 voting Present. Senate Bill 269 having received the required constitutional majority, the Senate does concur in House Amendment No. 1, and the bill is declared passed. Senator Haine, on Senate Bill 290. He indicates he wish to proceed. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1, 2 and 3 to Senate Bill 290.

Signed by Senator Haine.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Haine.

SENATOR HAINE:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This bill, Senate Bill 290, is a -- an initiative of the Illinois Dental Society, as well as the deans of the University of Illinois Dental School and the Southern Illinois University at Edwardsville Dental School, and it allows a new framework for taking their examinations, their clinical exams, and allows the deans to pick from several different examination sources. And it adds the -- the various amendments were added at the request of the State Department, which wanted the last -- the very last word in case one of the exams was compromised.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

These are two excellent schools. The deans know what they're doing. These schools produce top graduates into this ancient profession. So I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Question is, shall Senate Bill 290 -- concur in House Amendments No. 1, 2 and 3. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 290 having received the required constitutional majority, the Senate does concur in House Amendments No. 1, 2 and 3 to Senate Bill 290, and the bill is declared passed. Senator Silverstein, on Senate Bill 318. He indicates he wish to proceed. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 318.

Signed by Senator Silverstein.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Silverstein, on House Amendment No. 1.

SENATOR SILVERSTEIN:

Thank you, Madam President. Just, House Amendment 1 deleted everything and amends the -- Medical Practice Act, providing that a physician may delegate patient care tasks or duties to a licensed practical nurse or other licensed professional practicing within the scope of their licensing Act.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

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

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

shall the Senate concur in House Amendment No. 1 to Senate Bill 318. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 318 having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 318, and the bill is declared passed. Now on the top of page 65. Senator Lauzen has a guest who -- address us on today. Senator Lauzen in the Chair.

SENATOR LAUZEN:

Thank -- thank you very much, Madam President. Ladies and Gentlemen, you know, Americans including Illinoisans are friends of freedom-loving people everywhere. The hope of both generals and diplomats alike is that their children will be welcomed as citizens of the world everywhere they go through education, the arts and athletic contests. Our dream for both young and old is a universal peace and prosperity. Today we have a special guest from the beautiful and bountiful country of Romania. Honorius Prigoana is graduating from DePaul University in just a matter of days. After four years of study in Chicago, he returns to Bucharest with the bright prospects of success in his business and political careers. At only twenty-two years old, Honorius is an already frequent commentator on Romania media and he is a friend of our State, our country and this Senate. So, Honorius.

HONORIUS PRIGOANA:

(Remarks by Honorius Prigoana)

PRESIDING OFFICER: (SENATOR LIGHTFORD)

On the top of page 65. The top of page 65. On Secretary's

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Desk, Concurrences. Senator Haine, on Senate Bill 337. He indicates he wish to proceed. Madam Secretary please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill -- 337.

Signed by Senator Haine.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Haine, on House Amendment No. 1.

SENATOR HAINE:

Thank you, Madam President and Ladies and Gentlemen of the Senate. This is an initiative of the Illinois Associated Fire Fighters and it allows an employee of the -- of the State or local government or a school district to be granted leave from his or her public employment to serve in the Armed Forces of the United States. That's simply what it does.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Thank you, Senator. Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 337. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 337 having received the required constitutional majority, the Senate does concur in House Amendment No. 1, and the bill is declared passed. Senator Bond, on Senate Bill 340. He indicates he wish to proceed. Madam Secretary, please read the motion.

SECRETARY ROCK:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 340.

Signed by Senator Bond.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Bond.

SENATOR BOND:

Thank you, Madam President. The -- this amendment simply changes the age at what -- which point we will begin running credit checks to reduce identity theft for kids in the DCFS system.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Seeing none, the question is, shall Senate Bill 340 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 57 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 340 having received the required constitutional majority, the Senate does concur in House Amendment No. 1, and the bill is declared passed. Senator Koehler, on Senate Bill 574. He indicates he wish to proceed. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 574.

Signed by Senator Koehler.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Koehler.

SENATOR KOEHLER:

Thank you, Madam President, Members of the Senate. House

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Amendment No. 1 retains the underlying bill of 574, which is that it prohibits local health departments from discouraging the purchase or consumption of locally grown foods in relation to foods that are not locally grown, but it gives flexibility to the health departments that they can discourage the purchase or consumption of locally grown foods in the case of an emergency, but not limited to a food-borne disease outbreak. I would ask for concurrence.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR LIGHTFORD)

He indicates he will. Senator Righter.

SENATOR RIGHTER:

Senator Koehler, is there a definition in the bill of what "locally grown food" means?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Koehler.

SENATOR KOEHLER:

No, there's not, but in the law, there -- it -- it says that restaurants need to know what their source is. And that's the only real requirement. So there does not have to be inspection of -- or, certification of, say, a organic grower that might be in Illinois wanting to sell to a restaurant. This is what we've run into.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

SENATOR RIGHTER:

I understand, Senator, but there -- if there's a prohibition against local public health agencies for discouraging locally grown foods -- I mean, any time we're telling a citizen or a group of citizens they can't do something, usually we try to identify for them what it is they can't do. And I would think in this instance that means telling them what "locally grown foods" is. I mean, would you disagree with that?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Koehler.

SENATOR KOEHLER:

Thank you, Senator. "Locally grown foods" means that -- foods that are produced by farmers here in the State of Illinois. That's the definition. This bill came about because certain health departments in this State were choosing to tell restaurants that they should buy California produce because they could look on the box and see that it was from a certified grower. And yet, when there was growers in their own backyard who were growing organic produce, they were saying you shouldn't use that because we can't tell, you know, whether anybody's checked it out or not. The law requires that the restaurateur knows their source. If you know your source and you know it to be an organic sustainable farm, that's okay under our law. This protects an emerging industry of organic producers from Illinois.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter.

SENATOR RIGHTER:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Well, Senator, I'm not sure it does, because I've looked at the entire bill and the amendment and nowhere in there does it define "locally grown foods" as being within the State of Illinois. But I'd like to -- in the interest of time, let's move on to another issue. What does "discourage" mean? I mean, if a local public health director expresses concern over a locally grown food, can that be interpreted by someone on the State level as being discouraged, or -- I mean, is there a definition of "discourage" somewhere in the -- in the bill?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Koehler.

SENATOR KOEHLER:

Yes. Thank you, Senator. Again, this comes out of an actual situation of where a restaurant was trying to buy local organic produce that was grown on a farm nearby and the restaurateur was -- was discouraged from doing that. Again, somebody representing the health department has a lot of power when they go to a restaurant, because they can shut 'em down. And so "discouraging" meant that they said, well, we'd rather you didn't do that. It's -- it's much easier for us to ascertain that -- that this box that came from California halfway across the country has been, you know, certified by the, you know, USDA or -- or whoever. And so, this is what the -- what the bill is intending to do. It's -- it's intending to allow local farmers access to restaurants in the same way that farmers across the country are.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter.

SENATOR RIGHTER:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

I -- thank you, Madam President, for your indulgence. Senator, I appreciate what you articulate as the intent. The problem is, the bill itself - what the judge will read or what the public health official will read - doesn't have any of that language in there. And so -- let me -- let me give you a hypothetical. If a local public health director goes to a restaurant and says, "I have concerns about the food that you are purchasing", and then lists out some facts, "this is what I know about this food", would that qualify as "discouraging" under this? And if it does, sometimes discouraging food from some places is warranted, Senator Koehler. So, one, does that hypothetical fit within the parameters of this bill? And, two, would you not agree that sometimes if the food's got a problem, we ought to discourage it?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Koehler.

SENATOR KOEHLER:

Thank you, Senator. You just made my point. That's what the amendment does.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter, to the bill.

SENATOR RIGHTER:

Yes, Madam President. Thank you. You know, Ladies and Gentlemen, I know that we're kind of trotting through concurrences here, and a lot of this stuff, you know, people feel like they can sit in their chair, not listen to what's said, not look on the computers at the analysis, not look at the text of the bill, just vote Yes, because it's just business as usual. But, Ladies and Gentlemen, what the sponsor intends to

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

do here, to prohibit discouraging locally grown foods, that's fine. But he's telling your local public health officials not to do that, but he's not telling -- or the House amendment does not tell those people what "discourage" means and what a locally grown food is. I mean, those are pretty important elements in this bill. In fact, they're the only two important elements in the bill. Again, I understand, Madam President, that we're just kind of trotting through things, but some of these House amendments are very, very poorly drafted. And with all due respect to the sponsor, whoever put this on his bill over in the House, this is some of the worst draftsmanship we've seen in this Session. And that's a pretty high hurdle to get over. I would -- with all due respect to Senator Koehler, I would urge a No vote and tell the House they need to clean up the language they're sending over here. Thank you, Madam President.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Syverson.

SENATOR SYVERSON:

Thank you -- thank you, Madam President. To the bill: I want to thank the sponsor for this legislation. I think it -- it -- you are trying to address a clear problem that's occurring out there. And sometimes we get these health departments that are getting out of control when it comes to locals. To the previous speaker raising those concerns, I'm not sure if those concerns can be addressed in the rulemaking process. But I guess I would encourage you to work with those organizations to see if we can come up with some language that will specifically address those issues so if the rulemaking process doesn't do that or the health departments use that as a -- an excuse not to

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

implement the legislation, that you have something more concrete to address that. So, I guess if you will just stay vigilant in making sure that one of those two ways it gets addressed, I think that would alleviate some of the concerns on our side of the aisle.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Seeing no further discussion, Senator Koehler, to close.

SENATOR KOEHLER:

Yes. And -- and thank you, Senator, for those comments. Yes. I think that if we need a trailer bill to clean up the language on this, we'll -- we'll do that next time. And, Senator Righter, I -- I understand your concerns. I -- I -- I take through the -- the criticisms that -- that really you're supporting the general intent of what we're trying to do here. So I will be happy to work with you on -- on clearing up definitions and all that. So, I would encourage that we concur with this at this point and that we continue to work on this. Thank you.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 574. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 47 voting Aye, 8 voting Nay, and 0 voting Present. Senate Bill 574 having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 574, and the bill is declared passed. Senator Bond, on Senate Bill 577. He indicates he wish to proceed. Madam Secretary, please read the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 577.

Signed by Senator Bond.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Bond.

SENATOR BOND:

Thank you, Madam President. This is a -- an amendment requested by Metra. They've been very cooperative in agreeing to allow passengers to purchase cards with credit cards, and this gives them a little more flexibility. Ask for concurrence.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Seeing none, the question is, shall Senate -- shall the Senate concur in House Amendment No. 1 to Senate Bill 577. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the motion -- please take the record. On that motion, there is 58 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 577 having received the required constitutional majority, the Senate does concur in House Amendment No. 1, and the bill is declared passed. Senator Kotowski, for what purpose do you rise?

SENATOR KOTOWSKI:

Thank you, Madam Chair. Just to clarify the record. On Senate Bill 246, I mistakenly pressed a Yes vote for that. I'd like to be recorded as a No on Senate Bill 246.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

It will be so noted, Senator. Senator Frerichs, on Senate Bill 587. He indicates he wish to proceed. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 587.

Signed by Senator Frerichs.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Frerichs.

SENATOR FRERICHS:

Thank you very much, Madam President. Senate Bill 587, as amended by House Amendment 1, would give an additional power to the twenty-two powers already enumerated for the counties. Specifically, in counties with less than one hundred thousand people and a public building commission, it would give the county the ability to build and maintain facilities to house students pursuing a post-secondary education at an academic institution located within the county.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Senator Althoff.

SENATOR ALTHOFF:

Thank you very much, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

He indicates he will. Senator Althoff.

SENATOR ALTHOFF:

Senator Frerichs, I do apologize to you. I was not in committee yesterday when this amendment was presented. I was presenting a bill in another committee. But I do believe that I

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

questioned -- although I like the original idea, the intent of this legislation, my concern lies that you are giving a taxing entity authority over potentially a private enterprise. I -- I looked at the language specifically and it says, "The county may provide for the management of the facilities", and it also references that it's for post-secondary education. So it doesn't indicate that it would be another taxing entity, a public facility. So you may be actually utilizing taxpayer dollars for another project that would be a private project, which I think would be, obviously, a misuse of those dollars. Can you -- can you address that for me, please?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Frerichs.

SENATOR FRERICHS:

What I can say -- I realize you weren't in committee, I understood. But you were very good in contacting me before committee to let me know of this -- of this problem. I am moving forward with this bill in its current form, but would like to work to -- with trailer language to make sure that it's limited to other public universities. Now, I don't think that there'd be a lot of schools this would count -- this would apply to, because it has to be in a county of less than one hundred thousand in population and have a public building commission and there aren't an awful lot of those in the State. Also, the other -- the other thing that will -- will be a safeguard in the near future is the county board will have to -- will have to pass an ordinance authorizing the project and it would in turn be held accountable to their constituents. I'm not sure that a lot of counties would want to do this for those private

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

entities, but I would like to follow up with trailer legislation to clarify that.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Althoff.

SENATOR ALTHOFF:

Thank -- thank you very much for that promise. I'm going to look for that trailer bill. Thank you.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Clayborne in the Chair.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Murphy, for what purpose you seek recognition?

SENATOR MURPHY:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates he will yield.

SENATOR MURPHY:

This -- this bill will allow -- make it easier for community colleges to have publicly owned dorm facilities, wouldn't it?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Frerichs.

SENATOR FRERICHS:

It would allow in counties less than a hundred thousand in population with a public building commission with a academic -- post-secondary academic institution to have housing administered by the public building commission. That's correct.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Murphy.

SENATOR MURPHY:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

I -- I've been told that one of the concerns out there among universities is, is that community colleges are trying to look more like universities. Dorms are currently at universities, but not quite as prevalent on community college campuses. Aren't you concerned that your bill is going to make it more likely that community colleges start to replicate universities?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Frerichs.

SENATOR FRERICHS:

That's not a big concern of mine. My bigger concern has to do with the degrees they award and the number of years involved in -- in attaining those degrees. There are several -- there are several community colleges in the State that currently have dormitories located on or near their campuses. In several downstate districts, where you have multicounty community colleges, it is very difficult for people who live forty, fifty miles away from a community college to commute back and forth, especially last year when you were looking at gasoline prices of four dollars a gallon. And so, I'm not -- this bill does not concern me too much for the future of four-year institutions in the State of Illinois.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Murphy.

SENATOR MURPHY:

To the bill, Mr. President. I'm glad to see my good friend is not going to fall on that slippery slope. I know none of us over here fear that in the university system. I appreciate your work on the bill. I think this needs -- needs consideration and

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

I hope you'll maintain that similarly open mind, my good friend, the Senator from the University of Illinois.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. To the bill: I guess I'll be the voice for the -- for the common taxpayer on both of those issues, Senator Murphy and Senator Frerichs. But, anyway, I -- I just have some concerns with this. I think the -- the object -- the idea of trying to help the community college fill some of its classes but also help the students is -- is a great idea. What you have to understand is they've shopped this idea around to private developers, who, for some reason, have not been able to find the necessary capital to put in this fifty-unit residential setting. And, basically, I think yesterday when we talked about this in committee, we -- we estimated the cost -- or, the cost was estimated someplace around three and a half million dollars. Now, most private developers aren't going to -- to shy away from that, unless they're concerned they're not going to get a return on their investment. I have a concern from the taxpayers' perspective that we've got a public building commission that is going to build this -- this building -- this -- this residential hall or apartments, if you will, and then what if the revenue stream from those renting it isn't enough to pay off the bonds? Well, obviously, then we're going to come back to the taxpayers and the county taxpayers are going to have to pay off those bonds. So, I really just have a problem with it from that perspective and wanted to let you know kind of some of the background relative to why this isn't being done by a

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

private developer. It's a highly -- has a high unemployment rate, the district does, the county does, and for some reason, they have not been able to get the capitalization they need to do this. But that speaks volumes. If a private developer can't do it, I don't know that the taxpayers should be willing to take the risk either. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Lightford in the Chair.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Further discussion? Senator Frerichs.

SENATOR FRERICHS:

I'm more than happy to close. It looks like Senator Dahl may be wanting to make some remarks.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Dahl, for what purpose do you rise?

SENATOR DAHL:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Indicates he'll yield. Senator Dahl.

SENATOR DAHL:

Thank you, Madam Chair. Senator, with the hundred thousand population, I had a call yesterday from one of my community colleges in favor of this bill. And I had to tell him that he doesn't qualify, because the county his community college is in is less than a hundred thousand population. His argument is, well, my district has way more than a hundred thousand population. I said that's not the way the bill is written. It's a bill that's written on a county. It's not written on the district. So, I'm going to have to tell him that he doesn't

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

qualify under -- under this. So if -- if it comes back to the argument for a community college that the population should be based upon the district and not the -- and not the county that the college is in, how -- how am I going to answer that?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Frerichs.

SENATOR FRERICHS:

Well, I would be interested in -- in working with you, as I promised Senator Althoff, on trailer legislation. If there were support for that, I'd be happy to join you. In this case, the community college district is less than a hundred thousand in population. This is how it came over from the House. There's a real desire to move it this -- this -- this term, but I'd be happy to work with you in the future. I wouldn't have a problem with changing it that way.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Further discussion? Senator Dahl.

SENATOR DAHL:

Thank you. To -- to the bill: I think, Senator, you're -- you're right. This bill needs -- needs more work and we need to be careful what we're doing here, because the -- we're -- we're allowing counties that are having difficulties buying new cars for the sheriff's department now to get into the -- into the rental business. I think we're on a slippery slope. Thank you.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Frerichs, to close.

SENATOR FRERICHS:

Sure. It is true that this bill was crafted fairly narrowly for counties less than a hundred thousand in population

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

with building commissions, because we didn't want to make this broad and sweeping. If people wanted to do that, we'd be willing to, but there were some concerns from other groups and we attempted to limit it in its scope. It is true that the community college and local developers have shopped this around trying to find private developers, but a combination of high unemployment rate in Vermilion County, a neighborhood around the community college that is blighted and very difficult to attract attention to, and credit markets which have been in a tailspin in the last year -- this idea arose. A year ago, we had four-dollar-a-gallon gasoline. A lot of students who commute to come to the community college because they don't have great financial resources, because they want to better themselves, increase their education, and were finding themselves -- that commute limiting their options, we wanted to have options for them to live closer to the area. So, we've tried -- we've tried to work with other areas. I think part of the reason this will be successful is because you don't have the profit motive that the private developer had that this public building commission can make a go of this. If they believe that they can't after they look at the numbers, the county board does not have to move forward with this. We do have the ability for elected representatives who make the decisions to be held accountable on this, and I would ask a favorable vote.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 587. All those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

record. On that question, there are 45 voting Aye, 9 voting Nay, 0 voting Present. Senate Bill 587 having received the required constitutional majority, the Senate does concur in House Amendment No. 1, and the bill is declared passed. Senator Sandoval, for what purpose do you rise?

SENATOR SANDOVAL:

Yes, Madam President. Point of an announcement.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

State your announcement.

SENATOR SANDOVAL:

Thank you, Madam President. I was asked by the Black and Latino Caucus colleagues in the House of Representatives to announce that -- and invite everyone to a end-of-Session barbeque hosted by the Black and Latino Caucuses tonight between six and nine o'clock at 615 College Street, across from the -- Automobile Dealership Association. Everyone is invited. Again, six to nine o'clock, the Black and Latino Caucus barbeque. Hope you all can make it.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

There is -- it's a nice time and we'd be happy to have all Members join us. Amanda Rivkin, the New York Times, seeks leave to photo. Terrence James, Chicago Tribune, seeks leave to photo. Leave is granted. Senator Martinez, on the Order of Senate Bill 1133. She indicates she wish to proceed. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1133.

Signed by Senator Martinez.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Madam President and Members of the Senate. I move to concur with House Amendment No. 1 to Senate Bill 1133, which retains the bill and makes various changes. It urges employers to consult the Illinois Department of Labor website regarding the accuracy of the E-Verify and their legal responsibility for the use of the voluntary E-Verify system. It also requires employers to retain and make available for -- to IDOL all training certificates and original signed attestation that proper training was administered and notification were -- was posted for the use of the E-Verify system. It removes the direct right of action in circuit court for employees and applicants without first filing a complaint with IDOL and adds that penalties and fees will be assessed for willful and knowing violations. This was an agreement that we worked out with the Chamber of Commerce and Department of Labor, and I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

There any discussion? Senator Pankau.

SENATOR PANKAU:

Thank you, Madam President. I would urge an Aye vote on this bill. This bill went out here with the -- with the opposition of the business community. It has come back with this amendment and they are now neutral because of this amendment on this bill. I think it's a great idea, and I commend the sponsor for working with those business groups. They can sometimes be interesting. I urge an Aye vote.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Martinez, to close.

SENATOR MARTINEZ:

Yes. And I thank Senator Pankau on the comments. I also just want to make sure that -- that the Chamber understands that this also takes care of the lawsuit that had been filed against the State of Illinois. So, I hope that we will all vote Yes on this. Thank you very much.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1133. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 1133 having received the required constitutional majority, the Senate does concur in House Amendment No. 1, and the bill is declared passed. Now on the top of page 66. The top of page 66. Secretary's Desk, Concurrences. Senator Hutchinson, for what purpose do you rise?

SENATOR HUTCHINSON:

Thank you, Madam President. I'd like my -- on the previous bill for my vote to be recorded as an Aye.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

The record will reflect, Senator. Senator Althoff, on Senate Bill 1254. She indicates she wish to proceed. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1254.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Signed by Senator Althoff.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Althoff.

SENATOR ALTHOFF:

Thank you very much, Madam President, Members of the Chamber. Senate Bill 1254, the amendment, actually becomes the bill. And what this does is it amends the Emergency Medical Services Systems Act. And it permits the Department of Public Health to have the authority and responsibility to review applications for EMT licensure from honorably discharged members of the Armed Forces of the United States with military emergency medical training. The applications must be filed with the Department within one year after the military discharge and contain the appropriate information. Be happy to take any questions.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1254. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 1254 having received the required constitutional majority, the Senate does concur in House Amendment No. 1, and the bill is declared passed. Senator Demuzio, on Senate Bill 1339. She indicates she wish to proceed. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Amendment No. 1 to Senate Bill 1339.

Signed by Senator Demuzio.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Demuzio, on House Amendment No. 1.

SENATOR DEMUZIO:

Yes. Thank you, Madam President and Members of the Senate. House Amendment No. 1 does several things. It amends -- and -- the amendment make -- would make it an identity theft under the Criminal Code for a general contractor to fraudulently use a roofing contractor's license number to attain a building permit. It also expands the grandfather provision for the Roofing Contractor Licensing Act if the license is staying within the same business and the new qualifying party has fifteen years experience as a roofing contractor with that business. And it also adds language agreed to by the Illinois Retail Merchants Association to close a loophole by adding a definition of "seller of services or materials" so that it -- it will only apply to retailers.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1339. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 1339 having received the required constitutional majority, the Senate does concur in House Amendment No. 1, and the bill is declared passed. Now on the Order of Senate Bill 1341. Senator Holmes. She indicates that

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

she wish to proceed. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1341.

Signed by Senator Holmes.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Holmes, on House Amendment No. 1.

SENATOR HOLMES:

Thank you, Madam President. This is just a technical amendment that was added in the House. It was actually recommended by the Illinois State Police and it just cleaned up the language.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1341 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, 1 voting Nay, 0 voting Present. Senate Bill 1341 having received the required constitutional majority, the Senate does concur in House Amendment No. 1, and the bill is declared passed. Now on the top of page 67. Senator Haine, on Senate Bill 1384. He wish -- he indicates he wish to proceed. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1384.

Signed by Senator Haine.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Senator Haine.

SENATOR HAINE:

Thank you, Madam President. I misspoke the last bill. This is the professional engineering bill that extends the sunset. It makes changes to assure, maintain, we have a continued excellence in the profession of engineering. The previous bill was titled the Engineering Act, but actually it was the companion bill in the Senate, the architectural sunset Act. So, they're -- they're both of similar derivation and they do -- they maintain the excellence of both these professions and I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR LIGHTFORD)

He indicates he will.

SENATOR RIGHTER:

Thank you. Senator Haine, I think what you just told the Body was that earlier you presented Senate Bill 1384, but actually it was a different bill. Having had some experience with that, I sympathize with you. But I'm curious - I went to law school as you did - when you say the two bills come of a similar derivation, can you explain a little more to the Body what exactly that phrase means?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Briefly, Senator Haine.

SENATOR HAINE:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

...you -- thank you, Senator Righter, for a very interesting question. Both of these bills regulate the companion professions dealing with construction and the design of our buildings. And they are on the same track and they are regulated by the Department in similar fashion, and so they're necessarily two sides of the same coin. And these bills were both extensively studied and there was input from many different sources. I want to take the time, and thanks to you for bringing it to mind, Senator Risinger played a key role in these negotiations. But these are the two great professions that we need to assure we have beautiful and solid and safe structures.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President. Simply to the bill: First of all, I'm deeply disappointed that Senator Haine would -- as a lawyer, would comment that architecture and engineering are the two great professions. I -- obviously, he's trying to get some votes around here, but I do sincerely appreciate Senator Haine's willingness to confess to the Body that he presented a different bill before. I appreciate that kind of honesty. We all do on this side of the aisle. Thank you, Madam President.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

You're welcome, Senator. Is there any further discussion? Seeing none, the question is, shall Senate Bill 1384 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

1384 having received the required constitutional majority, the Senate does concur in House Amendment No. 1, and the bill is declared passed. On the Order of Concurrences, Senate Bill 1390. Senator Wilhelmi. He indicates he wish to proceed. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment Nos. 1 and 2 to Senate Bill 1390.

Signed by Senator Wilhelmi.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Wilhelmi.

SENATOR WILHELMI:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I move to concur with House Amendments 1 and 2 to Senate Bill 1390. This has been a very engaged discussion with both the House and with members of the Judiciary Committee. I want to thank Kim Janas from our staff. Basically what this bill does is amends the Not For Profit Corporation Act in a number of ways. What the House did was to clarify the definition of "delivered" for notice purposes, as well as for informal action by a not-for-profit board of directors. Also made some changes with regard to removal of a board director related to staggered terms. Made changes regarding conflicts of interest and also with regard to articles of amendment made by directors or members. Because of the efforts in the House, I think that this is a much better bill, and I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

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

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

shall the Senate concur in House Amendment No. 1 to Senate Bill 1390 - 1 and 2. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 1390 having received the required constitutional majority, the Senate does concur in House Amendments No. 1 and 2 to Senate Bill 1390, and the bill is declared passed. Senator Clayborne, on Senate Bill 1391. He indicates that he wish to proceed. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1391.

Signed by Senator Clayborne.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Madam President, Members of the Senate. The amendment -- House Bill -- Amendment No. 1 to 1391 requires that the Illinois State Board of Education initiate rulemaking for the certification of marital and family therapists in schools. The rule must include certification requirements met by the completion of other experience as -- other programmatic requirements as ISBE deems necessary. I would ask for your favorable approval.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Seeing none, the question is, shall Senate occur {sic} in House Amendment No. 1 to Senate Bill

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

1391. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Aye, 1 voting Nay, 0 voting Present. Senate Bill 1391 having received the required constitutional majority, the Senate does concur in House Amendment No. 1, and the bill is declared passed. Senator Noland, on Senate Bill 1408. He indicates he wish to proceed. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1408.

Signed by Senator Noland.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Noland.

SENATOR NOLAND:

Thank you, Madam President. The House amendment, which I urge everyone to -- to vote Yes on in -- in concurrence, simply modifies the definition of who is a volunteer to include that the volunteer is somebody who is neither paid nor provided lodging. That's it. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1408. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 1408 having received the required

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

constitutional majority, the Senate does concur in House Amendment No. 1, and the bill is declared passed. Senator Raoul, on Senate Bill 1479. Senator Raoul, on Senate Bill 1479, sir? Out of the record. Senator Demuzio, on Senate Bill 1486. She indicates she wish to proceed. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1486.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Madam President and Members of the Senate. House Amendment No. 1 provides that four members of the physician assistant advisory committee shall constitute a quorum. It -- previously, four would constitute a majority. What this does is change it to a quorum. It -- it would be required to perform all the duties of the committee.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1486. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 1486, having received the required constitutional majority, is declared passed. Senator Noland, for what...

SENATOR NOLAND:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Thank you, Madam Chair. I just noticed on my Calendar here that -- Senate Bill 1477 I think may have been overlooked. I'm not sure.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Excuse me, Senator. Please repeat that.

SENATOR NOLAND:

The amendment to Senate Bill 1477, I don't recall that being called. Is that -- or is it your intent to call the -- the amendment?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

You have a motion that has not been filed yet, Senator. Now on the Order of Senate Bill 1489, the top of page 68. Senator Martinez. On the top of page 68. She indicates she wish to proceed. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1489.

Signed by Senator Martinez.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Madam President. And I move to concur with House Amendment No. 1 to Senate Bill 1489 that adds landscape architects to the legislative findings of green jobs and the Capital Development Board to the consultant group that will assist the Illinois Environmental Protection Agency with the green infrastructure report.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

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

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

shall the Senate concur in House Amendment No. 1 to Senate Bill 1489. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 1489 having received the required constitutional majority, the Senate does concur in House No. 1 - - House Amendment No. 1, and the bill is declared passed. Now on the Order of Senate Bill 1490. Senator Frerichs, do you wish to proceed? He indicates that he does. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1490.

Signed by Senator Frerichs.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Frerichs.

SENATOR FRERICHS:

Thank you very much, Madam President. House Amendment 1 deletes all and becomes the bill. As amended, 1490 creates a Crisis Nursery Fund in the State treasury and allows taxpayers to voluntarily contribute to the Fund by creating a crisis nursery checkoff on individual income tax forms.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1490. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

question, there are 59 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 1490 having received the required constitutional majority, the Senate does concur in House Amendment No. 1, and the bill is declared passed. Senator Viverito, on Senate Bill 1493. Senator Viverito, on Senate Bill 1493. Indicates he wish to proceed. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1493.

Signed by Senator Viverito.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Viverito.

SENATOR VIVERITO:

Thank you, Madam Chairman. This will really be helpful to our veterans. This will straighten out a lot of the backlog of people that were not getting the help that was necessary for them. And I would hope that you would sincerely vote a Yes because it's an important bill for our veterans.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Indicates he will. Senator Righter.

SENATOR RIGHTER:

Senator Viverito, can you tell us what the House amendment does?

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Viverito.

SENATOR VIVERITO:

I -- I didn't hear that. I didn't hear the question.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

He'd like for you to tell what the House amendment does.
Senator Viverito.

SENATOR VIVERITO:

...amendment do? It -- it basically concurs with the thought, in an emergency-type situation, those that other had -- that had fallen in the line of duty also would be able to contact the Court of Claims for getting it expedited.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Further discussion? Seeing none, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1493. All those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 1493 having received the required constitutional majority, the Senate does concur in House Amendment No. 1, and the bill is declared passed. Senator Hunter, on Senate Bill... Excuse me one moment, Senator Hunter. Senator Sandoval, for what purpose do you rise?

SENATOR SANDOVAL:

Thank you, Madam President. Point of personal privilege.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

State your point, Senator.

SENATOR SANDOVAL:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Thank you, Madam President. I'd like the Illinois Senate today to welcome a few individuals that came here to Springfield and whose -- also whose son, Christian, who is a House Page today. Like to, first of all, introduce a -- a young lady who is a product of the southwest side of the 14th Ward. We're very proud of her. She's currently a State's attorney working the Illinois Senate today, Sarah Burke, from the 14th Ward, also the daughter of our great Alderman in the 14th Ward, Ed Burke. And she is joined by another State's attorney, Laura Gonzalez, and her husband, Adrian, and Adrian Jr., visiting the Illinois Senate today. Like to give them all a round of applause in the gallery.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Will our guests in the gallery please rise and be recognized by the Illinois General Assembly? Now on the Order of Senate Bill 1499. Thank you for your patience, Senator Hunter. 1499. She didn't -- she indicates she wish to proceed. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1499.

Signed by Senator Hunter.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Sorry about that. Senator Hunter.

SENATOR HUNTER:

Thank you, Madam President and Ladies and Gentlemen of the -- Senate. I wish to concur with House Amendment 1 to Senate Bill 1499. It basically adds language to clarify that the Office of the Governor shall provide staff support for a

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

commission that we created under this bill to review revenue funding for various human services agencies. And I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1499. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please take the record. On that question, there are 56 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 1499 having received the required constitutional majority, the Senate does concur in House Amendment No. 1, and the bill is declared passed. Senator Koehler, on Senate Bill 1508. He indicates he wish to proceed. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1508.

Signed by Senator Koehler.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Koehler.

SENATOR KOEHLER:

Thank you, Madam President, Members of the Senate. The House Amendment No. 1 is just a -- basically a small change where the confidential communications are, you know, protected from social workers, school counselors, et cetera. It stated originally that it was pursuant to State or federal law or ethical or professional standards. That language has been replaced to say the "provisions of State or federal law or rule

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

or regulation". I'd ask for your concurrence.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1508. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please take the record. On that question, there are 55 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 1508 having received the required constitutional majority, the Senate does concur in House Amendment No. 1, and the bill is declared passed. Senator Noland, on Senate Bill 1544. He indicates he wish to proceed. Madam Secretary, please read the motions.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 and 2 to Senate Bill 1544.

Signed by Senator Noland.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Noland, to explain Amendments No. 1 and 2.

SENATOR NOLAND:

Thank you, Madam President. These amendments, which I urge the Senate's -- Senate's concurrence, simply broadens definition of what is a food bank under this -- this bill from the -- those food banks or those associations related to the Illinois Food Bank to those that are -- are more broadly defined as charities that are involved to sustain a food pantry, soup kitchen or hunger relief center. I urge any -- I urge an Aye vote. If there are any questions, happy to take 'em.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 1544. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 1544 having received the required constitutional majority, the Senate does concur in House Amendments No. 1 and 2, and the bill is declared passed. Now on the top of page 69. On the top of page 69, Secretary's Desk, Concurrences. Senate Bill -- Senate Bill 1655 {sic} (1555). Senator Althoff. She indicates she wish to proceed. Madam Secretary, please read the motion. Senator Althoff wishes to nonconcur to Senate Bill 1555, House Amendment No. 1. Senator - - Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to nonconcur with the House in the adoption of their Amendment No. 1 to Senate Bill 1555.

Signed by Senator Althoff.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Althoff.

SENATOR ALTHOFF:

Thank you, Madam President. I just would move to nonconcur with this amendment.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

The question is, shall the Senate nonconcur in House Amendment No. 1 to Senate Bill 1555. All those in favor will just simply say Aye. Opposed, Nay. The Ayes have it, and the amendment is -- the motion has -- to nonconcur to House

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Amendment No. 1 -- motion to Senate Bill 1555 is declared nonconcur. That's fun. Senator Delgado. Senator Delgado, on Senate Bill 1557. Senator Delgado. He indicates he wish to proceed. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1557.

Signed by Senator Delgado.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Delgado.

SENATOR DELGADO:

Thank you, Madam President and Members of the Senate. I would ask to concur with Amendment No. 1. Coming over from the House, it deletes the underlying language and becomes the bill, and it requires U.S. history courses to include a study of events related to the forceful removal and illegal deportation of American citizens during the Great Depression to reinforce the study of role of contributions of Latinos. This particular group happened to be Mexicans, U.S. born citizens, during the time of the Hoover Act in -- between 1929 and 1931. And this is for the purpose of a curriculum in education. And I will ask for your concurrence.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Senator Burzynski, for what purpose do you rise, sir?

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR LIGHTFORD)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Indicates he will. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Senator, if I remember correctly, I believe that what the House amendment does then is remove the mandate that the State Board of Education develop the curriculum. I just want to point that out for clarification.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Delgado.

SENATOR DELGADO:

Yes. Thank you for pointing that out, Senator Burzynski. Working with Senator Roger -- I'm sorry, Representative Eddy in the House of Representatives, I removed it, and now it is where we -- you and I have both discussed it. I would ask for your concurrence.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Seeing no further discussion, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1557. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 1557 having received the required constitutional majority, the Senate does concur in House Amendment No. 1, and the bill is declared passed. Now on the Order of Senate Bill 1583. Senator Righter. Senator Righter. You -- he indicates he wish to proceed. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1583.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Signed by Senator Righter.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President, Ladies and Gentlemen of the Chamber. I would move to concur in House Amendment 1 to Senate Bill 1583. The bill, as it -- when it left our Chamber, simply required that the Department of Healthcare and Family Services seek a federal waiver to pursue a pediatric palliative care program that would be cost-neutral. Over in the House, the Department had discussions with the sponsor over there, including myself, and asked for the option to pursue this as an amendment to their State plan, which they believe may be more efficient and cost-effective. So that was added into the bill to give them that option as well. Other than that, nothing changes in the bill. I would appreciate the -- the Body's support of the motion.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Seeing none, the question is, shall the House concur -- shall the Senate concur in House Amendment No. 1 to Senate Bill 1583. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 1583 having received the required constitutional majority, the Senate does concur in House Amendment No. 1, and the bill is declared passed. Senator Harmon. Senator Harmon, on Senate Bill 1601. He indicates he wish to proceed. Madam Secretary, please read the motion.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1601.

Signed by Senator Harmon.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Harmon.

SENATOR HARMON:

Thank you, Madam President, Ladies and Gentlemen of the Senate. The underlying bill, Senate Bill 1601, would permit TIF reimbursement for LEED certified construction-related costs. We discovered during the process that there are alternative measurements of environmentally friendly construction costs. In the House, they amended the bill to include the Green Globes method of validating these sorts of costs. That's the nature of this amendment and I move to concur.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1601. All those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 1601 having received the required constitutional majority, the Senate does concur in House Amendment No. 1, and the bill is declared passed. Please turn your -- oh, no. One more bill on the bottom of -- Senate Bill 1629 on the bottom of page 69. Senator Martinez, on Senate Bill 1629. She indicates she wish to proceed. Madam Secretary, please read the motion.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1629.

Signed by Senator Martinez.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Martinez.

SENATOR MARTINEZ:

Thank you. I, too, wish to move to concur with House Amendment No. 1 that guts and replaces the bill. It provides that a household may apply for an energy assistance payment where an applicant is not a customer of record of an energy provider because energy services are provided by the owner of the applicant's rental unit as a portion of the rent; it also -- the applicant also has to reside in the housing subsidized or developed through the Rental Housing Support Program Act or similar local program, or is a voucher holder whose rental unit is within the State and whose monthly rent is subsidized through Section 8 of the U.S. Housing Act of 1937; and the applicant's rental expenses are no more than thirty percent of the household income. And I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1629. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 1629 having received the required constitutional majority, the Senate does concur in House

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Amendment No. 1, and the bill is declared passed. Now on the top of page 70. On the top of page 70, Secretary's Desk, Concurrences, is Senate Bill 1631. Senator Silverstein. He indicates he wish to proceed. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments No. 1 and 2 to Senate Bill 1631.

Signed by Senator Silverstein.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Silverstein, please explain your motions on 1 and 2.

SENATOR SILVERSTEIN:

Thank you, Madam President. This just made some technical changes, clarifying the penalties and fines of the original bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 1631. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please take the record. On that question, there are 56 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 1631 having received the required constitutional majority, the Senate does concur in House Amendments No. 1 and 2 to Senate Bill 1631, and the bill is declared passed. Senator Murphy, on Senate Bill 1662. He indicates he wish to proceed. Madam Secretary, please read the motion.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1662.

Signed by Senator Murphy.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Murphy, to explain your motion.

SENATOR MURPHY:

Thank you, Madam President. House Amendment 1 provides that instead of requiring a D-1 filed in the last thirty days before an election be submitted within twenty-four hours of the creation of the committee, it must be submitted within two business days. And I'd request an Aye vote.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Seeing none, the question is, shall the Senate concur with House Amendment No. 1 to Senate Bill 1662. All those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, 0 voting Nay, 0 voting Present. 1662 having received -- Senate Bill 1662 having received the required constitutional majority, the Senate concurs in House Amendment No. 1, and the bill is declared passed. Senator Murphy, on Senate Bill 1677. He indicates he wish to proceed. Madam Secretary, please read the bill.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1677.

Signed by Senator Murphy.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Senator Murphy.

SENATOR MURPHY:

Thank you, Madam President. The amendment is the final agreement between various State agencies and the Illinois Action for Children - becomes the bill - on a background check task force and also a child care provider background check. It's a bill we have passed in the past out of this Chamber twice, and I'd request an Aye vote.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1677. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 1677 having received the required constitutional majority, the Senate does concur in House Amendment No. 1, and the bill is declared passed. Senator Sullivan, on Senate Bill 1685. He indicates he wish to proceed. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1685.

Signed by Senator Sullivan.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Madam President. This was an agreement that we had reached here in the Senate prior to sending the bill over to

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

the House, but we -- because of the deadline, we didn't actually have time to put the amendment into -- into the language here in the Senate. So it's an agreed bill. It's -- it's an exemption to the smoking ban for native American Indians with -- with relation to a ceremony -- a religious ceremony.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Seeing none, the question is, shall the Senate concur with House Amendment No. 1 to Senate Bill 1685. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, 1 voting Nay, 0 voting Present. Senate Bill 1685 having received the required constitutional majority, the Senate does concur in House Amendment No. 1, and the bill is declared passed. Senator Kotowski, on Senate Bill 1698. He indicates he wish to proceed. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1698.

Signed by Senator Kotowski.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Kotowski, on House Amendments 1 and 2.

SENATOR KOTOWSKI:

I'm sorry. I was a little distracted by Senator Burzynski yelling at me while I'm on the Floor, Ms. President. Thank you, Ladies and Gentlemen of the Senate. House Amendment 1 and 2 -- it very simply changes the effective date from 1/1/2010 to -- to immediate. And Floor Amendment No. 1 -- Floor Amendment No. 1

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

to -- to 1698 creates the Task Force on Higher Education Private Student Loans to study the impact of private student loan rates, fees, and terms have on the accessibility and affordability of private student loans and how private student loan rates, fees, and terms affect the student's financial situation.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Senator Burzynski's being a bully? No? The question is -- there is discussion. The question is, shall the Senate concur with House Amendments No. 1 and 2 to Senate Bill 1698. 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 54 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 1698 having received the required constitutional majority, the Senate does concur in House Amendments No. 1 and 2, and the bill is declared passed. Now on the Order of Senate Bill 1705. Senator Raoul. Out of the record. Senator Clayborne, on Senate Bill 1718. Senator Clayborne, on Senate Bill 1718. Madam Secretary, he indicates he wish to proceed. Please read the gentleman's amendments {sic}.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1718.

Signed by Senator Clayborne.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you -- thank you, Madam President. Senate Bill --

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

1718 just gives the school boards a little more authority to modify the requirement for expulsion for students determined to have brought a firearm, knife, brass knuckles, or a billy club to school or school-sponsored events. It also limits the requirement that a student be expelled for possessing a weapon or look-alike to only firearms, firearm look-alikes, or any other object if used or attempted to be used to cause bodily harm. I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Seeing none, the question is, shall the Senate concur with House Amendments No. 1 and 2 to Senate Bill 1718. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 1718 having received the required constitutional majority, the Senate does concur in House Amendments No. 1 and 2, and the bill is declared passed. Now on the top of page 71. Top of page 71 is Senator Schoenberg on Senate Bill 1729. Senator Schoenberg. Out of the record. Senator Demuzio, on Senate Bill 1737. She indicates she wish to proceed. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1737.

Signed by Senator Demuzio.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Demuzio.

SENATOR DEMUZIO:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Yes. Thank you, Madam President and Members of the Senate. This House Amendment No. 1 is an amendment to the Procurement Code regarding persons with disabilities. It includes the language of those with physical disabilities, developmental disabilities, mental disabilities, or a combination of any of these disabilities into those served by the State Use Committee. It's a change in language and it's -- I ask for concurrence.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendments {sic} No. 1 to Senate Bill 1737. All those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 1737 having received the required constitutional majority, the Senate does concur in House Amendment No. 1, and the bill is declared passed. Senator DeLeo in the Chair.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, continuing on Secretary's Desk, Concurrence, Senate Bill 1770. Senator Steans, do you wish to proceed, ma'am? She indicates she does. Madam Secretary, read the lady's motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1770.

Signed by Senator Steans.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Steans, to the motion.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

SENATOR STEANS:

Yes. Thank you, Mr. President, Members of the Senate. As you recall, 1770 amends the Victims' Economic Security and Safety Act. It provides for unpaid leave of absences to victims of domestic violence. It had -- before this bill, it was only employers of fifty or more employees that were meant on the bill. Now this is bringing it down to including employers with fifteen employees or more. This has been a very tight vote. When we originally passed the bill, my commitment had been -- I hadn't had time to work it out with the business groups. We have now -- these amendments make it an agreed-to bill with the business organizations. Now proponents include the Chamber of Commerce and -- and all -- all the business groups that we have worked with on this bill. So you now have a chance to support this very good bill. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Senator Pankau, for what purpose do you rise, ma'am?

SENATOR PANKAU:

Thank you, Mr. President. The sponsor is exactly correct. This bill left here with a lot of problems on it, came back -- with the amendment, all the business groups are now neutral on it. This deals with victims of domestic violence and the time that they -- they can take off from work with no pay, but that the employers will give them time to kind of gather their lives together again. It's a much better bill. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Further discussion? Further discussion? Seeing none, Ladies and Gentlemen, the question is, shall the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Senate concur in House Amendment No. 1 and No. 2 to Senate Bill 1770. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1770 having received the required constitutional majority, and the Senate does concur in House Amendment No. 1 and 2 to Senate Bill 1770, and the bill is declared passed. Senate Bill 1784. Senator Jacobs. Do you wish to proceed, sir? He indicates he does. Madam Secretary, read the gentleman's motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1784.

Signed by Senator Jacobs.

PRESIDING OFFICER: (SENATOR DeLEO)

...you. Senator Jacobs, to the motion, sir.

SENATOR JACOBS:

Thank -- thank you, Mr. Chairman. I concur with the -- the bill the House sent over. They've narrowed the focus and put a referendum in. It should satisfy any -- any problems that anybody may have.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Senator Dahl, for what purpose you rise, sir?

SENATOR DAHL:

To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

...bill, sir.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

SENATOR DAHL:

Thank you, Mr. President. This -- this bill -- I want to commend Senator Jacobs for doing a lot of work on this. We've seen this thing on and off, it seems like, throughout the whole Session and I -- I think we've finally got it down to a point where -- where it's a little -- little more narrower and a little better bill. But there is still going to be some -- some possibility of some taxes in here for some people. But it's a much better bill now than it was. Thank you, Senator.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Any further discussion? Any further discussion? Senator Jacobs, to close, sir.

SENATOR JACOBS:

I just ask for your affirmative vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, the question is, shall the Senate concur in House Amendments {sic} No. 1 to Senate Bill 1784. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 52 Ayes, 0 voting -- 6 voting Nay, 0 voting Present. Senate Bill 1784 having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 1784. The bill is declared passed. Senator Righter, on Senate Bill 1801, sir. Do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, read the gentleman's motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Amendment No. 1 to Senate Bill 1801.

Signed by Senator Righter.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Righter, to the motion, sir.

SENATOR RIGHTER:

Thank you, Mr. President, Ladies and Gentlemen of the Chamber. The motion to concur with House Amendment 1 to Senate Bill 1801 -- House Amendment 1 simply changes the language of the bill as it was sent over to the House Chamber, but does the same thing. It ensures that if early voting starts on a holiday that voters will have the opportunity to -- all the hours that otherwise the polling place would have been open will still be open, and it mandates specific hours that permanent polling places must be open. I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

...you. Okay, Ladies and Gentlemen, seeing no discussion, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1801. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. The Senate -- having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 1801, and the bill is declared passed. Senator Hultgren, on Senate Bill 1817, sir. Out of -- of the record. Turn your Calendars to page 72. On the top of page 72, we'll continue on Secretary's Desk, Concurrence, is Senate Bill 1830. Senator Frerichs, do you wish to proceed, sir? He indicates he does.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Madam Secretary, read the gentleman's motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1830.

Signed by Senator Frerichs.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Frerichs, to the motion, sir.

SENATOR FRERICHS:

Thank you very much, Mr. President. As amended, Senate Bill 1830 allows a person to practice veterinary medicine under the direct supervision of a veterinarian if the person holds a Doctor of Veterinary Medicine degree, applied -- applied in writing to the Department of Financial and Professional Regulation, and is otherwise qualified for licensure.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall Senate Bill 1830 -- concur in House Amendment No. 1 to Senate Bill 1830. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 59 Ayes, 0 voting Nay, 0 voting Present. Having received the constitutional -- required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 1830, and the bill is declared passed. Senate Bill 1866. Senator Sullivan, do you wish to proceed, sir? He indicates he does. Madam Secretary, read the gentleman's motion.

SECRETARY ROCK:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1866.

Signed by Senator Sullivan.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sullivan, to the motion.

SENATOR SULLIVAN:

Thank you, Mr. President. I would like to concur with the House amendment, which simply says that the signs that are posted must conform to the State Manual on Uniform Traffic Control Devices.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Senator Burzynski, are you seeking recognition?

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question, sir. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Senator, I meant to ask this question when we had the bill before. Does this apply to low-speed vehicles in rural areas, as well as in cities or municipalities?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you. I appreciate the question. The -- kind of reading from the analysis here. The bill specifically adds that it is lawful statewide for any person to drive or operate a low-

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

speed vehicle upon any street where the posted speed limit is thirty miles per hour or less and cross a street that has a posted speed limit of forty-five miles per hour or less.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Burzynski.

SENATOR BURZYNSKI:

...you -- thank you. Senator, that was -- that was my concern, where they were crossing a street. It has to be forty-five miles per hour or less. A lot of our rural roads are fifty-five and I didn't know whether that presents a problem of any kind. But that was my only question. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Further discussion? Further discussion? Seeing none, Senator Sullivan, to close, sir.

SENATOR SULLIVAN:

Just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1866. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 51 Ayes, 6 voting Nay, 6 voting -- 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 1866, and the bill is declared passed. Senator Risinger, for what purpose do you rise, sir?

SENATOR RISINGER:

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

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR RISINGER:

Yeah. In the President's Gallery up here is Jeff McSweeney. His daughter is paging in the House today. Will you all give him a warm welcome here in the Senate?

PRESIDING OFFICER: (SENATOR DeLEO)

Would our guest please rise and be recognized? And welcome to the State Capitol. Welcome. Okay, continuing on Secretary's Desk, Concurrences is Senate Bill 1877. Senator Kotowski, do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, read the gentleman's motion. And our rules prohibit cell phones on the Floor.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1877.

Signed by Senator Kotowski.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cingular -- Senator Kotowski, to the motion, sir.

SENATOR KOTOWSKI:

Thank you, Mr. President. And I apologize for the rule violation. It -- it won't happen again. Please forgive me. House Amendment No. 1 to Senate Bill 1877 retains the underlying bill and adds that individuals unable to participate in wellness incentives due to adverse health factors shall not be penalized.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall the Senate concur in House Amendment No. 1 and No. 2 to

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Senate Bill 1877. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 59 Ayes, 0 voting Nay, 0 voting Present. The -- having received the required constitutional majority, the Senate does concur in House Amendment No. 1 and No. 2 to Senate Bill 1877, and the bill is declared passed. Senator Cronin, do you wish to proceed, sir? As he buttons his jacket, he indicates he does. Madam Secretary, read the gentleman's motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1882.

Signed by Senator Cronin.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cronin, good afternoon. How are you, sir?

SENATOR CRONIN:

Thank you. Just had my Jimmy John's. I'm feeling good.

PRESIDING OFFICER: (SENATOR DeLEO)

To the motion, sir.

SENATOR CRONIN:

This is a -- a bill that creates the Streamlining Illinois' Educational Delivery Systems Task Force. And it's such a good idea, there are people from all over that want to be part of it. And this amendment -- this motion to concur addresses House Amendment No. 1, which adds two members to the task force - two very good members who will be able to contribute much. I ask for favorable consideration.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Thank you. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1882. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 59 Ayes, 0 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 1882, and the bill is declared passed. Senate Bill 1920. Senate Bill 1920. Senator Garrett. Do you wish to proceed, ma'am? She indicates she does. Madam Secretary, read the lady's motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1920.

Signed by Senator Garrett.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Garrett, to your motion, ma'am.

SENATOR GARRETT:

Yes. Thank you, Mr. President. The Amendment No. 1 is basically shelling the bill and Amendment No. 2 is adding the language for a task force.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall the Senate concur in Amendment No. 1 and No. 2 -- House Amendment No. 1 and No. 2 to Senate Bill 1920. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment No. 1 and No. 2 to Senate Bill 1920, and the bill is declared passed. Senator Righter, for what purpose you seek recognition, sir?

SENATOR RIGHTER:

Inquiry of the Chair, if I might, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your inquiry.

SENATOR RIGHTER:

Mr. President, on the previous bill, it's our information that in committee the sponsor divided the motion between the two House amendments, and House Amendment 2 was adopted in committee, but House Amendment 1 never was. It was incorrectly reported as having been adopted. Can you provide us with a little clarity on that issue?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Garrett, for what purpose do you rise, ma'am?

SENATOR GARRETT:

Well, I'd like to respond to Senator Righter's...

PRESIDING OFFICER: (SENATOR DeLEO)

Was an inquiry of the Chair, ma'am, and we're checking with our records. So... Senator, I've been informed by the Secretary of the Senate that House Amendment No. 1 and House Amendment No. 2 was read into the record. Yes. They had both -- the committee report, both Amendment No. 1 and No. 2 were adopted in the committee -- were recommended Do Adopt on the committee

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

report that was reported back to the Secretary of the Senate, sir. Senator Righter.

SENATOR RIGHTER:

Well, I appreciate that, Mr. President. But if the motion is divided, which it was, and there is one roll call, it can't possibly be the case that both amendments came out. If there's only one roll call and the motion was divided between two amendments, it's literally impossible that both amendments came out. And the records indicate there was one roll call taken after the motion was divided.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator, you made an inquiry of the Chair. I gave you the ruling of the Chair from -- from -- Senator Garrett would like to respond because the Secretary of the Senate and the Presiding -- this Presiding Officer were not in that committee. So, if you don't mind, I'd -- we'd -- we'd like to have Senator Garrett respond to your inquiry, sir. Senator Garrett.

SENATOR GARRETT:

Yes. Thank you, again, Mr. President. There was one motion to recommend Do Adopt to concur. I said, previously, before we voted on that one motion, which included both of those amendments, that it wasn't necessary to do Amendment No. 1. However, when we voted, it was all included. My mistake for saying that. It was more or less a flippant remark. But those two amendments were included in the motion, which everybody in committee voted on.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Mr. President, can I seek some clarification from Senator Garrett? Inquiry of the Chair. Might I -- might I inquire of the sponsor with regard to..

PRESIDING OFFICER: (SENATOR DeLEO)

Yes, you may.

SENATOR RIGHTER:

Thank you. Senator Garrett, it is our staff's and our Members' belief that you made a motion to divide the question and that is what occurred. Are you telling us now that -- I mean, it's not clear to me what you presented to the committee then, if that's not the case.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Garrett.

SENATOR GARRETT:

I didn't think at the time that Amendment No. 1 was necessary. So I made that remark. We voted on one motion, which included both amendments. So, whether or not -- my opinion to deem that first amendment necessary, it didn't matter, because both of those amendments were included in one motion to concur, which is why the paperwork went out the way it did. So I apologize for making that remark, but the way the motion was drafted included both amendments.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Mr. President, thank you for your indulgence and thank you to Senator Garrett. I -- I hope that we can avoid this kind of lack of clarity in the future and I think speaks to the pace at which sometimes we go when things feel rushed. But appreciate

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

the Chair's indulgence. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Okay, we're -- we've advanced to Senate Bill 1922. Senator Garrett, do you wish to proceed, ma'am? From the -- she certainly does. Madam Secretary, read the lady's motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1922.

Signed by Senator Garrett.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Senator Garrett, to the motion, ma'am.

SENATOR GARRETT:

Yes. The motion is to concur with House Amendment No. 1, which makes technical changes, and House Amendment No. 2, which retains the underlying bill and allows that the entity utilizes a private telephone system which communicates between stations in external networks to implement 2-1-1.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall the Senate concur in House Amendment No. 1 and No. 2 to Senate Bill 1922. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 59 Ayes, 0 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment No. 1 and No. 2 to Senate Bill 1922, and the bill is declared passed.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Senator Martinez, on Senate Bill 1926, ma'am. Never mind. Out of the record. Continuing on Secretary's Desk, Concurrence, we'll go to the top of page 73, is Senate Bill 1956. And before we go to that bill, one moment, please. Senator Jones, are you seeking recognition, sir?

SENATOR J. JONES:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR J. JONES:

Up in the gallery, I have a very good friend of mine from Jefferson County - his wife's also the County Treasurer in Jefferson County - Mr. Larry Marlow. Larry, welcome.

PRESIDING OFFICER: (SENATOR DeLEO)

Will our guest please rise and be recognized? And welcome to the Illinois State Senate. Welcome. Senator Demuzio indicates she wishes to proceed. Madam Secretary, read the lady's motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1956.

Signed by Senator Demuzio.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Demuzio, to the motion.

SENATOR DEMUZIO:

Yes. Thank you, Mr. President and Members of the Senate. House Amendment No. 1 retains Senate Bill 1956. It amends the School Code to allow a school board or other entity eligible to apply for waivers under the School Code to hold school or

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

schedule teachers' institutes, parent-teachers' conferences or self-development {sic} (staff development) on certain school holidays.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1956. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 59 Ayes, 0 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in Amendment No. 1 to Senate Bill 1956, and the bill is declared passed. Senator Harmon. Do you wish to proceed, sir? He indicates he does. Madam Secretary, read the gentleman's motion, please.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1975.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you.

SECRETARY ROCK:

Signed by Senator Harmon.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Senator Harmon, to your motion, sir.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The underlying bill, Senate Bill 1975, deals with the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

tax treatment of real estate investment trusts. Last year, the Senate passed this and the bill was caught up in the debate over rulemaking language. This year, in an abundance of caution, the proponents included an alternative rulemaking provision. In a showing of goodwill, the House has deleted that, and I move to concur in their amendment.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion on the gentleman's motion? Senator Lauzen, how are you today?

SENATOR LAUZEN:

Very good, Mr. President. You're looking fine, too.

PRESIDING OFFICER: (SENATOR DeLEO)

And for what purpose do you arise, sir? To the bill, sir. Senator Lauzen.

SENATOR LAUZEN:

This bill passed unanimously out of the Senate and I commend the sponsor for his work on it.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Seeing no further discussion, Ladies and Gentlemen, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1975. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 57 Ayes, 0 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 1975, and the bill is declared passed. Senate Bill 1977. Out of the record. Senate Bill 2010. Senator Althoff. Do you wish to

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

proceed, ma'am? She indicates she does. Madam Secretary, read the lady's motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 2010.

Signed by Senator Althoff.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Althoff, to the motion, ma'am.

SENATOR ALTHOFF:

Thank you very much, Mr. President. The amendment deals with forensic testing and what it does -- I apologize. What it does is it allows the prosecutor to work with the State Police to determine what labs are going to be utilized for the forensic testing. It's supported by the State's Attorneys Appellate Prosecutor. It's supported by AFSCME and it's supported by the State Police. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Seeing no discussion, Ladies and Gentlemen, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 2010. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 2010, and the bill is declared passed. Good afternoon, Senator Millner. Do you wish to proceed, sir? He indicates he does. It's close to supertime for you, isn't it, Senator Millner? Madam Secretary,

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

read the gentlemen's motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 2026.

Signed by Senator Millner.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Senator Millner, to the motion, sir.

SENATOR MILLNER:

Thank you, Mr. President. Yes. Yes. I am getting a bit older. The amendment adds to the new statutory exemption for the use of eavesdropping cameras or audio devices by a law enforcement officer in a hostage or barricaded subject situation. The device must be used - and this is what the amendment does - during the hostage or barricaded situation. Also, the amendment allows the eavesdropping device be used by a person acting on behalf of law enforcement. And the use of this device must be necessary to protect the safety of the general public, hostages, police or anybody acting on behalf of the police. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator, for that wonderful presentation of that House amendment. Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 2026. All those in favor will vote Aye. All those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 59 Ayes, 0 voting Nay, 0 voting Present.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Having received the required -- required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 2026. The bill is declared passed. Senator Steans, do you wish to proceed, ma'am? She indicates she does. Madam Secretary, please read the lady's motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 2 to Senate Bill 2043.

Signed by Senator Steans.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Steans, to the motion, ma'am.

SENATOR STEANS:

Thank you, Mr. President, Members of the Senate. As you recall, this bill establishes a -- enables the Department of Healthcare and Family Services to undertake a pilot project for patients at risk of low birth weight or premature births. It also integrates data from three departments into medical data warehouse. The amendment that was put on in the House was with -- working with the departments. And so we're making some changes to the data and how it's getting integrated into the medical data warehouse.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall the Senate concur in House Amendment No. 2 to Senate Bill 2043. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 59 Ayes, 0 voting

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment No. 2 to Senate Bill 2043, and the bill is declared passed. Senator Dillard, my dear friend for many, many years, how are you today?

SENATOR DILLARD:

I'm great, Mr. President. How are you?

PRESIDING OFFICER: (SENATOR DeLEO)

For what purpose do you rise, sir?

SENATOR DILLARD:

A parliamentary inquiry, Mr. President. I was looking at our Calendar as we're going down it just to see where we are and one thing that I noticed that was missing from the Calendar today is a motion to discharge Senate Floor Amendment No. 1 to Senate Bill 350, which I filed Friday on behalf of Minority Leader Radogno and our caucus. And that is a motion to discharge essentially the Collins ethics report out so that it may get into the flow of commerce for the full Body. Mr. President, it's not printed on the Calendar even though, on the record on Friday, Senator Hendon, who was in the Chair, acknowledged that it was up there and filed with the Secretary. And I'm wondering if I can have it printed on the Calendar.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Dillard, even though we're not on that order of business and we're in the middle of concurrences, but we will take time out because we have lots of time. We're going to be here for a couple months. So we have lots of time to do this. So, Madam Secretary, could you give me the status of the gentleman's motion, please?

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

SECRETARY ROCK:

Have a motion on file by Senator Dillard.

PRESIDING OFFICER: (SENATOR DeLEO)

And when was it filed, Madam Secretary?

SECRETARY ROCK:

May 22nd, 2009.

PRESIDING OFFICER: (SENATOR DeLEO)

And what was the direction of the Chair when the motion was filed, Madam Secretary?

SECRETARY ROCK:

We received no direction.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Dillard.

SENATOR DILLARD:

Thank you -- thank you, Mr. President. I know you're a Leader and that you have the ability to order it printed on the Calendar and this is serious. I mean, this is -- this is the -- the -- the Collins ethics report, and it -- clearly the people of Illinois - I think a number of editorial boards - want to see some action. And I would request that it be printed on the Calendar so that people know that it's out there and we keep the heat on, if we could.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Dillard, after having a -- conferring with my Parliamentarian and my legal counsel and couple editorial boards around Chicago, I sincerely agree that it is a very serious issue and the Chair agrees with you, and I'd ask the Secretary at this time, Madam Secretary, could we have the gentleman's motion printed on the Calendar for tomorrow, ma'am? Thank you.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Continuing on motions to concur, we will go to Senate Bill 2045. Senator Jacobs. Do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, read the gentleman's motion, please.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 2045.

Signed by Senator Jacobs.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs, to the motion, sir.

SENATOR JACOBS:

Thank you, Mr. President. This is a bill I've been working on for four years and finally, through a great deal of compromise, we found a compromise that everyone seems to be able to agree with. I know of no known opposition and thank everyone for their support and stick -- stick -- stick-with-it.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion on the gentleman's motion? Senator Althoff, for what purpose do you rise?

SENATOR ALTHOFF:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question, ma'am. Senator Althoff.

SENATOR ALTHOFF:

Thank you. Thank you. Senator, can you tell me specifically? I understand that your amendment has exemptions that were added to this legislation. Can you enumerate those

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

for me, please?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs.

SENATOR JACOBS:

Yes. DHS was a hard no, and DOC was a hard no, too. We've worked with them to exempt them out -- out of the bill to make sure that they didn't get hurt on their -- on their funds.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Althoff.

SENATOR ALTHOFF:

And can you also address schools and -- and cafeterias? Was that language included in here, exempting school districts and commercial cafeterias?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs.

SENATOR JACOBS:

I'm aware of nothing regarding schools and cafeterias. I never, frankly, heard from that particular group. But I'd be willing to, you know, work with you if we need to -- if we need to clean that up or something, you know. It's been a long -- long work, but we'll continue to move together on it.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Althoff.

SENATOR ALTHOFF:

Thank you, Senator. I'll take you up on that offer. And actually, for the record, I think I did talk to you specifically with regard to some concerns that we had with trying to exempt school districts and some of the cafeterias from this legislation and vending machines.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs.

SENATOR JACOBS:

Yes, Senator, I -- I would certainly work with you to -- to clean that up. And I would also, if you have someone who -- you know, a group or someone that would like to speak with me, I'm -- I'm more than willing to do that and move that along, Senator.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Althoff.

SENATOR ALTHOFF:

Thank you. With that understanding, I'd urge an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Further discussion? Further discussion? Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question, sir.

SENATOR RIGHTER:

Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Senator Jacobs, according to the information I have, the House amendment that you are moving to concur with has a special carveout for the Shapiro Developmental Center in Kankakee from these requirements. What's special about the Shapiro Developmental Center in Kankakee that they deserve an exemption from the provisions of this bill?

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs.

SENATOR JACOBS:

They use their funds to fund a lot of their programs for their patients - for instance, birthday presents, Christmas -- Christmas, things like that that -- that, you know, have a longstanding practice - and we don't want to put them in a position of taking that so the residents can't enjoy field trips and whatnot.

PRESIDING OFFICER: (SENATOR DeLEO)

Further discussion? Further discussion? Seeing none, Ladies and Gentlemen, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 2045. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 59 voting Aye, 0 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 2045, and the bill is declared passed. Senator Steans, are you pleased with the results on your... Okay, Ladies and Gentlemen, I'd ask you to turn to page 74 of your printed Calendars. On the top of page... Senate Bill 2090. Senator Lauzen, do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, read the gentleman's motion, please.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 2090.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Signed by Senator Lauzen.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Senator Lauzen, to your motion, sir.

SENATOR LAUZEN:

Yes, sir. Thank you very much, Mr. President. Senate Bill 2090 when it went out of the Chamber here was just amending the definition of Veterans Day from -- to include all branches of military service. It came back as a very tough bill. And so the three things that the amendment over in the House did, and I -- I move to concur, is to eliminate the comprehensive -- or the Compensation Review Board. Basically, if we want a raise, now we're going to have to ask for one. Number two, it requires each of us to take four furlough days, which represents approximately one-percent pay cut. I -- you know, with two kids in school, I appreciate what this sacrifice means to all of us. We can say when we get home and address the people who we all serve that we have led by example when it comes to controlling spending. But it is killing many of us at home. And then number three, it removes the COLA, I believe, for this year. So I'd be happy to try to answer any questions that you might have.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion on Amendment No. 1? Senator Jacobs, for what purpose do you rise, sir?

SENATOR JACOBS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question. Senator Millner and Representative, could..

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

SENATOR JACOBS:

Senator, if you do away with the Compensation Review Board, which is made up of activists and community representatives from our district, who -- who will set this salary?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lauzen.

SENATOR LAUZEN:

People -- as -- as we go through the process to seek a raise, someone in this Chamber and the other Chamber will actually have to come forward in a direct, uncomplicated way. I think that most of us who have seen how that works would agree, and certainly our constituents agree, that this is a very convoluted system.

PRESIDING OFFICER: (SENATOR DeLEO)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

So this would take us back to the good old days when politicians set their own salaries?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lauzen.

SENATOR LAUZEN:

You know that we -- earlier today we set wages for another branch of government. I think that the straightforward thing to do -- you know, in -- in most of the time that I've been in my business career, I've enjoyed providing jobs for other people, running the business, but when I did work for someone else, the direct, straightforward thing to do was, if I wanted a raise, I had to ask for it directly. And that's all that that provision of this bill does. This idea that somehow that we set our own

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

wages -- that we would have to actually ask in an uncomplicated way is the people who will support this legislation - that's what we're arguing for today.

PRESIDING OFFICER: (SENATOR DeLEO)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Not -- not to belabor the point, Senator, but so I understand this and everyone is clear, you prefer to set your own salary, as opposed to a nonelected citizen board who's going to be able to make these determinations, not based on -- on if you're halo's too tight, but based on what other salaries are. Do you think we might be better off to limit...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs -- Senator Jacobs, one moment, please. Senator Lauzen, did you have a request, sir?

SENATOR LAUZEN:

Yes, but if -- could we -- could I try to respond when he's -- when Senator Jacobs is finished with his question? Would you mind if I responded and then...

PRESIDING OFFICER: (SENATOR DeLEO)

Think we're going to come back to this in totality with the whole, full Body here. So if you don't mind, I'd -- would like to -- honor your request, sir. Senator Lauzen.

SENATOR LAUZEN:

Mr. President, I understand that there are some Members of our Senate who are in a -- a special, different meeting and not here and wish to either take part -- part in the debate or, certainly, directly vote. And therefore, I'd like to remove it from the record so that we can come back to it at a time that

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

you feel it's appropriate.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Okay, the gentleman has asked to -- we will come back to this shortly. So, Madam Secretary, please take the gentleman's bill out of the record and we will come back to that. Continuing on Secretary's Desk, Concurrence is Senate Bill 2111. Senator Harmon. Senator Harmon indicates he wishes to proceed. Madam Secretary, read the gentleman's motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 2111.

Signed by Senator Harmon.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Harmon, to the motion.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The underlying bill, Senate Bill 2111, deals with the negotiability of funds in a real estate closing. The House amended it in a way I would describe as unnecessary and technical, merely changing some of the words. It does not change the intent of the bill. And in the interest of seeing the bill passed, I move that we concur in the House's amendment.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Any discussion? Seeing none, Ladies and Gentlemen, the question is, shall the Senate concur in Amendment No. 1 to Senate Bill 2111. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

record. On that question, there are 57 Ayes, 0 voting Nay, 2 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 2111, and the bill is declared passed. Senator Althoff. No. I'm sorry. Senator Steans. Senator Steans, on Senate Bill 2119, ma'am. Do you wish to proceed on this bill? You're going to pay very close attention to the roll call now? The Secretary will please read the lady's motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 2119.

Signed by Senator Steans.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Senator, to the -- to the motion, ma'am.

SENATOR STEANS:

Yes. Thank you, Mr. President. This bill establishes a task force to take a look at how the State can better intervene at -- in failing schools. The two amendments done by the House are -- the first one of them makes sure that the Illinois State Board of Education has to provide administrative support to the task force, and the second one just removes specific language on who will serve on it and makes it more general language. I recommend a motion to concur.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall the Senate concur in House Amendment No. 1 and No. 2 to Senate Bill 2119. All those in favor will vote Aye. All those opposed will vote

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

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, 0 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment No. 1 and No. 2 to Senate Bill 2119, and the bill is declared passed. Senator Lauzen, on Senate Bill 2272, sir. Do you wish to proceed? He indicates he does. Madam Secretary, read the gentleman's motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 2272.

Signed by Senator Lauzen.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lauzen, to the motion, sir.

SENATOR LAUZEN:

Thank you very much, Mr. President. I move to concur on the amendment from the House. I believe that what it did was it -- it removed some of the objections that some people who either race pigeons or raise them, either carrier, racing or hobby or show pigeons -- it removes some of those concerns. Made it a more agreed bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 2272. All those in favor will vote Aye. All those opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

record. On that question, there are 57 Ayes, 2 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 2272, and the bill is declared passed. Senator Cronin, on Senate Bill 2277. Sir, do you wish to proceed? He indicates he does. Madam Secretary, read the gentleman's motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 2277.

Signed by Senator Cronin.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cronin, to your motion, sir.

SENATOR CRONIN:

Thank you very much, Mr. President. The House amendment that was placed on this bill was a amendment that I worked with and we carefully considered for some time. This piece of legislation is intended to address in a very meaningful way a subject matter that we've sort of grappled with over the years down here in Springfield for some time, and that is this whole notion of heavy books and backpacks. You know, anybody who's got children and watches your kid lug their backpack back and forth to school at forty/fifty pounds, it's insane. And we all have had or participated in legislation that have promoted task force to study it. We've got a lot of studies collecting dust lots of places that say, hey, you know what? The backpacks are too heavy. And, hey, you know what? It's unhealthy. And, hey, you know what? The textbook industry doesn't want to change. And so we have all these studies and we have all these

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

conclusions, but nothing ever gets done about it. So this is the next step. This is a pilot program to test digital technologies in three geographically diverse school districts throughout the State to develop alternative textbook formats, including digital formats, and any possible adaptation of existing standard print textbooks that would be beneficial to health and the education achievement of pupils in this State. I know of no opposition. I think this is -- the time has come for this. It's subject to appropriation. But this is meaningful, this is real, and this is a way to actually address a problem that we've been kicking around down here for some time. I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 2277. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 53 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 2277 having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 2227, and the bill is declared passed. Okay, Ladies and Gentlemen, I'd ask you to turn to page 55 of your Calendar. We will be going to House Bills 3rd Reading. We've been through this order - couple times. This will be our last attempt to go through House Bills 3rd Reading. So I'd ask you, please be prepared. On the top of page 55 of your Calendar is House Bill 174. Senator Bond.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Senator Bond. Out of the record. Senator Harmon, on 277. House Bill 277. Out of the record. House Bill 313. Out of the record. House Bill 314. Appropriation bill. Out of the record. Senator Garrett, on House Bill 402. Senator Susan Garrett. Out of the record. Senator Syverson, on -- 441, sir. He indicates he wishes to proceed. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

House Bill 441.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Syverson, to the bill, sir.

SENATOR SYVERSON:

Thank you, Mr. President. This is legislation that addresses the TIF law and it allows for a planning period to be included into the regular TIF district time frame. I know of no objection and would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall House Bill 441 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 57 Ayes, 2 voting Nay, 0 voting Present. Senate Bill -- House Bill - excuse me, correction - House Bill 441, having received the required constitutional majority, is declared passed. Senator John Sullivan, on House Bill 542, sir. Out of the record.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Senator Martinez, on 607, ma'am. Out of the record. Please turn your Calendars to page 56. On the top of page 56 is 656. Senator Noland. Senator Noland. Out of the record. Senator Harmon, on 806, sir. Senator Don Harmon, on 806. Madam Secretary, out of the record. Senator Haine. Senator Haine, on House Bill 810, sir. Do you wish to proceed? Senator Haine is seeking leave of the Body to return Senate Bill -- House Bill 810 back to the Order of 2nd Reading for the purposes of an amendment. Is that correct? Yes, that's correct. Madam Secretary, now on the Order of 2nd Reading is House Bill 810. Has there been any Floor -- Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Althoff.

PRESIDING OFFICER: (SENATOR DeLEO)

It's okay, we can sit at ease for a minute. We'll be here for months. There's no problem. Senator Althoff. Senator Althoff, on the amendment. Anybody want to look like Senator Althoff? Senator Haine, we're going to take this bill out of the record. With leave of the Body, we will come back to it when the amendment sponsor is available. Okay, Senate -- House Bills -- continuing on House Bills 3rd Reading is House Bill 821. Senator Cronin. Senator Dan Cronin, on House Bill 821, sir. Out of the record. Senator Forby, on 852, sir. Out of the record. Senator Murphy, on 1105, sir. Out of the record. Senator -- Senator Murphy, did you want to introduce your Page for the Day? Is -- is that -- oh, I'm sorry. That's -- that's Leader Radogno. I thought it was a Page. I apologize. Senator Jacobs, on 1110. Senator Jacobs, on 1110, sir. On House Bill

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

1110, do you wish to proceed? I believe Senator Jacobs is seeking leave of the Body to return House Bill 1110 back to the Order of 2nd Reading for purposes of an amendment. Is that correct, sir? Okay, now on the Order of 2nd Reading is House Bill 1110. Madam Secretary, has there been any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Jacobs.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Jacobs, to the amendment, sir.

SENATOR JACOBS:

Thank you, sir. The amendment was put forth by the State's attorneys to narrow the scope of this bill. I'll talk about the scope of the whole bill on 3rd Reading.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, is there any discussion on the amendment? Is there any discussion on the amendment? Seeing none, all those in favor will say Aye. All those opposed will say Nay. It's the opinion of the Chair, the Ayes have it, and Floor Amendment No. 2 is adopted. Has there been any other further Floor amendments approved for consideration, Madam Secretary?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Now on the Order of 3rd Reading is House Bill 1110. Senator Jacobs, you wish to proceed? He indicates he does. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

House Bill 1110.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs, to the bill, sir.

SENATOR JACOBS:

Thank you, Mr. -- Mr. President. This bill was brought to me by Gary Spencer, who is the State's Attorney in the County of Whiteside. They've experienced a pretty unusual case in circumstance. What they had was a gentleman had unprotected sex with over thirteen people and they found recently that two of 'em have shown up with HIV. So, there are some laws in Illinois that govern this kind of thing and would make it prosecutable, but this will help move that along. The information will go straight to a judge. The judge will look at the information. The information will stop there.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall House Bill 1110 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 56 Ayes, 0 voting Nay, 0 voting Present. House Bill 1110, having received the required constitutional majority, is declared passed. Continuing on House Bills 3rd Reading is House Bill 1195. Senator Collins. Jacqui Collins. Leave of the Body, we'll come back to it. Take it out of the record, Madam Secretary. House Bills 3rd Reading. House Bill 1306. Senator Harmon. Senator Don Harmon. Out of the record. Turn your

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Calendars to page 57. On the top of page 57 of your Calendar is House Bill -- 1345, Madam Secretary. Out of the record. House Bill 1597. My friend, Senator Forby. Indicates out of the record, Madam Secretary. Out of the record, 2129. Out of the record, 2132. Out of the record, 2145. Out of the record, 2194. Out of the record, 2206. Out of the record, 2239. Out of the record, 2240. Please turn your printed Calendars to page 58. On the top of page 58 of your printed Calendar, Senator Steans, on 2343. It's a House bill, ma'am. Do you want a roll call anyhow, or anything you want? Anything I could do to make you happy today? Out of the record. Senator Crotty, on 2376, ma'am. Out of the record. House Bill 2414. Out of the record. House Bill 2424. Senator Crotty, ma'am. Out of the record. 2494. Senator Harmon. Out of the record. 2643, ma'am. Out of the record. Senator Demuzio, on 3245, ma'am. Out of the record. 3606. Out of the record. 3690. Out of the record. 3697. Senator Sandoval, do you wish to proceed, sir? He indicates he does. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

House Bill 3697.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Sandoval, to the bill, sir.

SENATOR SANDOVAL:

Thank you, Mr. President, Members of the Senate. House Bill 3697 is an omnibus Vehicle Code cleanup bill from the Secretary of State. There are no surprises. A straightforward cleanup bill, a number of technical items that are being cleaned

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

up by the Secretary of State, and I'll go through them specifically. House Bill 3697 modifies the driver's license revocation and restricted driving permit issuance to track with the changes of Public Law 95-377. It also provides that the rules for counting of wheelchair tiedowns for charitable vehicles do not apply to any other part of the Vehicle Code, as well as clarifying the meaning of the -- of the term "first offender". House Bill 3697 also extends the driver's license exemption for Armed Forces personnel serving overseas to ninety days, and clarifies that the driving permits are revoked by the Secretary of State and not the circuit court. This was on the agreed bill list in the House. Probably should have been in the Senate. And I look for a favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall House Bill 3697 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 57 Ayes, 0 voting Nay, 0 voting Present. House Bill 3697, having received the required constitutional majority, is declared passed. On the top of page 59 of the printed Calendar, once again comes House Bills 3rd Reading. House Bill 3718. Out of the record. House Bill 3986. Out of the record. Senator Maloney, how are you, sir? Are you seeking recognition, sir?

SENATOR MALONEY:

Yes, Mr. President. Could you please record me as a Yes vote on Senator Sandoval's bill, please? The previous bill.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

PRESIDING OFFICER: (SENATOR DeLEO)

You wanted to be recorded. The record will so reflect your intention, sir. House Bill 3987. 3987. Out of the record. House Bill -- I'm sorry, 40 -- House Bill 4088. Out of the record. House Bill 4318. Senator Bond. Senator Bond. Out of the record. Okay, Ladies and Gentlemen, for purposes of announcement -- for purpose of announcement, we will be going to page 9 of your printed Calendar, on the top. We will be going to Senate Bills 3rd Reading. This will be the final time we're going through Senate Bills 3rd Reading. And for the purposes of notification, we will be going only to those bills on 3rd Reading that have -- have extended deadline. Ladies and Gentlemen, can I have your attention, please? All Members. Senator Forby, could you -- how are you? Ladies and Gentlemen, the Senate will stand at ease until the hour of 3:30. The Senate will stand at ease till the hour of 3:30. Senator Muñoz, are you seeking recognition, sir?

SENATOR MUÑOZ:

Thank you, Mr. President. Senate Democrats requesting a caucus at 3:30 in the President's Office.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, that request is in order. So, the Senate will stand at ease. Can -- can I finish, or do you want to speak? Senator -- I know what he said. The Senate -- the Senate will stand at ease until the hour of 3:30. At the hour of 3:30, the Senate Democrats have requested a caucus. So, the Senate Democrats will report to the President's Office at 3:30. After the hour - - one-hour Senate Democratic Caucus, we'll be returning to the Floor for further Floor action, final action, at -- after the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Senate Democratic Caucus. The Senate -- Senate will stand in recess until the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

...(microphone disengaged)...

SECRETARY ROCK:

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

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

Senate Bill 367, together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Amendment 1 and House Amendment 2.

We have received like Messages on Senate Bill 1289, with House Amendments 1, 2 and 5; Senate Bill 1682, with House Amendments 1 and 2; Senate Bill 1905, with House Amendments 1, 2 and 5; and Senate Bill 2091, with House Amendments 1, 2 and 3. All passed the House, as amended, May 27th, 2009. Mark Mahoney, Clerk of the House.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Madam Secretary, Resolutions.

SECRETARY ROCK:

Senate Resolution 305, offered by Senator Dahl and all Members.

It's a death resolution, Madam President.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Madam Secretary, Resolutions Consent Calendar.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

SECRETARY ROCK:

Senate Joint Resolution 72, offered by Senator Collins.
It is substantive.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Would all Members at the sound of my voice please come to the Senate Floor? We will be going to 3rd Readings for final Floor action. 3rd Readings for final Floor action. On page 48 of the Calendar is the Order of Senate Bills 3rd Reading. This is final action. Senate Bill 3rd Reading. Senator Dillard, on Senate Bill 1300. Senator Dillard, on Senate Bill 1300. Out of the record. On the top of page 49, Senate Bills 3rd Readings. Senator Dillard. Senator Dillard, on Senate Bill 1320. Senator Dillard, on Senate Bill 1320. Out of the record. Senator Dillard, on Senate Bill 1325. Senator Dillard. There's Senator Dillard. Senator Dillard indicates he wish to proceed on Senate Bill 1325. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 1325.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Dillard seeks leave of the Body to return Senate Bill 1325 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill -- 1325. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by President Cullerton.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Dillard.

SENATOR DILLARD:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Thank you, Madam President. I think I've taken over sponsorship of this bill from the Senate President. The Senate President and I were members of the CLEAR Commission, the criminal law edit and alignment -- or realignment committee. And there are a trio of bills that continue the process of consolidating and cleaning up the Criminal Code. That's what this is. This amendment essentially becomes the bill, and I would move its adoption.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Seeing none, all those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1325. Senator Dillard. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 1325.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President. This legislation is part of the CLEAR Commission recommendations to clean up, clarify, realign and reform the Illinois Criminal Code. And this

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

particular proposal deals mostly with the forfeiture provisions for trafficking persons, in terrorism, and keeping a place of juvenile prostitution, sexual exploitation of a child, obscenity, child pornography, computer fraud, WIC fraud, dog fighting and animal fighting. And what we do is we realign and clean up the Illinois statutes. And I don't believe there are any opponents to it, and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Senator Raoul.

SENATOR RAOUL:

Madam President, to the bill: I rise in strong support of this bill. I appreciate the work that Senator Dillard and Senator Cullerton have done on the CLEAR Commission to clean up our Criminal Code and to make sure that we don't fill up our Criminal Code with redundancies and enact crimes -- new crimes that are already on the books, like was suggested by Mr. Collins in committee the other day on several amendments in the name of reform. And so, I'm so glad -- unfortunately, Mr. -- Senator Dillard voted for some of those amendments that -- that are in opposite of the spirit of the CLEAR Commission, but hopefully in the future he'll keep the spirit of the CLEAR Commission if Mr. Collins comes again with suggestions of redundancies to our Criminal Code.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Thank you, Senator. Senator Dillard, for -- to close?

SENATOR DILLARD:

Thank you. And I very much appreciate Senator Raoul's excellent comments there. I just want to thank Senator Cullerton. This was a -- a process that was two years in the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

making and it really began when Senator Cullerton was the Chairman of the Senate Judiciary Committee. John, being a former public defender, said our 1961 Criminal Code is archaic, it's hard to read. And none of this, without Senator Cullerton's leadership, would have ever come about. So, my hat's off to the Senate President for his hard work, which began literally years ago on this. Thank you, Madam President.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

The question is, shall Senate Bill 1325 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 1325, having received the required constitutional majority, is declared passed. With leave of the Body, we will return to Senate Bill 1300. With leave of the Body, we will return to Senate Bill 1300. Senator Dillard. Now on the Order of Senate Bills 3rd Reading, Senator Dillard seeks leave of the Body to return Senate Bill 1300 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 1300. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by President Cullerton.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Dillard.

SENATOR DILLARD:

Thank you. Again, this essentially becomes the -- the bill and I would move its adoption.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

PRESIDING OFFICER: (SENATOR LIGHTFORD)

All those in favor will say Aye. Opposed, Nay. The voting -- the Ayes have it. Are there any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

3rd Reading. Now on the Order of 3rd Reading, Senator Dillard. Senator Dillard indicates he wish to proceed. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 1300.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President. Again, another CLEAR Commission bill that cleans up, clarifies, realigns and reforms the Illinois Criminal Code. And I'd urge an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1300 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 1300, having received the required constitutional majority, is declared passed. Senator

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Dillard, on Senate Bill 1320. Senator Dillard seeks leave of the Body to return Senate Bill 1320 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is -- Senate Bill 1320. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by President Cullerton.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President. The last of the big CLEAR Commission bills here. This Floor Amendment No. 1 offered by the Senate President actually becomes the crux of the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Seeing none, all those in favor will say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 2, offered by President Cullerton.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator -- Senator Dillard.

SENATOR DILLARD:

Thank you. Like the smart lawyer that the Senate President is, this Floor Amendment No. 2 makes changes requested by the Illinois Supreme Court and essentially takes them out, and I'd move its adoption.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

There any discussion? Seeing none, all those in favor will

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1320. Senator Dillard indicates he wish to proceed. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 1320.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Dillard.

SENATOR DILLARD:

Thank you -- thank you, Madam President. This creates an Illinois Sentencing Policy Advisory Council under the Governor to review sentencing policies and practices and provide annual reports to the General Assembly and the Governor. Before I close on this, the last of the CLEAR Commission bills, I've already lauded the Senate President, but I want to thank the gentleman right here to my left, Mark Warnsing, who is the Senate Republicans' criminal legal counsel. Mark is a former lawyer to the Governor. But Mark actually put the icing on the cake of this process. Dick Edwards and the staff of the Legislative Reference Bureau were unbelievable. Mr. Edwards and his staff were literally pulling out their hair for a couple years working on this. And with Mr. Warnsing's help and Mr. Jim

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Dodge on your side of the aisle, Madam President, this behemoth change in policy and cleaning up our Criminal Code in Illinois is reality. So I just want to thank the staff, because it's the behind-the-scenes people, the Reference Bureau, Mr. Edwards, Mr. Warnsing, Mr. Dodge, that, along with Senator Cullerton's vision and hard work, made this happen. So, I'd urge an Aye vote. Thank you, Madam President.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Raoul, for what purpose do you rise?

SENATOR RAOUL:

Madam President, I -- I rise in strong support of this bill. Again, I want to commend Senator Dillard and Senate President Cullerton and Mark and Jim for their work on this. Many people may not know exactly what we're doing here, but the important thing is to realize that the CLEAR Commission is going to be -- and the Sentencing Policy Council will be looking at the way -- the work that we've done over the last so many years to foul up our Criminal Code and our -- and -- and our sentencing. So, to -- to the extent that this council does its work, I would ask every Member of this General Assembly not to reverse the work that the council has done by coming in with enhancements that don't necessarily match the crimes simply to go back and send out a newsletter and say we're tough on crime. That'll -- that'll reverse the hard work that Mark has done and that Jim has done and that Senator Dillard and President Cullerton has -- has done.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Further discussion? Senator Dillard, to close.

SENATOR DILLARD:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Thank you, Madam President. One last person I ought to thank and that's a former Senate legal counsel, Peter Baroni, who is the Executive Director to the CLEAR Commission, and I want to thank the foundations who helped fund this Commission, the private foundations that were there, and Justice Gino DiVito and former Governor Jim Thompson, who were its Co-Chairs. Thank you, Madam President.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

You're welcome, Senator. Is there any further discussion? Seeing none, the question is, shall Senate Bill 1320 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 1320, having received the required constitutional majority, is declared passed. On the Order of 3rd Reading is Senate Bill 552. Senator DeLeo, on Senate Bill 552. He indicates he wish to proceed. Madam Secretary, please read the bill. With leave of the Body, we will return Senate Bill 552 on the Order of 2nd Reading. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator DeLeo.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator DeLeo.

SENATOR DeLEO:

Thank you very much, Madam President and Ladies and Gentlemen of the Senate. Committee {sic} Amendment No. 1 allows downstate and Chicago police officers to establish two years of

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

additional service credit if they served in the United States Armed Forces prior to their employment as a police officer. I'd ask we adopt Floor Amendment No. 1 to Senate Bill 552, Madam President.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Seeing none, all those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 552. Senator DeLeo. He indicates he wish to proceed. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 552.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator DeLeo.

SENATOR DeLEO:

Thank you very much, Madam President. As I just stated, the amendment becomes the bill. It allows downstate police and Chicago police to allow the purchase of the optional retirement service for -- for military service up to two years. I'd ask for a favorable roll -- roll call on Senate Bill 552.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

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

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

shall Senate Bill 552 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 552, having received the required constitutional majority, is declared passed. Now on page 34. On page 34, the Order of 3rd Reading, is Senate Bill 932. Senate Bill 932. Senator DeLeo. Senator DeLeo seeks leave of the Body to return Senate Bill 932 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is Senate Bill 932. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator DeLeo.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator DeLeo.

SENATOR DeLEO:

I'd ask -- request to table Floor Amendment No. 1, Madam President.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Would you like to withdraw, Senator?

SENATOR DeLEO:

Yes.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

So withdrawn. Is there any further Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 2, offered by Senator DeLeo.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Senator DeLeo, on Floor Amendment No 2.

SENATOR DeLEO:

Thank you very much. I'd like to adopt Floor Amendment No. 2. Floor Amendment No. 2 was a compromise between the Illinois School Transportation Associate {sic} and it came out of some discussion in the committee, and this changes the communication on the bus. I'd like to adopt Floor Amendment No. 2 and I'll discuss on 3rd Reading.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Seeing none, all those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 932. Senator DeLeo indicates he wish to proceed. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 932.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator DeLeo.

SENATOR DeLEO:

Thank you very much, Madam President and Ladies and Gentlemen of the Senate. For those of you who aren't familiar with this situation, back around the Easter holiday, there was a

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

situation up on the north side of Chicago in the suburbs up in the Niles-Park Ridge area. A school bus picked up this young boy who was autistic. It's one of those small mini school vans. The boy was strapped into the seat. The bus driver went on to pick up four or five other students, went to the school in Niles, dropped off the children, and the school called the family at about 8:40 in the morning, about twenty minutes after the boy was picked up, and said to the family the backpack arrived, but no child. Well, the mother panicked. The school district panicked. The father panicked. And they went searching for the school bus. The Niles police found the school bus in a shopping center mall on the far part of the Village and the school bus driver was shopping in a dollar store. The child had fallen asleep in the back of the bus and he was laying horizontal on the seat. So when she left the children off the bus, even though we have safeguards of inspection of the bus and they're supposed to do a walk through, she just casually glanced at the back of the bus, saw no heads or no feet and assumed the bus was empty. Well, for a couple hours, this search -- the police, the school district, the parents were frantic. This legislation says that we must have a two-way radio working in a school bus; that they have to have communication. And there's penalties in this. It's like a violation if you have a broken taillight. It puts the onus on the bus driver so he or she is going to get that bus. We originally, in the original legislation, asked for GPS, and the school districts and the Association came and said it -- it's a costly device, and we downgraded it to an operating two-way radio so this situation never happens again. I don't want any parent to ever go through

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

the trauma that these -- these people did up on -- on the northwest side of Chicago, Madam President. So I ask to have a favorable roll call on a very important piece of legislation to have these -- communication with these buses that are delivering these precious, precious students to the school.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Thank you, Senator. Discussion? Senator Righter, for what purpose do you rise?

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR LIGHTFORD)

He indicates he will. Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President. Senator DeLeo, first I want to recognize the work you've done with regards to Amendment 2 in significantly scaling back what you're requiring the school districts to do. As I understand the bill now, it requires a two-way radio be placed -- that the driver have that. Now, does it require that they keep that on their persons -- their person, or does it simply require that it be in the bus? And the reason I'm asking that, Senator, is because, the situation you describe, the bus driver exits the bus, walks into the Dollar General store. I'm assuming she does not -- I mean, they could call on the two-way radio; if it's in the bus, they still don't know where that -- that bus is at. So, are they required to keep that on their person, or is it -- or is there not such a requirement?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Senator DeLeo.

SENATOR DeLEO:

It's -- it's on the equipment. It must be an operating two-way radio. It must be on the bus.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter.

SENATOR RIGHTER:

Second issue, Senator DeLeo, and this is one we talked before in committee about, and that has to do with if there's not a two-way radio on the bus - in other words, if the school district has not put a radio in the bus - and that is discovered by law enforcement, then it is the school bus driver - not the school district, but the school bus driver - who will be cited and eventually could lose their license if that happens, I think, three times. Is that correct?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator DeLeo.

SENATOR DeLEO:

Correct. That's correct.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter.

SENATOR RIGHTER:

Senator, can you talk to the Body a little bit about why you think that's fair? If a school district chooses not to pay for a two-way radio to be in the bus, to be -- have in the bus, and the school bus driver is the one who pays that penalty, tell me why you think that's acceptable and it should become law as is. And, Madam President, that's all I have. Thank you.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Senator DeLeo.

SENATOR DeLEO:

Just like in the situation with a CDL, if I'm that bus driver and I work for this bus company or work for this school district and I go to get that equipment, that bus, and -- I'm going to check out to make sure that there's no broken taillights, I'm going to make sure the headlights work, I'm going to make sure the brakes work, and I'm going to make sure my two-way radio works, because now I know that I can get a ticket and get my license suspended. If I'm driving that bus, I'm not going to take that bus and I'm going to go back to the office or the dispatcher and say there's no working two-way radio. I'm not going to get a ticket for that. And I think it's a deterrent that will make these people more responsible. You know, under our current law, it says that the -- the driver must do a post-inspection of the bus. Well, it didn't -- that's our current law. It didn't -- in this situation, it didn't happen. So we need to, in the meantime -- and -- and, Senator Righter, you brought up the fact that -- that the woman was in a mall or in a -- in a shop, that the bus was parked, we wouldn't have -- but we'd have communication while -- that twenty or thirty minutes or fifteen minutes while she was driving it. We wouldn't have the police -- two suburban police departments going frantic looking for the school bus driver. They could have radioed the bus. She could have said, "I'm on my way to the mall. What's the matter?" "Well, you still have a student." There was communication -- so, it's an equipment situation. And I think, whether it's a tractor-trailer or a school bus driver, they're going to make sure that they have

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

equipment that works, and that's why I think this is very important.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Any further discussion? Seeing none, Senator DeLeo, to close.

SENATOR DeLEO:

Thank you very much, Madam President. Thank you. I'd like to thank the members of the committee for working with me and -- and drafting this other amendment that made the bill a -- a finer piece of legislation. I ask for a favorable roll call on Senate Bill 932, Madam President.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

The question is, shall Senate Bill 932 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 voting Aye, 5 voting Nay, 0 voting Present. Senate Bill 932, having received the required constitutional majority, is declared passed. On the Order of Senate Bills 3rd Reading.. The Senate will stand at ease for a few moments to allow the Committee on Assignments to meet. Will the members of the Committee on Assignments come to the President's Anteroom immediately? Will members of the Committee on Assignments please come to the President's Anteroom immediately. The Senate will stand at ease.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR LIGHTFORD)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

The Senate will come to order. Mike -- Mike Majewski, WFLD-TV, requests permission to videotape. Leave is granted. Senator Jones, for what purpose do you rise?

SENATOR E. JONES:

I'd like to be recorded as a Yes to Senate Bill 932, Senator DeLeo's bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

It will be so noted, Senator. Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to the State Government and Veterans Affairs {sic} (Affairs) Committee - House Joint Resolution 40, Senate Resolution 273, Senate Resolution 290, Senate Resolution 291, Senate Resolution 296 and Senate Resolution 297.

Senator James F. Clayborne, Chairman.

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Referred to the Appropriations I Committee - Floor Amendment 1 to Senate Bill 2169; refer to the Criminal Law Committee - Floor Amendment 2 to House Bill 1105 and Floor Amendment 1 to House Bill 1105; refer to the Education Committee - Motion to Concur with House Amendment 1 and House Amendment 2 to Senate Bill 1293, Motion to Concur with House Amendment 1 to Senate Bill 1926; refer to the Energy Committee - Motion to Concur with House Amendment 1 to Senate Bill 1140; refer to the Environment Committee - Floor Amendment 2 to House Bill 3987 and Motion to Concur with House Amendment 1 to Senate Bill 2103;

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

refer to the Executive Committee - Motion to Concur with House Amendment 1 to Senate Bill 138, Motion to Concur with House Amendment 1 to Senate Bill 933, Motion to Concur with House Amendment 1 to Senate Bill 1296, Motion to Concur with House Amendment 1 and House -- House Amendment 2 to Senate Bill 1333, Motion to Concur with House Amendment 1 to Senate Bill 1477, Committee Amendment 2 and Committee Amendment 3 to House Bill 3923, and Floor Amendment 1 to House Bill 88; refer to the Gaming Committee - Motion to Concur with House Amendment 1 to Senate Bill 1576; refer to the Human Services Committee - Motion to Concur with House Amendment 1 to Senate Bill 275; refer to the Insurance Committee - Floor Amendment 2 to House Bill 2652; refer to the Judiciary Committee - Motion to Concur with House Amendment 1 to Senate Bill 1285, Motion to Concur with House Amendment 1 to Senate Bill 1335, and Motion to Concur with House Amendments 1 and 2 to Senate Bill 2112; refer to the Local Government Committee - Floor Amendment 2 to House Bill 3986 and Floor Amendment 1 to Senate Bill 2190; refer to the Pensions and Investments Committee - Floor Amendment 1 to House Bill 2643 and Floor Amendment 2 to House Bill 2643; refer to the Public Health Committee - Motion to Concur with House Amendment 1 to Senate Bill 2256 and Floor Amendment 3 to House Bill 810; refer to the Revenue Committee - Motion to Concur with House Amendment 1 to Senate Bill 1553 and Motion to Concur with House Amendment 1 and House Amendment 2 to Senate Bill 1750, and Committee Amendment 1 and Committee Amendment 2 to House Bill 4046; refer to the State Government and Veterans Affairs Committee - Committee Amendment 1 to Senate Resolution 273; refer to the Telecommunications and Information Technology Committee - Floor Amendment 1 to Senate

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Bill 120; refer to the Transportation Committee - Motion to Concur with House Amendment 1 to Senate Bill 2217.

Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Now on the Order of Senate Bills 3rd Reading -- Madam Secretary, Messages from the House.

SECRETARY ROCK:

Message from -- a Message from the House by Mr. Mahoney, Clerk.

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

Senate Bill 189, together with the following amendments which are attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Amendment 1 and House Amendment 2.

Passed the House, as amended, May 27th, 2009. Mark Mahoney, Clerk of the House.

I have a like Message on Senate Bill 2172, with House Amendments 1 and 2.

Passed the House, as amended, May 27th, 2009. Mark Mahoney, Clerk of the House.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Now on the Order of 3rd Readings, Senate Bill 177. We're on page 10, 3rd Readings, Senate Bill 177. This is final Floor action. Senator Hunter. Senator Hunter indicates she wish to proceed. Senator Hunter seeks leave of the Body to return Senate Bill 177 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 177. Madam

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Hunter.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Hunter.

SENATOR HUNTER:

Thank you, Madam President and Ladies and Gentlemen of the Senate. Amendment 1 authorizes the removal of directors from a condominium board of directors. And I ask -- ask -- I wish to adopt the amendment.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Seeing none, all those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 177. Senator Hunter. Senator Hunter indicates she wish to proceed. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 177.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Hunter.

SENATOR HUNTER:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Thank you, Madam President and Ladies and Gentlemen of the Senate. I've been working on this bill for several months and I've not been able to come to an agreement with the House and other persons who -- organizations that are in opposition of this bill. So I request that we pass this bill. I have a series of three condominium bills that went through the Executive Committee. And so I ask that we pass this bill out so that the House can -- can spend more time on working on it this summer.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Further discussion? Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Indicates she will. Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President. Senator Hunter, what I know about condominiums you could write on the head of a pin. So obviously I'm -- I'm going to support you in your effort to keep this issue going, but I do have a question, and that is, from our analysis, it indicates that the Chicago Bar Association is opposed to...

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Excuse me. Excuse me. We're having debate. The sponsors can not hear each other. Please, please, quiet down. Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President. Senator Hunter, can you tell

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

me why the Chicago Bar Association opposes the language that is in Senate Bill 177 currently? Thank you, Madam President.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Hunter.

SENATOR HUNTER:

Thank you, Senator Righter. Not only does the Bar Association oppose this particular bill, but they oppose the other series of the bills and that's a good question. I asked the Bar Association rep why are they opposing the bill and the guy simply told me that he had no idea why. He was simply asked to come over and oppose it.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any further discussion? Seeing none, the question is, shall Senate Bill 177 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 177, having received the required constitutional majority, is declared passed. Now on page 11, if you would turn to page 11, Senate Bill 291. Senator Hunter. Senator Hunter indicates she wish to proceed. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 291.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Hunter.

SENATOR HUNTER:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Thank you, Madam President and Ladies and Gentlemen of the Senate. I wish to -- this is the same -- this is the continuation of the series of condominium Acts that I'd like to pass out so more time could be spent in the House to work on them.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Seeing none, the question is, shall Senate Bill 291 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 291, having received the required constitutional majority, is declared passed. Now on the Order of Senate Bill 292. Senator Hunter. Senator Hunter indicates she wish to proceed. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 292.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Hunter.

SENATOR HUNTER:

Thank you, Madam President and Ladies and Gentlemen of the Senate for being so patient with me. I, once again, ask that you pass this last series of condominium bills out of the Senate for further work in the House. Thank you.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Seeing none, the question is, shall Senate Bill 292 pass. All those in favor will vote Aye.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 292, having received the required constitutional majority, is declared passed. Now on the Order of 3rd Reading on page 49. Senator Haine, on Senate 1381. Senator Haine seeks leave of the Body to return Senate Bill 1381 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 1381. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 5, offered by Senator Haine.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Haine.

SENATOR HAINE:

Thank you, Madam President and Ladies and Gentlemen of the Senate. This is the compassionate use of medical marijuana - medical cannabis. Floor Amendment No. 5 is a -- it concludes Amendments 1 through 4 and was the result -- a fruition of a continuing effort to narrow the scope of the bill in response to concerns from law enforcement. Floor Amendment No. 5 decreases the amount of cannabis which is deemed an adequate supply under the Act. It tightens up the content of the written certification of a physician required under the Act. And requires that there is a physician-patient relationship under the Act. It improves the education component in the bill and pays for it out of the fee paid by the patient. It enhances the enforcement of the Act by raising penalties for stepping beyond the walls created -- around this protected use. It adds to the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

stakeholders that will advise the Department of Public Health on the rules to specifically include the State Police. And they join prosecutors, doctors, nurses, and plant specialists. It defines and limits the number of cannabis plants to be possessed. It -- it -- it -- it further defines and restricts the debilitating medical condition to mean a disease or a medical condition or its treatment that leads to pain which is severe and a disease or a medical condition which produces severe nausea. It goes on to raise the identification card. It declares that the Act must be interpreted to -- to enforce the various rules. It enhances the penalty for someone who has the permission of Department of Public Health to use this..

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Haine, would you like to explain this bill on 3rd Reading once we adopt the amendment? Thank you. Now on the Order of 2nd Reading is Senate Bill 1381. Madam Secretary, are there any Floor amendments approved for consideration? All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

3rd Reading. Now on the Order of 3rd Reading, Senator Haine, on Senate Bill 1381. Senator DeLeo, for what purpose do you rise?

SENATOR DeLEO:

Point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Please state your point.

SENATOR DeLEO:

I'd like to introduce some people from Chicago. They're visiting here in Springfield today. Bob Wendell and his beautiful wife, Kathy. They're Secretary of State employee. They're both retired from the City and they got to see the wonder -- wonderful Abraham Lincoln Museum today. And I'd like to welcome them to Springfield, Madam President.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Please rise in the gallery and be recognized by the Illinois General Assembly. Welcome. Senator Holmes, would you like to be recognized to speak on this bill? One moment, please. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 1381.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Haine.

SENATOR HAINE:

Thank you, Madam President. And I do appreciate very much your indulgence and the indulgence of -- of the Body. And let me give you a brief history of this bill. In 1937, there were many medicines containing marijuana which were available in the United States. In 1937, the Congress of the United States, in an omnibus drug bill, prohibited all marijuana for any purpose. Doctor Woodward of the American Medical Association testified actually against that bill, saying that there were many medical uses, beneficial uses, of marijuana known to medicine even as

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

early as the thirties. But in any case, the federal government lumped it in with all other deleterious substances, such as cocaine and heroin and opium, and prohibited its use for any purpose. However, science literally marched on. Medical science found, through many studies, that marijuana was a beneficial use for some people in some circumstances. And we have outlined those in the bill - those suffering debilitating diseases with chronic pain. When -- when I first started this bill, we began to run into people in all walks of life who came up to me with similar stories of being recommended to them by a physician or a next of kin to use marijuana. There was a court case to -- and to hurry this along, there was a court case in the 1970s which actually ruled - an administrative law judge - that marijuana was found to be a medical use and the prohibition of the use of it was arbitrary and capricious. However, FDA and the United States Congress declined -- or the Drug and - DEA, not FDA - DEA and the United States Congress refused to budge. However, the United States government did authorize, in response to this obvious scientific truth, a research program. And Illinois became a part of that. There were twenty-six states that applied for permission to use medical marijuana for research. However -- this was a 1978 Illinois law. However, the federal government shut off the participation in the -- in the plan and the people of Illinois were denied the opportunity to participate even in the research. But a landmark Act was passed in Illinois allowing the use of marijuana, which is the law today, in a medical research authorized by the United States government and the State. The State of Illinois, in response to our inquiry, the DHS, has said they do not have such a program

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

and do not foresee any; hence the need for this bill. This bill in its inception allows the use in limited medical circumstances. In response -- in response to the concerns of law enforcement, we have substantively changed the bill and restricted it. We have restricted the number of plants to three. We have prohibited the use of the operation of any motor vehicle by anyone who's -- who's in this plan. We have created penalties for the possession of plants that are actually greater than if people were not participating in the program. We have defined and delineated the diseases, all in response to some of the improvident things going on in California, because the California medical marijuana law was done by a referendum and, frankly, it was sloppily drafted. We have learned from those mistakes and we have crafted a very narrow bill. There are -- there's a requirement, as I'd indicated earlier, for a physician-patient relationship. There's a delineation of a disease. There is strict control by the Department of Public Health over those who operate dispensaries. Those are places where marijuana plants can be grown and accessed by people who can't grow their own. These are all measures to avoid any imputation that this is a stealth legalization of marijuana. It is not intended to be a stealth legalization. It is a program that's enacted for the compassionate use by people who have been recommended by a doctor. There have been numerous studies, as I've indicated. I have in my possession a recent letter from a faculty member from the Washington University of St. Louis School of Medicine, one of the premiere schools of medicine in the United States, in which he tells me he recommends marijuana - Doctor Clifford. Many other physicians that I've spoken with

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

have recommended this for their patients. My own -- in my own family, my wife's sister-in-law's brother died of esophageal cancer in Ohio five years ago. We were told three weeks ago that his physician recommended marijuana use because of the terrible pain and the inability to swallow. These are anecdotal, but these anecdotal pieces of evidence have accumulated across the country to such an extent that in every state, thirteen states, where this has been placed on the ballot, it has passed with overwhelming margins. The State of Michigan put it on the ballot last election cycle. It carried every county. It carried the Republican counties and the Democratic counties because of this anecdotal evidence and the obvious fact. I received a heartrending letter from a retired physician of my hometown, the dean of the medical community. He's in his eighties. He's the former longtime president of the Madison County Medical Society. His name is DuVivier. He wrote me a personal note strongly approving of legalized marijuana use and he appreciates all the efforts of those who are trying to -- to do that. This is the science. And we have -- last of all, to make this bill most restrictive and to avoid, again, any imputation that it's a legalization, we've made this a pilot program. It is only going to be for three years and it sunsets. So, if any problems manifest themselves in this bill -- as a result of this bill, if it passes the House and his Excellency, the Governor, signs it into law, if any -- if any problems manifest themselves, we will not renew it. And I will not sponsor it. This is a partnership with law enforcement, I believe. I would never place burdens on my colleagues, my former colleagues in the profession of the law, whether State's

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

attorneys or police. But this is a reasonable application of discretion by a legislative Body. It is speaking for the people of Illinois. It is saying that we have common sense and compassion.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Hilary Russell, Illinois Issues, seek leave to photo. Leave is granted. Is there any discussion? Senator Righter, for what purpose do you rise?

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR LIGHTFORD)

He indicates he will. Senator Righter.

SENATOR RIGHTER:

Senator Haine, it's my understanding, according to the provisions of Senate Bill 1381, that there are two groups who work together to supply the cannabis to the patient. There's the primary caregiver and then there's - above them - they get the cannabis from a medical cannabis organization. Is that correct?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Haine.

SENATOR HAINE:

Yes.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter.

SENATOR RIGHTER:

Does your bill require criminal background checks of either a primary caregiver or any of the board members of a medical

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

cannabis organization?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Haine.

SENATOR HAINE:

No. It requires criminal background checks of those who run the dispensaries. A caregiver is a personal extension of the person who is applying for permission to use the cannabis.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter.

SENATOR RIGHTER:

When you say dispensary, are you talking about the medical cannabis organization, Senator? If you are, then I'd like you to point to me in the bill where it mandates that they have to go through a criminal background check.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Haine.

SENATOR HAINE:

Okay, the -- I stand corrected, Senator. It does not. There are oversight requirements, recordkeeping and security requirements. They must implement appropriate security measure to deter and prevent unauthorized entrance. There's penalties raised for those who control this and -- and such.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter.

SENATOR RIGHTER:

Senator Haine, your bill also speaks about -- that the Department of Public Health may require reasonable inspections of the facilities that the medical cannabis organizations maintain. Is there anything in your bill that requires them to

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

be inspected by the Department of Public Health or any other entity, for that matter?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Haine.

SENATOR HAINE:

Well, I -- I presume that -- I -- I -- this is a presumption of mine, that the Department of Health is -- is mandated to promulgate rules and they will be implementing rules that will allow such inspections, and that the -- the local police and the prosecutors who are on this advisory board to the Department, and they will propose rules, will -- will do the same.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter.

SENATOR RIGHTER:

To the bill, please, Madam President: Ladies and Gentlemen, I appreciate the rendition that Senator Haine gave us about the history of cannabis and the history of cannabis in Illinois and the history of how cannabis has been used as a medicine. But, you know, that -- that statement has nothing to do with what's on the board here. The decision before this Body is whether or not you believe the provisions in Senate Bill 1381 are appropriate. There are no background checks required for the people who'll be handling the cannabis or the people who'll be growing the cannabis. People who are handling the cannabis or could be growing the cannabis can have drug-related misdemeanor convictions under this. In fact, there is no limit to the number of drug-related criminal misdemeanor convictions they can have and still get a license from the Department of

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Public Health. There is no requirement - none - that the Department of Public Health, the Department of State Police, or anybody else inspect any of the facilities that'll be growing this cannabis. With all due respect to the sponsor, this is not a tightly drafted bill. This bill has loopholes that you could drive a truck through. But for those of you who are not troubled by that or just a little bit troubled by that, but still want to give these people access to marijuana, we already have that answer. Madam President, I am holding up in front of you a copy of 720 ILCS 550/11. We already have a statute on this. It was passed in the 1970s. It was passed with bipartisan support, both Republicans and Democrats signing together. And you know why? Because it requires the Department of Public Health and the State Police write rules together. In other words, law enforcement is required to be part of the program. Not under this bill. Under this bill they are allowed to be part of the program, but this bill does not require the State Police to be involved. That's the wrong way to go. So, since the 1970s, Madam President, no Governor - no Governor - has told the Department of Public Health and the Department of State Police, you two need to get together and write your rules so we can have a program that is both effective and one that the taxpayers and the citizens can have confidence in. That's what we ought to be doing, Madam President. I'm happy to cosign a letter to the Governor urging him to tell the departments to promulgate rules. I'll sign that letter with you. I'll sign it with Senator Haine. I'll sign it with the Senate President, who ran this bill before. We have something in statute already. Let's not pass this. Let's not pass this. This is an

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

invitation for trouble. One last thing, Madam President, the bill that Senator Haine is sponsoring says that the Department will have to accept cards - the card that you carry to be legal to have this cannabis - from other states. Senator, himself, talked about the State of California and what kind of unmitigated mess their program is. Under his bill, that card from California is good here in Illinois. That's not right. We can do it better through a simple rule-writing procedure and really help these people - not pass this monstrosity. Thank you, Madam President.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

You're welcome, Senator. Senator Haine.

SENATOR HAINE:

I would simply say that the bills in California are being refined by the General Assembly out there to corral many of these. If someone comes into Illinois with a card from California, they must obey Illinois law. I would also state that we have increased the penalties for any violation of this - of this Act, each step. We've increased them. And the State Police are on the advisory board with my specific urging, along with a prosecuting attorney, other law enforcement personnel. As this thing proceeds through a rulemaking process, there will be an opportunity for the police to have a stake in this, just as this Senator points out. But until we move forward with it - and I would entertain any reasonable effort to further narrow this when we move to the House. This is the first step. And the -- the -- keep in mind that the caregiver is an extension of the patient himself or herself.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Senator Martinez, for what purpose do you rise? Senator Martinez.

SENATOR MARTINEZ:

I'm sorry. To the bill, please.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

To the bill.

SENATOR MARTINEZ:

I want to commend Senator Haine on this very good bill. I don't know if people who have gone to our -- to the committee and have had these people that have come to our committee to talk about their pain, to talk about, you know, how this cannabis does help them, relieve them of this pain. I think this bill has been around a long time. And when you talk about the fact that it's a pilot program, it is just that, a pilot program to see how well we can do. I think it's about time that we addressed the issue of the people that have come to this State House to talk about their pain and things that they need from us in order to alleviate their sense of pain when it comes to this particular cannabis. The Department of Health and the Department of State Police are going to be very much involved in creating the rules and really putting all the protection necessary that we need to have in a bill like this. So, I think that the safety net that has been created around this bill, as far as being abused by the criminals out there, that has nothing to do with that. I think there is enough safety net built into the bill itself that will really help the people that have come to us asking for our help in passing this medical cannabis bill. So I urge all Members of the Senate to really look and read the bill that's in front of us, about all the things that have been

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

put into the bill over the course of the years that this bill has been coming to the Senate, trying to get its passage. I think that people have worked really, really hard - Senator Haine and I know, in the past, Senator Cullerton - really working to make sure that we can put something together here that can bring -- bring a sense of relief to people who have come before us many a times in pain, talking about how a seed that's put into a brownie can help them, can help relieve them of the pain. I wish that everyone here had an opportunity to sit with the -- with these people that came to our -- our -- our committee to talk about how they feel and the pain and the relief they feel by just being able to take these seeds, put 'em in a brownie or in something that they can drink and the relief they've been able to get. But more important, I think that they are not criminals. They should not be charged as criminals. They are just people that are sick, that have had a doctor's recommendation, and maybe they should be able to go and get some of this cannabis. But I think it's important that we put this legal issue to work here to making sure that they're not criminalized because of the illness they have and the fact they're looking for a way of having some kind of relief when it comes to the pain that they share -- that they have. So, please, take a good look at the bill. I think it's very thorough and I think there's much more things that probably we can add to it to continue to bring the comfort level of everyone in this room. But I think we really need to address this bill once and for all. We really need to just debate it. But more important, look at what the bill says; look at all the safety nets -- the safety language that has been put into the bill. I

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

really believe that we need to act on this. And I want to just say, thank you, Senator Haine. I'm happy that I am a cosponsor with you on this bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Bivins, for what purpose do you rise?

SENATOR BIVINS:

Thank you. Question of the sponsor.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

He indicates he will yield. Senator Bivins.

SENATOR BIVINS:

Thank you. Senator Haine, on the bill, does this allow for the growing of marijuana in one's home?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Haine.

SENATOR HAINE:

Yes. Up to three plants.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Bivins.

SENATOR BIVINS:

Thank you. Second question, in the bill - and I've read the bill -- and I do appreciate the work you have done on this. You've done a lot of work and worked very hard on this and I do appreciate that. And -- and I've read the entire bill. And the -- in one portion of this, it says a landlord cannot refuse to rent to someone who is a registered medical marijuana user?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Haine.

SENATOR HAINE:

Yes.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Bivins.

SENATOR BIVINS:

To the bill, Madam President: This -- there is a lot of problems with this bill and I have read it in its entirety. One, as I just mentioned, a landlord cannot refuse to rent to someone growing marijuana in their home. They cannot refuse to rent to 'em while they smoke marijuana. The landlords can refuse to rent to someone who smokes or has pets. But in this case, you can't refuse someone who wants to grow marijuana in a rented apartment or smoke it there. So that is of great concern, I'm sure, to many. The other problems that I have, you know, if we are going to change the definition of an illicit drug that's primarily used for recreation, then I submit it should be treated like a drug and any pharmaceuticals manufactured in a sterile environment under strict controls - regulations with strict attention given to the ingredients. This does not do that. There is no attention to quality control. There is no attention to dosage amount. You know, common aspirin is pretty amazing. It's called the wonder drug. It's legal. You can buy it. The -- the ingredient goes back to 400 B.C., manufactured in the -- in the late 1800s. But this has something. It's -- you can buy this off the -- the shelf, but this has something, has a lot of things that this bill doesn't provide. It has eighty-one milligrams per unit. It has an expiration date. It has a lot number, the manufacturer -- where it was manufactured. It has warning labels on it. It has a lot of information on this tiny little bottle. This is not something that you will get by growing marijuana in your home.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

There is no quality control. That is of great concern. If we as a Body are going to start calling things medicine, then we better go to those professionals. Manufacturing of medicine is a science. It's an exact science. And this bill does not allow for that. And for those reasons, and many more, I have great concerns. On the other side, too, that -- that places where they have medical marijuana, usage by young people has gone up two and three times in those areas. That's a great concern. Once you say something is legal in any form, usage will go up, whether it's gambling, whether it's -- it's medical marijuana, usage will go up. Don't be fooled by that. And I can produce, as others can -- we can produce people who have had cancer, other debilitating diseases who say don't do this. So we can produce on either side of -- of that argument. But for a lot of reasons and specifically as a medicine with no quality control and allowing people to do this in their homes, I -- I would encourage a No vote on this. Thank you.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Holmes, for what purpose do you rise?

SENATOR HOLMES:

To the bill, Madam President.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

The bill.

SENATOR HOLMES:

I think many of you probably know, because I've -- I've said it before when I've been on the Floor, I have MS. So, because of that and because I'm fortunate enough to still be able to downhill ski and be able to lead a completely full, active and somewhat stressful life, I am -- become sort of a

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

spokesperson and somebody that a lot of the people with the Chicagoland Chapter of the MS Society will come to and talk to about their situation. One of the things that they came to me to speak out about was medical marijuana. We are talking about people here that are not looking to abuse a drug. This is not recreational drug use. This is a drug that allows people to have some quality of life. This drug can be the difference between a mom who can't get up off the couch because she is so fatigued and feeling so ill and walking her daughter to school. This drug can be the difference between somebody staying home on full disability or being able to go out and work and lead what we consider to be a much more normal life. So to sit here and say that this drug has the potential to be abused, therefore we should not be voting in favor of this bill, well, then, you know what? Go home and empty out your medicine cabinet, because all of your pain medications, your sleep medications, your valium, all have the potential to be abused. And all of these prescription drugs at various times are abused. So to sit here and punish people with MS, people with cancer, people who you can give them the quality of life they deserve, because you're going to sit there and say there's a stigma on marijuana that's different than the stigma on any other drug that's out there, is just plain wrong. I want to thank the sponsor for this bill. It is long overdue and I want to urge an Aye vote.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Schoenberg, for what purpose do you rise?

SENATOR SCHOENBERG:

To the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

To the bill, Senator.

SENATOR SCHOENBERG:

Thank you, Madam President and Ladies and Gentlemen of the Illinois Senate. I want to -- I want to share in the praise that's to be extended to the sponsor, Senator Haine, whose law enforcement background as a prosecutor is impeccable and who has made a very deliberate decision to require that licensed physicians put their medical license and their professions on the line in exercising the necessary judgment to provide therapeutic relief from {sic} those who suffer from MS, cancer and several other diseases and medical conditions. And why is this bill timely? It's not timely simply because it's long overdue; it's timely because there's finally a sea change in Washington in how the federal government is treating this policy. Specifically, in late February of this year, Attorney General Eric Holder of the Obama administration explicitly said, and I quote, "What the President said during the campaign...will be consistent with what we will be doing here in law enforcement." What President -- what -- what Senator Obama said during the campaign is now -- what President Obama said during the campaign is now American policy. And what President Obama said at the time was, and I quote, "My attitude is if the science and the doctors suggest that the best palliative care and the way to relieve pain and suffering is medical marijuana, then that's something I'm open to. There's no difference between that and morphine when it comes to just giving people relief from pain." So, the federal government has now ceased the DEA raids that -- that seventy-two million people in this country were subject to who lived in states that have policies

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

that permit the legal use of cannabis for therapeutic purposes. There are countless instances where we've seen that synthetic THC simply does not provide people with the level of relief from the pain and suffering that they incur as a result of the -- some of the diseases and conditions which they have. So a synthetic product is not going to be the same in many cases as it is for someone like Julie Falco, who many of us have seen heroically come to the State Capitol time and time again since she was first diagnosed with MS in 1986 and has made it her life's passion to shed this regressive label and stigma in order to provide people like herself - everyday, hardworking, taxpaying Americans - with relief from the pain that some of these diseases and conditions provide. Madam President, Ladies and Gentlemen of the -- of the Senate, now is the time when we must step forward. Now is the time where we must provide people with Julie -- like Julie Falco and countless others with the reassurance that we have their best interests at heart, that we acknowledge that synthetic products manufactured by pharmaceutical companies are not always the end-all and be-all, under the tight constraints that Senator Haine has drawn, which make doctors put their licenses on the line. And it's for that reason, I'm proud to be a co-sponsor of Senate Bill 1381, and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR LIGHTFORD)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

He indicates he will. Senator Burzynski.

SENATOR BURZYNSKI:

Thank -- thank you very much. First of all, Senator Haine, let me assure you that I believe you have nothing in mind but the utmost of right intentions in carrying this bill forward. So I -- I do commend you for that and -- and I can appreciate that. So let me assure you that -- that I do understand that. Secondly, let me assure everyone here that I think everybody's minds are already made up how they're going to vote on this particular piece of legislation. So, I don't think that we're really going to change any minds by the debate here today. But I do have a couple of questions, Senator, because I'm a little bit unclear from some of the comments that have been made today. First of all, what medical organizations support the use of medical cannabis? Since it is medical cannabis, I assume there are medical organizations supporting its utilization.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Haine.

SENATOR HAINE:

I have numerous supporting endorsements - from an organization called the Institute of Medicine, the American Academy of Addiction Psychiatry, the American Academy of Family Physicians, the American Academy of HIV Medicine, the American Nurses Association, the American Society of Addiction Medicine, the Canadian Medical Association, the British Medical Association, the American Public Health Association through Resolution No. 9513, the Medical Society of the State of New York, the Rhode Island Medical Society, the California Medical Society, the HIV Medicine Association of the Infectious Diseases

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Society of America, the American Medical Student's Association, the Lymphoma Foundation of America, the Arthritis Research Campaign, Cancer Monthly, HIV, et cetera. So, I -- I could go on -- as someone once said, I could go on and on.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Burzynski.

SENATOR BURZYNSKI:

We're -- we're -- thank you, Senator. And we are very aware you can go on and on. The reason I asked that question is because a lot of times the groups that we look to for advice, that we look to for their support on various medical opinions and various medical legislations, as far as I know, aren't supportive. The AMA, the American Medical Association, I think are still opposed to the use of medical marijuana. The American Cancer Society, American Academy of Pediatrics, the National Multiple Sclerosis Society, it's my understanding, is opposed as well. And I also have the British Medical Association, but you kind of put that on your list. So, I'm -- I'll -- I'll -- I'll -- we'll throw that one up in the air. We don't know where they are. But -- but anyway, I just wanted to point out that it seems that there are an awful lot of organizations that are opposed as well, for one reason or the other. And I -- I don't know exactly why that is. It amazes me, Senator, as -- as we've looked at this bill over the last year, the people that have contacted me on both sides of the issue, those that are supportive and those that are opposed. I never would have believed that I could get the number of letters and phone calls in my office in my -- from my district of people who support this for medical reasons, which leads me to my next question. I

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

know that we had a bill a year or two ago that dealt with a pilot project that limited the number of people that could participate. And I think that number was twelve hundred. And from the phone calls I've gotten, there's probably that many in my district. But, anyway, is there a limit on the number of people who can participate in this pilot project, or is the limitation just for a three-year sunset?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Haine.

SENATOR HAINE:

Senator, I don't think there's a limit. This is a -- but it's a three-year sunset and it'll be -- the gatekeeper will be the Department of -- of Public Health. But to answer your first queries, the American Medical Association supports more research into medical cannabis. They also support the development of a smoke-free inhaled delivery system. The American Cancer Society, according to the information we have, supports the right of individuals with cancer to decide which treatment is best for them. The Multiple Sclerosis Society supports more research and acknowledges that some multiple sclerosis patients do find relief using cannabis. In 1997, the British Medical Association stated: Present evidence indicates that cannabinoids, marijuana's active components, are remarkably safe drugs, with -- with side-effects profile superior to many drugs used for the same indications. And the American Academy of Pediatrics supports rigorous scientific research regarding the use of cannabinoids for the relief of symptoms not currently ameliorated by existing legal drug formulations. I mean, we are here today because of doctors prescribing and recommending

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

marijuana. That's why we're here. I didn't invent this. I -- I don't have that fertile an imagination. And I remind you, in 1937, Doctor William Woodward of the American Medical Association opposed Congress' Marijuana Act on the basis that they're shutting off, prohibiting what could be the -- the beneficial medical uses of marijuana. In response to the query about smoking, marijuana can be ingested or inhaled. If a landlord wishes to prohibit smoking, I would be strongly in favor of tweaking this bill in the House to make sure that no smoking is allowed, that the -- that the substance shall be ingested or inhaled, hence the Medical Society's recommendation to further develop that.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Burzynski.

SENATOR BURZYNSKI:

See, my questions are thirty seconds. The answers are filibustered. But, Senator -- you know, I -- I understand. Like I said, I don't doubt your intentions whatsoever, but I think there's a lot of difference between these organizations recommending further research and doing that in clinical trials, doing that in things -- in -- in a situation where it's very closely monitored, versus a pilot project that opens it up to anyone in the State who applies to the Department of Public Health and who can get their doctor to write a prescription. So I'm not sure that -- that that's a valid argument. I just caution my -- my colleagues, I think that -- you know, here we are at another crossroads in the State of Illinois. We've seen a couple in the last week as well. And I think that we need to be very careful before we go down this road. Thank you.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Jones, for what purpose do you rise?

SENATOR E. JONES:

I rise to move the previous question, Madam President.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

That's always in order, Senator. There are four speakers. Senator Raoul, for what purpose do you rise?

SENATOR RAOUL:

To the bill, Madam President.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

To the bill, Senator.

SENATOR RAOUL:

I -- I also want to join my colleagues in commending Senator Haine for his leadership in this and for bringing this bill to a point where you have the stakeholders at the table who will be at the table in the rulemaking process to make sure that the appropriate protections for many of the concerns that have been raised are implemented. Now you can pick over any bill that's introduced by any legislator and you can pick over language within that bill to divert attention away to the heart of the matter. And this is a bill about compassion for those who are suffering, whose suffering is not ameliorated by what has been called on the other side as an exact science. The pharmaceutical industry and pharmaceuticals by no means is an exact science. Just a couple of weeks ago, I went down to visit my mother, who's suffering from different ailments, and she has been moved by her physicians from one pharmaceutical to the other and prescribed pharmaceuticals to address the side effect of the initial pharmaceutical and then thereafter prescribed

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

another pharmaceutical to address the side effect of the pharmaceutical that was addressing the side effect of the first one. And since I mentioned one parent, I -- I can't help but mention another parent, who pharmaceuticals had no answer for the pain that he had to go through. So, we can make this a political issue, but this is about compassion. This is truly about compassion and about people who are suffering from chronic diseases and who have no alternatives, because the pharmaceutical industry and we, as a Legislature, and the laws, and previous federal administrations have not afforded these people opportunity to have a decent quality of life. I strongly, strongly urge a Aye vote on this bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Jacobs.

SENATOR JACOBS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Sponsor indicates he'll yield. Senator Jacobs.

SENATOR JACOBS:

Senator, you assert that people have been diagnosed by a doctor with cancer, AIDS, MS, glaucoma should be able to go and get medical marijuana.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Haine.

SENATOR HAINE:

Senator, it's -- yes, in -- in essence, but they have to submit a written certification, signed by a physician, stating: one, that in the physician's professional opinion that patient is likely to receive therapeutic or palliative benefit from the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

medical use of cannabis to treat or alleviate the patient's debilitating medical condition or symptoms associated with it; two, that the qualifying patient has a debilitating medical condition, et cetera, and specifying what it is; three, that the patient is under a physician's care for the debilitating condition. And the written certification shall be made only in the course of a bona fide physician-patient relationship after that physician has completed a full assessment of the qualifying patient's medical history.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Jacobs.

SENATOR JACOBS:

Senator, do you find it at all interesting that people view drugs made by man as better than drugs made by God? I mean, medical marijuana grows in the ground all over my district. It -- it's born from a seed. We don't have to go to Baxter to make it. We don't have to go to any of my friends on the other side's drug companies to make it. And that people can find relief from something when they're in the -- in a very bad -- point in their life that doesn't cost a million dollars either to develop, does it? I mean, this is something that someone could drop in their backyard and find relief from and there's some of us in this Chamber that would prefer OxyContin, morphine. Would prefer mommy's little helpers - uppers, downers, all-arounders. This is the most hypocritical debate this General Assembly has ever indulged in. And we do that pretty well. I want to salute you, Senator. I know this is a hard thing for a prosecutor - a former prosecutor - to do. But I would just point out that God grows these seeds.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Syverson. Senator Syverson, for what purpose do you rise?

SENATOR SYVERSON:

Thank you, Madam President. I just -- everything's pretty much been said, so I just want to rise and -- and thank the sponsor for his work on this. This is legislation that I supported last year and I support this year. And I think you've done an excellent job of addressing the concerns that many people had. There's no question that you've -- you've put as many safeguards as possible that can be in this. In the end, I think this will be a model legislation for the country to look at. People will get -- the people that need it will get the service that they need and the abuses that have been raised before are not -- that other states have had are not in here. So, I want to thank the sponsor for his leadership on this and certainly stand as a -- a supporter of this legislation.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Madam President and Members of the Senate. I -- I, too, commend Senator Haine for bringing this forward. It -- it takes courage sometimes to do the right thing. And -- and having a -- a mother who was diagnosed with a terminal illness at fifty-two, I understand the need. Because when you're told at fifty-two that you have two to four years to live, it gives you a whole different perspective on life and -- and you want to make sure that your life is comfortable, and you'll do almost anything to prolong your life. So, understanding all the pain

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

and discomfort that she went through and the -- and times that she was very desperate to seek out painkillers and -- and others - unfortunately she did not violate the law - but I -- I rise in support, because if you've ever been in that situation, you know how vulnerable people can be. And you know how importance -- how important it is to them to have all resources available to make them comfortable. So, I rise in support of Senator Haine.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Haine.

SENATOR HAINE:

Just -- just taking a moment to -- Senator Clayborne, our Majority Leader, has pointed to something that I did not mention, but should be on everyone's mind: One of the purposes of this bill is to avoid the situation where someone suffering has to go to the criminal element to buy this marijuana substance. That's the entire gist of the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Haine -- seeing no further discussion, Senator Haine, to close.

SENATOR HAINE:

I -- I appreciate very much the -- the debate here today. It's heartfelt. I appreciate the opportunity my citizens give me to work on this bill and other bills. To answer one point and to flesh out one point raised, the caregiver is an extension of the patient, but the Department under this bill shall not issue a registry identification card to any officer, board member, agent or employee of a medical cannabis organization who's been convicted of a felony drug offense. The Department will conduct a background check of all officers, board members,

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

et cetera. Ladies and Gentlemen of the Senate, John Adams, one of our founding fathers, once said, "Facts are stubborn things". And the facts surrounding marijuana are that it does offer a benefit to those who suffer. We have delineated, to avoid abuse, the diseases which will be the basis for the medical finding. These are facts based upon doctors' recommendations. They are not subjective complaints. This is a pilot program and this will be strictly controlled with the assistance of our distinguished colleagues in law enforcement. This bill has been endorsed by the Chicago Sun-Times, by a -- an editorial writer for the Chicago Tribune, twice. It's been endorsed by the Peoria Journal Star. It's been endorsed by my hometown paper, the Alton Telegraph. All very conservative, mainstream organizations. I want to add to -- especially to my colleagues on the other side of the aisle, that the use of medical marijuana was endorsed by the National Review, a publication started, founded and led for many years by the late William F. Buckley, Jr. The National Review, two months ago, praised President Obama's reversal of this policy, as delineated to you by Senator Schoenberg. And the National Review further said "this is a victory for common sense". This is the -- the publication of the conservative movement - a victory for common sense. They also add "for federalism". So, we're standing here in the well of the Senate asking for an affirmative vote for common sense and compassion. I respectfully ask for an Aye vote.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Ladies and Gentlemen of the Senate, the question is, shall Senate Bill 1381 pass. All those in favor will vote Aye.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 30 voting Aye, 28 voting Nay, 1 voting Present. Senate Bill 1381, having received the required constitutional majority, is declared passed. Senator - - Senator Burzynski, for what purpose do you rise?

SENATOR BURZYNSKI:

Thank you, Madam President. I'm sure that you probably have a lot of Members that are here, but I think it's only appropriate that we verify the roll call.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Verification is always in order. May I please have your attention, please? Senator Burzynski has requested a verification. Will all Members please be in their seats? Will all Members be in their seats? The Secretary will read the affirmative votes.

SECRETARY ROCK:

The following Members voted in the affirmative: Clayborne, Crotty, Dahl, DeLeo, Delgado, Haine, Harmon, Hendon, Holmes, Hutchinson, Jacobs, Emil Jones, Koehler, Kotowski, Lightford, Link, Martinez, Meeks, Muñoz, Noland, Raoul, Sandoval, Schoenberg, Silverstein, Steans, Syverson, Trotter, Viverito, Wilhelmi and Mr. President.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Does Senator Burzynski question the presence of any Member voting in the affirmative?

SENATOR BURZYNSKI:

Actually, Madam President, I think it's very nice to see that everybody was there; they responded nicely when we did the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

verification roll call. And I believe that everyone is here.
Thank you.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

On a verified roll call, there are 30 voting Aye, 28 voting Nay, and 1 voting Present. Senate Bill 1381 having received the required constitutional majority, Senate Bill 1381 is declared passed. Senator Forby, for what purpose do you rise? Senator Muñoz, for what purpose do you rise?

SENATOR MUÑOZ:

Thank you, Madam President. For the point of personal privilege.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Please state your point, Senator.

SENATOR MUÑOZ:

Madam President, I have a young man here with me, Stephen Berrios, who just finished his first year of law school at John Marshall. His uncle is Joe Berrios, our Democratic Committeeman of Cook County, and our colleague -- he's the cousin of our colleague Tony Berrios, in the House. If we can give him a warm welcome, I'd appreciate it.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Please welcome Senator Muñoz' guest to the Illinois General Assembly. The Senate will stand at ease for a few moments to allow the Committee on Assignments to meet. The members of the Committee on Assignments, will you please come to the President's Anteroom immediately? The Senate will stand at ease.

(SENATE STANDS AT EASE)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter, will you please report to the Anteroom.
Senator Clayborne, will you please report to the President's...
Senator Dillard, will you please come to the President's
Anteroom immediately. Senator Dillard, to the President's
Anteroom.

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Clayborne, Chairman of the Committee on
Assignments, reports the following Legislative Measures have
been assigned: Refer to the Executive Committee - Motion to
Concur with House Amendment 1 and House Amendment 2 to Senate
Bill 189 and Floor Amendment 2 to House Bill 88; refer to the
Gaming Committee - Floor Amendment 8 to Senate Bill 744; refer
to the Human Services Committee - Motion to Concur with House
Amendment 1 and House Amendment 2 and House Amendment 5 to
Senate Bill 1905; refer to the Insurance Committee - Motion to
Concur with House Amendment 1, House Amendment 2 and House
Amendment 3 to Senate Bill 2091; refer to State Government and
Veterans Affairs Committee - Motion to Concur with House
Amendment 1 and House Amendment 2 to Senate Bill 1682.

Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

I have announcements. Ladies and Gentlemen of the Senate,

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

may I have your attention for announcements? On tomorrow -- thank you very much. Tomorrow at 1 o'clock will be Executive Appointments, at 1 o'clock. I thought that sounded a little late in the day. At 8:30 a.m. - Executive Appointments will meet at 8:30 a.m. At 9:30 will be Public Health. 9:30, Public Health. And 10 a.m. will be Executive and Revenue. 10 a.m. will be Executive and Revenue. Executive Appointments, Executive and Public Health will all meet in Room 212. And Judiciary -- Revenue -- Eric doesn't make me look good up here at all. And Revenue will meet in Room 400. So, Revenue's in 400. It's a fancy grid. Executive Appointments, 8:30 in 212. Exec, 10 in 212. And Public Health, 9:30 in 212. Okay, we got it. We have motions to waive -- suspend our posting requirements. Senator Holmes.

SENATOR HOLMES:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I move to waive all posting requirements so that Senate Resolution 273 can be heard in the Senate Committee on State Government on May 28th.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Thank you, Senator. Senator Holmes moves to waive all posting requirements so that Senate Resolution 273 can be heard in the Senate Committee on State Government on May 28, 2009. All in favor will say Aye. Opposed, say Nay. The Ayes have it. And the motion is adopted. Senator Collins.

SENATOR COLLINS:

Thank you, Madam President and Ladies and Gentlemen of the Senate. I also move -- I move to waive all posting requirements so that Senate Resolution 290 can be heard in the Senate

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

Committee on State Government on 5/28/09.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Thank you, Senator. Senator Collins also move to waive all posting requirements so that Senate Resolution 290 can be heard in the Senate Committee on State Government on 5/28/09. All in favor will say Aye. Opposed, say Nay. The Ayes have it. And the motion is adopted. Senator Hunter.

SENATOR HUNTER:

Thank you, Madam President and Ladies and Gentlemen of the Senate. I move to waive all posting requirements so that Senate Resolution 291 can be heard in Senate Committee on -- on Government -- State Government on March {sic} 28th, 2009.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Thanks, Senator. Senator Hunter moves to waive all posting requirements so that Senate Resolution 291 can be heard in the Senate Committee on State Government on May 28th, 2009. All in favor will say Aye. Opposed, say Nay. The Ayes have it. And the motion is adopted. Senator Harmon.

SENATOR HARMON:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I move to waive all posting requirements so that Senate Resolution 297 can be heard in the Senate Committee on State Government on Thursday, May 28th, 2009.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Thank you, Senator. Senator Harmon moves to waive all posting requirements so that Senate Resolution 297 can be heard in the Senate Committee on State Government on Thursday, May 28, 2009. All in favor will say Aye. Opposed, say Nay. The Ayes have it. And the motion is adopted. Senator Jones.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

SENATOR E. JONES:

Thank you, Madam President and Ladies and Gentlemen of the Senate. I move to waive all posting requirements for House Joint Resolution 40 -- can be heard in the Senate Committee on State Government on Thursday, May 28, 2009.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Thank you, Senator. Senator Jones moves to waive all posting requirements so that House Joint Resolution 40 can be heard in the Senate Committee on State Government on Thursday, May 28, 2009. All in favor will say Aye. Opposed, say Nay. The Ayes have it, and the motion is adopted. Senator Steans.

SENATOR STEANS:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I move to waive all posting requirements so that House Bill 3923 can be heard in the Senate Committee on Executive on May 28th, 2009.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Thank you, Senator. Senator Steans moves to waive all posting requirements so that House Bill 3923 can be heard in the Senate Committee on Executive on May 28, 2009. All in favor will say Aye. Opposed, say Nay. The Ayes have it. And the motion is adopted. Senator Maloney.

SENATOR MALONEY:

Thank you, Madam President. I would request that we move {sic} all posting requirements so that House Bill 4046 can be heard in the Senate Revenue Committee tomorrow, Thursday, the 28th.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Thank you, Senator. Senator Maloney moves to waive all

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

posting requirements so that House Bill 4046 can be heard in the Senate Committee on Revenue on May 28, 2009. All in favor will say Aye. Opposed, say Nay. The Ayes have it. And the motion is adopted. Senator Brady.

SENATOR BRADY:

Thank you, Madam President. I move that all posting requirements be waived so that Senate Resolution 296 could be heard in State Government tomorrow.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Thank you, Senator Brady. Senator Brady moves to waive all posting requirements so that Senate Resolution 296 can be heard in the Senate Committee on State Government on May 28, 2009. All in favor will say Aye. Opposed, say Nay. The Ayes have it. And the motion is adopted. Senator Muñoz, for what purpose do you rise?

SENATOR MUÑOZ:

For the purpose of announcement.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Please state your point, Senator.

SENATOR MUÑOZ:

Thank you, Madam President. Senate Democrats requesting a caucus in the President's Office immediately upon adjournment or when you recess.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

A request for a caucus is always in order. The Senate Democrat Caucus will meet in the President's Office immediately after adjournment. Senate Democrat Caucus immediately after adjournment. Announcement. I previously announced that State Government would be meeting at 9:30 -- 9 a.m. It's posted for 9

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

57th Legislative Day

5/27/2009

a.m., but State Government will be postponed till a little later in the day, and we will make that announcement tomorrow morning. There being no further business to come before the Senate, the Senate stands adjourned until the hour of 9 a.m. - 9 a.m. - on Thursday, May 28, 2009. The Senate stands adjourned.