

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/15/2003

HB0006	First Reading	2
HB0120	First Reading	2
HB0136	First Reading	2
HB0223	First Reading	2
HB0231	First Reading	3
HB0524	First Reading	3
HB1318	First Reading	3
HB1350	First Reading	3
HB1415	First Reading	3
HB1482	First Reading	3
HB1723	First Reading	3
HB1730	First Reading	3
HB1750	First Reading	3
HB2251	First Reading	3
HB2267	First Reading	3
HB2348	First Reading	3
HB2529	First Reading	3
HB2533	First Reading	3
HB2549	First Reading	4
HB2598	First Reading	3
HB2889	First Reading	3
HB2890	First Reading	3
HB3085	First Reading	3
HB3091	First Reading	4
HB3142	First Reading	3
HB3468	First Reading	4
HB3517	First Reading	4
HB3586	First Reading	4
HB3618	First Reading	4
HB3661	First Reading	4
SB2085	First Reading	4
SR0120	Resolution Offered	2
SR0121	Resolution Offered	19
Senate to Order-President Jones		1
Prayer-The Reverend Senator James Meeks		1
Pledge of Allegiance		1
Journal-Approved		1
Journals-Postponed		1
Committee Reports		18
Adjournment		19

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/15/2003

PRESIDENT JONES:

The regular Session of the 93rd General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the galleries please rise? The invocation today will be given by Reverend James Meeks, Pastor, Salem Baptist Church, Chicago, Illinois. Reverend Meeks.

THE REVEREND SENATOR JAMES MEEKS:

(Prayer by the Reverend Senator James Meeks)

PRESIDENT JONES:

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

SENATOR LINK:

(Pledge of Allegiance, led by Senator Link)

PRESIDENT JONES:

Madam Secretary, Reading and Approval of the Journal.

SECRETARY HAWKER:

Senate Journal of Thursday, March 27, 2003.

PRESIDENT JONES:

Senator Woolard.

SENATOR WOOLARD:

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

PRESIDENT JONES:

Senator Woolard moves to approve the Journal just read by the Secretary. There being no objection, so ordered. Senator Woolard.

SENATOR WOOLARD:

Mr. President, I also move that the reading and approval of the Journals of Wednesday, April 7th {sic}(2nd); Thursday, April 3rd; Friday, April 4th; Tuesday, April 8th; Wednesday, April 9th; and Thursday, April 10th, in the year 2003, be postponed pending arrival of the printed Journals.

PRESIDENT JONES:

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

SENATOR HALVORSON:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/15/2003

Point of personal interest.

PRESIDENT JONES:

State your point.

SENATOR HALVORSON:

Thank you, Mr. President. On the Floor today we have Diane O'Keefe. She is a district engineer with IDOT. I just would like everybody to welcome her. She works really hard for the State of Illinois. Thank you.

PRESIDENT JONES:

Will our guest please rise and be welcomed by the Illinois Senate? Madam Secretary, Resolutions.

SECRETARY HAWKER:

Senate Resolution 120 offered by Senator John Sullivan and all Members.

It is a death resolution.

PRESIDENT JONES:

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

SENATOR SHADID:

Point of personal privilege, Mr. President.

PRESIDENT JONES:

State your point.

SENATOR SHADID:

In the gallery behind the Democrat side are -- are constituents of mine, Mr. Dan Rithaller and his family from Peoria. Please join me in welcoming them to Peoria -- to Springfield.

PRESIDENT JONES:

Will our guests in the gallery please rise and be recognized by the Illinois Senate? Madam Secretary, House Bills 1st Reading.

SECRETARY HAWKER:

House Bill 6, offered by Senator Obama.

(Secretary reads title of bill)

House Bill 120, offered by Senator Shadid.

(Secretary reads title of bill)

House Bill 136, offered by Senator Martinez.

(Secretary reads title of bill)

House Bill 223, offered by Senator Obama.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/15/2003

(Secretary reads title of bill)

House Bill 231, offered by Senator Walsh.

(Secretary reads title of bill)

House Bill 524, offered by Senator Cullerton.

(Secretary reads title of bill)

House Bill 1318, offered by Senator David Sullivan.

(Secretary reads title of bill)

House Bill 1350, offered by Senator Cronin.

(Secretary reads title of bill)

House Bill 1415, offered by Senator Winkel.

(Secretary reads title of bill)

House Bill 1482, offered by Senator Link.

(Secretary reads title of bill)

House Bill 1723, offered by Senator Haine.

(Secretary reads title of bill)

House Bill 1730, offered by Senator Viverito.

(Secretary reads title of bill)

House Bill 1750, offered by Senator Welch.

(Secretary reads title of bill)

House Bill 2251, offered by Senator Winkel.

(Secretary reads title of bill)

House Bill 2267, offered by Senator Martinez.

(Secretary reads title of bill)

House Bill 2348, offered by Senator Winkel.

(Secretary reads title of bill)

House Bill 2529, offered by Senator Cronin.

(Secretary reads title of bill)

House Bill 2533, offered by Senator Lightford.

(Secretary reads title of bill)

House Bill 2598, offered by Senator Harmon.

(Secretary reads title of bill)

House Bill 2889, offered by Senator Walsh.

(Secretary reads title of bill)

House Bill 2890, offered by Senator Walsh.

(Secretary reads title of bill)

House Bill 3085, offered by Senator Cronin.

(Secretary reads title of bill)

House Bill 3142, offered by Senator Harmon.

(Secretary reads title of bill)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/15/2003

House Bill 3468, offered by Senator Cullerton.

(Secretary reads title of bill)

House Bill 3517, offered by Senator Schoenberg.

(Secretary reads title of bill)

House Bill 3586, offered by Senator Crotty.

(Secretary reads title of bill)

House Bill 3618, offered by Senator Sandoval.

(Secretary reads title of bill)

House Bill 3661, offered by Senator Jacobs.

(Secretary reads title of bill)

House Bill 2549, offered by Senator Maloney.

(Secretary reads title of bill)

And House Bill 3091 offered by Senator Roskam.

(Secretary, reads title of bill)

1st Reading of the bills.

PRESIDENT JONES:

Madam Secretary, Introduction of Bills.

SECRETARY HAWKER:

Senate Bill 2085, offered by Senators Emil Jones, Welch and Trotter.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDENT JONES:

Senator Rutherford. Senator Rutherford.

SENATOR RUTHERFORD:

Mr. President, thank you. I -- I would like to make an introduction to one our former colleagues in the Illinois General Assembly who's with us here today that represents both Senator Winkel, Senator Brady, Senator Risinger and Senator Woolard and myself, a former Member of the State House of Representatives, a Member in the United States Congress, who's visiting us here today. Please welcome to the Illinois Senate the Honorable Tim Johnson.

PRESIDENT JONES:

Congressman, welcome to the Senate Floor. I know the Congressman is bringing us some well wishes from Washington, as well as some appropriations. Now to the committee chairmen making their announcements as relate to their meetings this afternoon. I'd like to inform the Body that tomorrow we will

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/15/2003

have committee hearings. There'll little action. There are no committees scheduled for Thursday. So, we will cancel Thursday's Session, prior to the spring break. When we return from the spring break, there will be committee hearings and then we have quite a number of House bills to deal with that following week and I'm quite sure the committees will do their duty. So there will be no Thursday Session, but there will be committee hearings tomorrow, as well as this afternoon. Senator Crotty, what purpose do you rise?

SENATOR CROTTY:

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

PRESIDENT JONES:

State your point.

SENATOR CROTTY:

Thank you. I ask the Members of the Senate if they would join me in welcoming Mike and Matt Bardusk from Oak Forest. They're here to page. So, welcome to Springfield.

PRESIDENT JONES:

Will our young guests please rise and receive the welcome of the Senate? Senator Crotty.

SENATOR CROTTY:

...also would like to welcome their parents, Mr. and Mrs. Bardusk. They're up in the gallery.

PRESIDENT JONES:

Will our guests in the gallery please rise and be recognized? Senator Larry Walsh.

SENATOR WALSH:

Point of personal privilege, Mr. President.

PRESIDENT JONES:

State your point.

SENATOR WALSH:

Mr. President and Ladies and Gentlemen of the Senate, in the President's Gallery behind President Jones today, we have a group of fifteen families from the Chicagoland area who have come to Springfield. Each of these families have children who have been affected by kidney disease. Many of them live day-to-day on dialysis or have had a kidney transplant. Included in this is Michael Shipe, who's a constituent of mine from the

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/15/2003

Joliet area, and Hilary Cichosz, who is their sponsor today from the National Kidney Foundation. I would like to welcome them to the Illinois Senate.

PRESIDENT JONES:

Will our guests in the gallery please rise and be welcomed by the Senate? Senator Jeff Schoenberg.

SENATOR SCHOENBERG:

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

PRESIDENT JONES:

State your point.

SENATOR SCHOENBERG:

I'm joined today by two of my Honorary Pages, Joshua and Raphie Lowenstein of Highland Park. They're here today along with their father, John Lowenstein, and their brothers, Jacob and Arie, and if the Members of the Senate could please extend a warm Senate welcome to the Lowenstein family, and a happy Passover to all of you. Thank you.

PRESIDENT JONES:

Will our guests rise and be welcomed by the Senate? Senator Roskam, what purpose do you rise?

SENATOR ROSKAM:

Parliamentary inquiry, Mr. President.

PRESIDENT JONES:

State your inquiry.

SENATOR ROSKAM:

Mr. President, on the Calendar today are a number of bills where the -- the deadline was -- has actually lapsed. There's about a hundred and eighty bills printed on the Calendar that indicate an April 9th deadline. And my question is, do those -- is that a misprint? Do those go back to Rules or what -- what is the -- what is the plan for those bills?

PRESIDENT JONES:

As to your inquiry -- and your -- your inquiry, Senator, they will no longer appear on the Calendar. As of tomorrow, they will be off the -- not unless you want to extend the deadline, sir. Senator Woolard, what purpose do you rise?

SENATOR WOOLARD:

Mr. President, I'd like to make an announcement.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/15/2003

PRESIDENT JONES:

State your point.

SENATOR WOOLARD:

The Education Committee will be meeting at 1 p.m. or immediately following Session in Room 212.

PRESIDENT JONES:

Senator Jacobs, what purpose do you rise?

SENATOR JACOBS:

Thank you, Mr. President. An announcement. The Insurance and Pensions Committee will meet in Room 400 at 1 o'clock.

PRESIDENT JONES:

Senator George Shadid.

SENATOR SHADID:

Thank you, Mr. President, Emil Jones. The Transportation Committee will be meeting at 3:30 in Room A-1, Stratton Building.

PRESIDENT JONES:

Senator Hunter, what purpose do you rise?

SENATOR HUNTER:

I rise to make an announcement, Mr. President.

PRESIDENT JONES:

State your point.

SENATOR HUNTER:

The Health and Human Services Committee will meet tomorrow at 9 o'clock in Room 400. Thank you.

PRESIDENT JONES:

Senator Haine.

SENATOR HAINE:

Yes. Mr. President and Ladies and Gentlemen of the Senate, the Local Government Committee will be meeting at 1 p.m. today, A-1 Stratton Building. Thank you very much.

PRESIDENT JONES:

Senator Larry Walsh.

SENATOR WALSH:

Thank you, Mr. President. The Senate Agriculture and Conservation Committee will be meeting tomorrow morning at 9 a.m. in A-1.

PRESIDENT JONES:

Senator James Clayborne.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/15/2003

SENATOR CLAYBORNE:

Thank you, Mr. President. For an announcement. The Environment and Energy Committee will meet tomorrow morning, Wednesday, April 16th, at 9 a.m. in Room 212.

PRESIDENT JONES:

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President. I -- purposes of an announcement, I rise. I'd like to indicate that the Judiciary Committee will meet today at the hour of 3:30 in Room 400.

PRESIDENT JONES:

Senator Donne Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President. I rise for purposes of an announcement. This afternoon at 3:30 in Room 212, Appropriations I will be meeting. We're inviting all the Members, if they would come. We're going to have a report from John Filan from the Office of Management and -- whatever that -- Budget. Right. The OMB. So that'll be at 3:30 this afternoon.

PRESIDENT JONES:

Senator del Valle. Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. The Executive Appointments Committee will meet tomorrow morning at 8:45. 8:45, not 8 a.m. Thank you.

PRESIDENT JONES:

Senator Larry Walsh. Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. I know we're getting ready to adjourn and I'm not quite sure if any of the 4-H'ers are -- are around, but everyone should know that today, April the 15th, is 4-H Day in -- in the State of Illinois. So if you see your 4-H group around today, welcome them to Springfield. I don't know where they're all at. Thank you.

PRESIDENT JONES:

Senator George Shadid.

SENATOR SHADID:

Thank you, Mr. President. I'd like to have a point of personal privilege.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/15/2003

PRESIDENT JONES:

State your point.

SENATOR SHADID:

Mr. President, Members of the Senate, in the gallery today I'd like to have us recognize the thirty-four police chiefs from throughout the State of Illinois who are in Springfield this week to complete a forty-hour course on management, administration and leadership. The course is sponsored by the Illinois Police Training Board and the Illinois Association of Chiefs of Police. Please join me in welcoming the chiefs of police of Illinois to Springfield. Thank you.

PRESIDENT JONES:

Will our guests in the gallery please rise and be recognized by the Senate? Senator Watson.

SENATOR WATSON:

Yes. Thank you very much, Mr. President. You and I had a short discussion on the phone about the Executive Appointment Committee tomorrow and the ability of Members of that Committee to ask for non-salaried personnel to be called into Committee and be questioned. Normally I understand the procedure would be that non-salaried people are not asked to come into Committee unless - unless - one of the Members requests.

PRESIDENT JONES:

Pardon me, Senator. Will the Members please tone it down a bit so that the Senator could be heard? I'm sorry. Proceed.

SENATOR WATSON:

Well, thank you very much. I'll just reiterate what I just said. You and I, Senator Jones, President Jones, had a conversation about tomorrow's Executive Appointment Committee and the policy -- the policy of that Committee in regard to non-salaried appointments and the past considerations that had been given to the fact that those people don't necessarily have to show up to the Committee, only non-salaried. But if a Member of the Committee requests -- if a Member of that Committee would request that a non-salaried individual be present for some public questioning, that the Chairman of the Committee would give consideration to that and that in hopes that that non-salaried individual would come before the Committee. And the reason that I say that is that two of 'em -- tomorrow I think we

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/15/2003

have the University of Illinois trustees and we have the Investment Board appointments to be made. University of Illinois trustees, obviously a public policy position that many Members would like to have just what your attitude about higher education -- what is your attitude and your philosophy about tuition... Those are questions that ought to be able to ask the individual with the University of Illinois trustees. And then there's an Investment Board appointment, I think two members, and those individuals are obviously going to be part of investing the bond authorization that we just made available and we have, and I think all of us should have, all fifty-nine Members should have, some concern on the attitude and philosophy of those members in regard to how they think the bond authorization procedure should go forth. So we think, on our side, that those members who are maybe non-salaried but are in very sensitive areas of public policy should be brought to the Committee, if the Members request, should be brought to the Committee to answer questions. That's what I said a moment ago. I said it twice now. Thank you.

PRESIDENT JONES:

Yeah. Thank you, Senator Watson. We did have that discussion and I -- I will give you Senator Hendon, the Chairman of Executive Appointment Committee, to respond.

SENATOR HENDON:

Thank you, Mr. President. Minority Leader, these are the same rules that we had before. We felt that we should stick with business as usual. The same rules are currently applying. We did make it clear through the memo that any Member has the right and should contact any nominee, question that person, check out their credential - we have no problem with that whatsoever - but their presence would not be required before the full Committee, and if any nominee refused to honor the request to visit or call a Senator, then that Senator could certainly bring that up in Executive Committee and we would take that under consideration when it comes to whether we approve or not.

PRESIDENT JONES:

Senator Demuzio.

SENATOR DEMUZIO:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/15/2003

Well, I hesitate to get in this, but I've served on the Executive Appointments Committee for a number of years and I have the memo in front of me from Senator Petka who was the Co-Chair of the Executive Appointments Committee of the previous Session, and with respect to the non-salaried positions it said, number one, that non-salaried nominees are required to contact their Senate sponsor and inform him or her of -- of -- of the nomination. It is not necessary to call all the Members of the Executive Appointments Committee. And number two, it says ordinarily non-salaried nominees will not be asked to appear before the Senate Executive Appointments Committee. In the event that a request is made by a Member of Executive Appointments Committee for a meeting, we expect you, the non-salaried appointee, to make yourself available for an interview prior to the Committee hearing. If a Member of the Committee request a meeting or the nominee does not comply, then the nominee will not be advanced. We are following the same written rules as were applicable in the last ten years with no departure from the previous practices.

PRESIDENT JONES:

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. To this issue if I might. I chaired the Executive Appointments Committee for a couple years and, you know, I -- I tried to recall what our policies and procedures were and I don't think I have anything down in writing. And certainly what we tried to do was to afford every Senator who had a question of an appointee, whether they were salaried or non-salaried, the opportunity to visit with them and to get their questions answered. You know, this is a learning process as well, and it seems to me that when we've got people that are making the kinds of decisions that they are, that if there is a question about philosophy or anything else, perhaps it is appropriate to have them appear in front of the Executive Appointments Committee. Certainly I know that we always honored requests, regardless of what they were. If a Senator was not satisfied with an answer that he got from an individual, we did not call them until they were satisfied or until whatever activity was necessary was completed. So I would just encourage

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/15/2003

you to rethink that. I don't -- I don't think this would happen very often, but certainly we do have some major appointees that are in non-salaried positions that are more powerful than those that are in appointed positions, and it just seems appropriate that they would appear. Thank you.

PRESIDENT JONES:

Senator Petka.

SENATOR PETKA:

Thank you, Mr. -- thank you, Mr. President. Just a -- a comment and I very much appreciate Senator -- the Majority Leader's reading of the protocol that we had adopted and -- and -- and -- to the extent that that did reflect a -- a policy. However, through the -- the years that I served as Chairman and then Co-Chairman of that Executive Appointments, in addition to having the -- the protocol that you've let out, anytime that a request was made from a Member for either having an opportunity to further explore the qualifications or to ask for a delay in it, it -- it was honored. And in those -- in a couple of very rare instances, especially, as I recall, nominations to the Gaming Board and -- entire -- in times passed also to the State Board of Education, requests that were made to the -- to the Chair for having those individuals appear before the Committee were honored. All I'm suggesting is that the -- the use of that -- that courtesy that has been extended will be limited to very, very specific areas where, as -- as our Minority Leader pointed out, that we think that there is -- that the position that they're filling is -- is a very, very important decision and very, very important position and that it'd be vital, in -- in our opinion, that the entire Committee and, for that matter, the entire Chamber have access to the answers that were given.

PRESIDENT JONES:

Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. Well, Senator Petka, I appreciate what you just said. I do have in my hand the rules -- the protocol rules that we adopted after I had spoken to you and had you fax me the rules that you operated under and I crafted the rules based on the protocol that was already established, discussed it with you. You had opportunity at that

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/15/2003

time to raise any objection, and you didn't. So we're moving forward with the rules as adopted, which you've had in -- in your possession for quite some time now, which are the same as yours. It's rule number two on non-salaried positions. I won't care to read it. It reads exactly the same as Vince Demuzio's -- what Senator Demuzio read, which was your rule on this issue.

PRESIDENT JONES:

Senator Winkel.

SENATOR WINKEL:

Thank you, Mr. President. I rise in strong support of Senator Watson's request. I mean, aside from your reading of the letter of the law, certainly the spirit and the courtesies that -- although I have not personally experienced over the years in this Chamber, do appear to be ignored. But aside from all that, which all of -- all of which is very important, we're talking about positions here on the Board of Trustees of the University of Illinois, which I'm intimately -- intimately aware of and involved with and represent that great, august Body. You're talking about trustees who represent a university that's a three-billion-dollar operation. And to think that you would move forward without giving the opportunity of all the Members to ask questions and to have them appear before your Committee, I think is -- is irresponsible, and I -- I do wish that you would extend those -- those courtesies that are being requested.

PRESIDENT JONES:

Senator Demuzio.

SENATOR DEMUZIO:

Well, I -- I -- I'm not here to defend the actions of any of the non-salaried individuals. The non-salaried individuals to whom you are referring to, three of them, the request had been made by Senator Rauschenberger, as I understand it, for them to appear. Senator Hendon, through his office instructed the three non-salaried members to call both their sponsor, as well as Senator Rauschenberger, to set up an appointment. Now, it's my understanding all three did and either their calls were not returned or there was no conversation. And so, I mean, I -- I don't know what the big brouhaha is here. I mean, I -- in my tenure in the last ten years, I don't remember any non-salaried person being required to come before the Committee, and if they

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/15/2003

did come, they -- they -- they -- we could have called on 'em to ask questions. So, I mean, any of these non-salaried people who you want to discuss with on the phone about different policy, I -- I am quite sure that they're willing to do so, but they travel here at their expense and we have indicated to them what the policy is and it seems to me we ought to adhere to the policy that not only is applicable now but has been applicable for the last ten years. That's -- that -- that's it in a nutshell.

PRESIDENT JONES:

Senator Watson.

SENATOR WATSON:

Well, I guess I would agree. What is the brouhaha here? I -- I -- I don't understand this. I don't understand it at all. We had Gaming Board Commission members, who are non-salaried, have come before this Committee. That's a perfect example, not only the Gaming Board, but we're talking about the Investment Board, University of Illinois Trustees, and the fact that Senator Hendon mentions that this is the first time that we've brought this up, that is not accurate. And, Senate President, you know that because I've asked you on several occasions about this very issue and we are very concerned about not only -- I -- I don't know -- we're -- we're not on some witch-hunt over here. That's not what this is all about. We're on -- what we're talking about is an open process. We're talking about sunshine. We're talking about letting the public know what goes on here in Springfield. That's what this is all about, and we've got some very sensitive appointments that are going to be considered tomorrow that we're not even getting opportunity to be heard. We're not going to be able to have the opportunity to question these people, to talk to 'em about their individual philosophies, about what they want to do once their -- appointed to these boards. What are you trying to hide from here? All we want to do is make the sunshine bright here in Springfield and give everyone -- all fifty-nine Members, if so be it, want to come in and ask some questions of these people, why not let 'em have the opportunity? I don't understand this at all. If I sat over there, if I sat on that side, I'd want to know this -- the answer that I'm about to ask: What are you

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/15/2003

trying to hide? What are you trying to hide here? That's what -- give us a good answer. So far I haven't heard it.

PRESIDENT JONES:

Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. We're not trying to hide anything. We distributed a list of the rules to all the Members of the Committee. So, clearly, we're not attempting to hide anything. Before we drafted these protocol rules, I called the previous chairman of Executive Appointments Committee, Chairman Petka, got the rules from him to make sure that they were accurate and consistent with what we've been doing, and that's all we did. You loved the rules while you were in the Majority. These are the same rules. Now that you're in the Minority, you can't just change the rules because that takes place. And I take offense of being called irresponsible, because if -- if it there was a irresponsible rule, it was irresponsible for the ten years that I've been here 'cause it's the same rule. So, I think that should about end it, Mr. President. We're going to move forward with the rules in which we've adopted.

PRESIDENT JONES:

Senator Watson.

SENATOR WATSON:

Yes. Thank you, and I appreciate that, Mr. President. It's not about rules; it's about respect and it's about protocol and it's about honoring the request of one Member, one fifty-ninth of this Senate Body, who may request courtesy from the Chairman and the process by which these rules are implemented. It's not the rules; it's protocol. There is a difference, Senator. There is a difference. And I'll go back to what I said a moment ago. I don't understand why you wouldn't want -- you wouldn't want to be a part of requesting some responses from people we're going to put in a very sensitive position of State government. I don't understand it.

PRESIDENT JONES:

Senator Winkel.

SENATOR WINKEL:

Thank you, Mr. President. The -- the point about being irresponsible is not that -- well, it seems to be the mantra

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/15/2003

that we hear time and again that, gosh, you guys did it first and it's your rules and so it must be okay. I don't know about all that. I wasn't here before. But I can tell you now that -- I can tell you that this is a three-billion-dollar operation at the University of Illinois. It makes perfect sense to have the people who you're considering appointing to positions of power and trust to be before the Committee for questioning in public on the record. And let me just say again, to not do so, I believe is irresponsible.

PRESIDENT JONES:

Senator Roskam, what purpose do you rise?

SENATOR ROSKAM:

Well, a brief comment in light of these comments that were made, Mr. President. You know...

PRESIDENT JONES:

State your brief comment.

SENATOR ROSKAM:

Thank you. Mr. President, last week there was an error that was made and I think acknowledged on the other side of the aisle by some private conversations that I've had with folks that were in the Chair and so forth, and that was the extinguishment of the debate on a person with a criminal background that's now confirmed as Secretary of the Department of Labor. We had tried to have a debate on the Senate Floor about this gentleman's criminal background, his criminal conduct that was related to the very nature of the office that he was going to be installed in, and we were cut off. Now, whether we were cut off I -- and I -- I accept the -- the explanations that it was -- it was an error and so forth, but what I'm saying today is, let's not make the same error twice. This is an opportunity. I think we can take Senator Watson's comments and his observations at face value that what he's trying to do is to ask fundamental questions about leaders of an enormous institution, the University of Illinois. I think we can take Senator Winkel's comments at face value that these are about inquiries of people that are going to be investing and overseeing tremendous sums of money, and -- and requesting that they come to give testimony in public is not -- is not crossing the line. It's an appropriate Senate oversight and I would urge

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/15/2003

the Majority's reconsideration of the position that it's taking.
Thank you.

PRESIDENT JONES:

This issue has been thoroughly debated. Senator Watson and I did have conversation, not only today, but on previous occasion as it relate to the non-salaried appointments, but I feel the Chair must respond in this manner, whether or not our Chairman, Senator Hendon, was doing anything different that has not been done in the past. This is not the first time that the University of Illinois trustees has been presented for confirmation and I asked him that question. I asked Senator DeLeo, who was also the Co-Chair of the -- the Executive Appointment Committee, and he said this has been the practice. So we followed past practices as relate to non-salaried appointments, and we haven't diverted from that. Now, if you're saying that your practice in the past was wrong, I haven't heard anyone on your side of the aisle saying what we did in the past was wrong. You haven't said that. So, we're following the practice that have been given over the past several years. I raised that question with my chairman and asked that question. They adopted the same, identical rules, and the University of Illinois trustees -- individuals in the past have been appointed and I know quite certain Members had questions but they were not compelled to appear before the Executive Committee. So why all of a sudden you're going to change? If your rules were -- and procedures were bad in the past or wrong, if you was -- think that, maybe we'll modify it, but you have not said that. These are the identical rules, and so that issue is mute. The issue is mute. Senator Watson.

SENATOR WATSON:

Well, if that's your decision and that's the decision of the Chairman, then I think it's very unfortunate. The policy and the rule of the Committee -- I -- and I haven't served on it. I wasn't chairman of it. But I have talked to Senator Burzynski and Senator Petka, who both were chairmen of the Executive Appointments Committee, and if the rules were as you said, that -- that's fine. It's a -- it's a matter of protocol and it's a matter of what has happened in the past. And if you look in the records, you will find that the Gaming Board is one

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/15/2003

of those positions that's non-salaried, and if you tell me that we are not going to have the -- a member of the Gaming Board come before the Executive Appointments Committee and ask -- be asked questions about, I'm sure, very sensitive issues because it's a very sensitive position, if we're not going to allow that happen, I think that is irresponsible and that is not what we've done over the last ten years. When a Member asked -- when a Member asked for a -- the non-salaried appointments to come before the Committee to answer questions, it didn't matter whether it came from your side or it came from our side, that request was honored. And I -- I don't know for sure why you would persist in this. I -- I really -- I'm at a -- at a loss. I am at a loss as to why you would want to rule in such a way and have your Committee structure follow the manner in which it's about to follow. I think it's leading down a dangerous path and a very concerning path of the people that -- who will be appointed to some of these positions of public policy that we ought to have the opportunity to request answers of -- from the Members of the Committee.

PRESIDENT JONES:

Madam Secretary, Committee Reports.

SECRETARY HAWKER:

Senator Demuzio, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to Education Committee - Senate Resolution No. 94, Committee Amendment No. 1 to House Bill 1235 and Committee Amendment No. 1 to Senate Bill 1400; refer to Health and Human Services Committee - Committee Amendment No. 1 to House Bill 81, Committee Amendment No. 1 to House Bill 1530 and Committee Amendments 1 and 2 to House Bill 2136; refer to Judiciary Committee - Committee Amendment No. 1 to House Bill 312; refer to Labor and Commerce Committee - Committee Amendment No. 1 to House Bill 3405; refer to Local Government Committee - Committee Amendment No. 1 to House Bill 527 and Committee Amendment No. 1 to House Bill 1514; and re-refer to Rules - House Bills 547 and 1089.

PRESIDENT JONES:

Madam Secretary, Resolutions.

SECRETARY HAWKER:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

34th Legislative Day

4/15/2003

Senate Resolution 121, offered by Senator Dave Sullivan. It is a death resolution.

PRESIDENT JONES:

Resolutions Consent Calendar. A clarifying point as relate to those Senate Bills on -- on the Calendar: What will be taken off would be, not the bill in its entirety, but the expiration date will be removed from those bills that currently are on the Calendar. I want to make that clarifying point. Senator Roskam.

SENATOR ROSKAM:

Just -- just to follow up so that I understand. Mr. President, in other words those bills, do they have no deadline whatsoever or will they have a deadline that's extended to a date certain or will it be a deadline to December 31st, 2003?

PRESIDENT JONES:

We'll only be removing the notation for the expired deadline. That what we'll be... Senator Roskam.

SENATOR ROSKAM:

So, Mr. President, what is the deadline on those bills?

PRESIDENT JONES:

The deadline has passed on those -- bills who have not been extended. So they'll just remain there for your observation. Senator Crotty, what purpose do you rise?

SENATOR CROTTY:

Thank you, Mr. President. I know that sometimes on our desk we end up getting a lot of paperwork, but I did want to inform the Members that today in 122B, we have a -- a sign that will be used in debate on 3rd Reading for House Bill 43. It's, in fact, a way in which we're going to pay for defibrillators in that bill. So it gives a chance for all the Members to see this. Thank you.

PRESIDENT JONES:

There being no further business to come before the Senate, the Senate stands adjourned till the hour of noon on Wednesday, April 16, 2003. The Senate stands adjourned.