

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

36th Legislative Day

4/29/2003

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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 gallery please rise? The Chair recognizes the Commander of the Lincoln Challenge Academy Color Guard. May post the colors. Please be seated. Madam Secretary, Reading and Approval of the Journal.

SECRETARY HAWKER:

Senate Journals of Friday, April 4; Tuesday, April 8; Wednesday, April 9; Thursday, April 10; and Tuesday, April 15, 2003.

PRESIDENT JONES:

Senator Woolard.

SENATOR WOOLARD:

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

PRESIDENT JONES:

Senator Woolard moves to approve the Journals 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 Journal of Wednesday, April 16th, in the year 2003, be postponed, pending arrival of the printed Journal.

PRESIDENT JONES:

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

SENATOR D. SULLIVAN:

Point of personal privilege.

PRESIDENT JONES:

State your point.

SENATOR D. SULLIVAN:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, if the Senate could please give a warm welcome to our former colleague. Senator Judy Myers is on the Floor.

PRESIDENT JONES:

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Good afternoon, Senator. Welcome back. Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. Let the record reflect that Senator Viverito will not be here - I'm not quite sure if it's all week - but he's attending a -- a funeral and he'll try to get back as quickly as he can. Thank you.

PRESIDENT JONES:

The record shall so reflect. Madam Secretary, Resolutions.

SECRETARY HAWKER:

Senate Resolution 123, offered by Senator Clayborne and all Members.

Senate Resolution 124, offered by Senators Burzynski, Syverson and all Members.

Senate Resolution 125, offered by Senator Petka and all Members.

Senate Resolution 126, offered by Senator Lauzen and all Members.

Senate Resolution 127, also offered by Senator Lauzen and all Members.

Senate Resolution 128, offered by Senators Demuzio, Emil Jones and all Members.

Senate Resolution 129, offered by Senators -- Emil Jones and all Members.

They are all death resolutions.

PRESIDENT JONES:

Resolutions Consent Calendar.

SECRETARY HAWKER:

And Senate Resolution 130, offered by Senator del Valle.

And Senate Resolution 131, offered by Senator Lauzen.

They are both substantive.

PRESIDENT JONES:

Madam Secretary, Messages.

SECRETARY HAWKER:

A Message for the Governor by Joseph B. Handley, Deputy Chief of Staff for Legislative Affairs, April 23rd, 2003.

Mr. President - The Governor directs me to lay before the Senate the following Message:

To the Honorable Members of the Senate, 93rd General Assembly - I have nominated and appointed the following

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named persons to the offices enumerated below and respectfully ask concurrence in and confirmation of these appointments of your Honorable Body.

Rod Blagojevich, Governor.

PRESIDENT JONES:

Madam Secretary, House Bills 1st Reading.

SECRETARY HAWKER:

Pardon me, House Bill 344, offered by Senator Winkel.

(Secretary reads title of bill)

House Bill 1240, offered by Senator Halvorson.

(Secretary reads title of bill)

House Bill 1648, offered by Senator Ronen.

(Secretary reads title of bill)

House Bill 2207, offered by Senator Lauzen.

(Secretary reads title of bill)

House Bill 2262, offered by Senator Lightford.

(Secretary reads title of bill)

House Bill 2369, offered by Senator Risinger.

(Secretary reads title of bill)

House Bill 2607, offered by Senator Martinez.

(Secretary reads title of bill)

House Bill 2608, offered by Senator Martinez.

(Secretary reads title of bill)

House Bill 2927, offered by Senator Althoff.

(Secretary reads title of bill)

House Bill 2943, offered by Senator Woolard.

(Secretary reads title of bill)

House Bill 2951, offered by Senator Woolard.

(Secretary reads title of bill)

House Bill 3073, offered by Senator del Valle.

(Secretary reads title of bill)

House Bill 3107, offered by Senator Watson.

(Secretary reads title of bill)

House Bill 3620, offered by Senator Harmon.

(Secretary reads title of bill)

House Bill 3628, offered by Senator Harmon.

(Secretary reads title of bill)

And House Bill 3060, offered by Senator Geo-Karis.

(Secretary reads title of bill)

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1st Reading of the bills.

PRESIDENT JONES:

Senator Shadid, what purpose do you rise?

SENATOR SHADID:

Mr. President, I have two announcements. Personal privilege, if you would, please.

PRESIDENT JONES:

State your point.

SENATOR SHADID:

Ok. I rise on a point of personal privilege to remind the Senate Members of a dinner meeting tomorrow night that would establish a Legislative Fire Caucus. This would provide support for the State's fire service. The dinner will be held tomorrow night, Wednesday, April 30th, at the Chesapeake House at 7 p.m. Thank you. My second announcement is, we're going to have a softball practice tonight. Larry Woolard, are you warmed up? You're in shape? Good. At 5 p.m. at Lincoln Park. And we don't know -- Demuzio's our mascot. He'll be bringing Geo in, 'cause she's going to be our PA announcer and Brad Burzynski is going to sing the National Anthem, in English he said. So, tonight we're going to practice at 5 p.m. at Lincoln Park. So, whoever can make it, come on out and we'll work out a little bit. Thank you.

PRESIDENT JONES:

Senator Jones, what purpose do you rise?

SENATOR W. JONES:

A -- a point of personal privilege, Mr. President.

PRESIDENT JONES:

State your point.

SENATOR W. JONES:

Yes. Behind me in the gallery I'd like to introduce some people from my district: Wendell Howell, President of the Hoffman Estates Park District; Scott Tripahn, Vice President of Hoffman Estates Park District; Lollie Guiney, Commissioner of the Hoffman Estates Park District; and staff member Sue Olafson. Would you all rise and be welcomed by the Senate, please?

PRESIDENT JONES:

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Will our guests in -- will our guests in the gallery rise and be recognized by the Senate? Senator Jones, what purpose do you rise?

SENATOR W. JONES:

A point of personal privilege again. I'm sorry. I missed an introduction.

PRESIDENT JONES:

State your point.

SENATOR W. JONES:

I'd like to introduce my administrative assistant from back in my district office, Jason Pappas.

PRESIDENT JONES:

...welcome. Senator Woolard.

SENATOR WOOLARD:

For the purpose of an announcement.

PRESIDENT JONES:

Proceed.

SENATOR WOOLARD:

Mr. President, I'd like to inform the Body that the Education Committee will be meeting at 1 p.m. or immediately on adjournment following in 212.

PRESIDENT JONES:

Senator Burzynski, what purpose do you rise?

SENATOR BURZYNSKI:

Thank you, Mr. President. Purposes of announcement, if I might.

PRESIDENT JONES:

Proceed.

SENATOR BURZYNSKI:

Thank you, Mr. President. In lieu of Senator Woolard's announcement, I just wanted to indicate and -- and we have discussed this with you. We're asking for a thirty-minute Republican Caucus immediately upon adjournment. Thank you.

PRESIDENT JONES:

Thank you. Senator Haine, what purpose do you rise?

SENATOR HAINE:

Thank you, Mr. President. For the purposes of an announcement.

PRESIDENT JONES:

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Proceed.

SENATOR HAINE:

Mr. President and Ladies and Gentlemen of the Senate, we -- the Local Government Committee will meet today at 1 p.m. in -- in A-1 in the Stratton Building.

PRESIDENT JONES:

Senator Shadid, what purpose you rise?

SENATOR SHADID:

For a announcement, Mr. President.

PRESIDENT JONES:

Proceed.

SENATOR SHADID:

Transportation Committee will be meeting today at 3:30, Room A-1, Stratton Building.

PRESIDENT JONES:

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President. The Judiciary Committee will meet at Room -- in Room 400 at 3:30.

PRESIDENT JONES:

Senator del Valle. Senator Jacobs.

SENATOR JACOBS:

Thank you -- thank you, Mr. President. For purpose of announcement.

PRESIDENT JONES:

Proceed.

SENATOR JACOBS:

The Senate Insurance and Pensions Committee will meet at 1 o'clock in Room 400 or upon adjournment or recess.

PRESIDENT JONES:

Thank you. Madam Secretary, Messages.

SECRETARY HAWKER:

Message from the President, regarding Senator Lou Viverito replacement.

Dear Madam Secretary - Pursuant to Rule 3-5(c)...

PRESIDENT JONES:

Hold, Madam Secretary. Could we kindly tone it down? Proceed, Madam Secretary.

SECRETARY HAWKER:

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Pursuant to Rule 3-5(c), I hereby appoint Senator Rickey Hendon to replace Senator Louis Viverito as a Member of the Rules Committee. This appointment is effective immediately. Very truly yours, Emil Jones, Jr., President.

PRESIDENT JONES:

Senator Hunter.

SENATOR HUNTER:

Yes, Mr. President. Point of personal privilege.

PRESIDENT JONES:

Proceed.

SENATOR HUNTER:

I'd like to announce that tomorrow at 9 o'clock in the morning...

PRESIDENT JONES:

Please hold Senator. Could we tone it down?

SENATOR HUNTER:

I would like to announce that tomorrow morning at 9 o'clock, the Health and Human Services Committee will be meeting in Room 400. Thank you, Mr. President.

PRESIDENT JONES:

Senator Sullivan, what purpose do you rise?

SENATOR J. SULLIVAN:

Purpose of an announcement.

PRESIDENT JONES:

State your point.

SENATOR J. SULLIVAN:

The Senate Ag and Conservation Committee will meet tomorrow morning at 9 a.m. in Room A-1 of the Stratton Building.

PRESIDENT JONES:

Senator Wojcik, what purpose do you rise?

SENATOR WOJCIK:

I rise for a point of personal privilege.

PRESIDENT JONES:

Yes. State your point.

SENATOR WOJCIK:

In the balcony, Mr. President and Members of the Senate, are two persons from the Schaumburg Park District, Nancy Wroblewski and Jean Schlinkmann. So let's welcome them to the Springfield.

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PRESIDENT JONES:

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

SENATOR CLAYBORNE:

Thank you, Mr. President. I rise for an announcement.

PRESIDENT JONES:

Proceed.

SENATOR CLAYBORNE:

The Environment and Energy Committee will meet tomorrow at 9 a.m., Wednesday at 9 a.m., in Room 212. Thank you, Mr. President.

PRESIDENT JONES:

Senator Demuzio.

SENATOR DEMUZIO:

Mr. President, thank you. It's my understanding that we are ready to commence the meeting of the Rules Committee, but I understand that the speakers are not working in the offices of the Minority Members of the -- of the Senate. I would hope that at some point that we could get the two Members of the Rules Committee that -- oh, I see one of 'em. We ready? Thank you, Mr. President.

PRESIDENT JONES:

Senator Walsh, what purpose do you rise?

SENATOR WALSH:

For the purpose of an announcement, Mr. President.

PRESIDENT JONES:

Proceed.

SENATOR WALSH:

The Senate Agriculture and Conservation Committee will meet tomorrow morning, Wednesday morning, at 9 a.m. in A-1.

PRESIDENT JONES:

Senator Burzynski, what purpose do you rise?

SENATOR BURZYNSKI:

Purpose of an announcement, Mr. President.

PRESIDENT JONES:

Proceed.

SENATOR BURZYNSKI:

Thank you. I -- I know I'm reiterating this, but since our speakers weren't working in our offices and now we have many

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more Members on the Floor, I just wanted to announce again, request the Republican Caucus immediately upon adjournment. Thirty minutes.

PRESIDENT JONES:

Yes. That request is always in order. Madam Secretary, Messages. Committee Reports.

SECRETARY HAWKER:

Senator Demuzio, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to Agriculture and Conservation Committee - Committee Amendment No. 1 and 2 to House Bill 1096; refer to Education Committee - Committee Amendment No. 1 to House Bill 430, Committee Amendment No. 1 to House Bill 495, Committee Amendment No. 1 to House Bill 2797 and Committee Amendment No. 1 to House Bill 3088; refer to Environment and Energy Committee - Committee Amendment No. 1 to House Bill 176, Committee Amendment No. 1 to House Bill 1165, Committee Amendment No. 1 to House Bill 2509, Committee Amendment No. 1 to House Bill 3321, Committee Amendment No. 1 to House Bill 3407 and Committee Amendment No. 1 to House Bill 3507; refer to Executive Committee - Committee Amendment No. 1 to House Bill 684; refer to Health and Human Services Committee - Committee Amendment No. 1 and Committee Amendment No. 2 to House Bill 294, Committee Amendment No. 1 to House Bill 2331, Committee Amendment No. 1 to House Bill 2843 {sic} (2848) and Committee Amendment No. 1 to House Bill 2900; refer to Insurance and Pensions Committee - Committee Amendment No. 1 to House Bill 943, Committee Amendment No. 1 to House Bill 1493, Committee Amendment No. 1 to House Bill 2268, and Committee Amendments 1, 2 and -- 1, 2, 3 and 4 to House Bill 3661; refer to Judiciary Committee - House Bill -- Committee Amendment No. 1 to House Bill 16, Committee Amendment No. 1 to House Bill 186, Committee Amendment No. 1 to House Bill 218, Committee Amendment No. 1 to House Bill 1237, Committee Amendment No. 1 to House Bill 1281, Committee Amendments 1 and 2 to House Bill 1382, Committee Amendment No. 1 to House Bill 1456, Committee Amendment No. 1 to House Bill 2391, Committee Amendment No. 1 to House Bill 3091, Committee Amendment No. 1 to House Bill 3486, Committee Amendment No. 1 to House Bill 3501, Committee Amendment No. 1 to House Bill 3504, Committee

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Amendment No. 1 to House Bill 3556 and Committee Amendment No. 1 to House Bill 3582; refer to Labor and Commerce Committee - Committee Amendment No. 1 to House Bill -- 235 and Committee Amendment No. 1 to House Bill 3396; refer to Licensed Activities Committee - Committee Amendment No. 1 to House Bill 1482, Committee Amendment No. 1 to House Bill 2280 and Committee Amendment No. 1 to House Bill 2864; refer to Local Government Committee - Committee Amendment No. 1 to House Bill 220, Committee Amendment No. 1 to House Bill 1195, Committee Amendment No. 1 to House Bill 1251, and Committee Amendment No. 1 to House Bill 2301 and Committee Amendment No. 1 to House Bill 2317; refer to Transportation Committee - Committee Amendment No. 1 to House Bill 44, Committee Amendments 1, 2 and 3 to House Bill 463, Committee Amendment No. 1 to House Bill 2840 and Committee Amendment No. 1 to House Bill 3061.

PRESIDENT JONES:

The Senate will stand in recess to the call of the Chair. Senator Demuzio.

SENATOR DEMUZIO:

Mr. President, thank you. I hesitate in having the Senate to recess but there are some special guests that I would like to recognize in the gallery, please.

PRESIDENT JONES:

Proceed.

SENATOR DEMUZIO:

I think in the President's Gallery, and I have not met these Ladies and Gentlemen, but they are members of the Ho-Chunk Nation, is that correct? Ho-Chunk Nation from Black River Falls, Wisconsin. President Tony {sic} (Troy) Swallow. Apparently I didn't do that right. Okay. And Representative Kathyleen Whiterabbit, Representative Christine Funmaker and Legislative Council Williams -- Boulware. Congratulations. Welcome to Springfield. And -- and some other character up there. Let's see, the former State's -- the former Attorney General and the former Comptroller, Roland Burriss. So if our guests in the gallery would please rise?

PRESIDENT JONES:

Please rise and be recognized by the Senate. Senator Hendon, what purpose do you rise?

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SENATOR HENDON:

Point of personal privilege, Mr. President.

PRESIDENT JONES:

State your point.

SENATOR HENDON:

Thank you, Mr. President. I -- I appreciate your indulgence. We have about twenty names for the softball team so far. We are going co-ed this year. So, we'd like for the lady Legislators -- Senators who want to play to come join us as we stomp the House next week. We will practice at 5 o'clock today. We have enough to just hit the ball around and make the President proud next week. Thank you.

PRESIDENT JONES:

Okay. Upon adjournment there will be a Republican Caucus, which will last for approximately one-half hour, at which time the 1 o'clock committee meetings will convene at approximately 1:30. So, the Senate will reconvene to receive the Committee Report and all matters not requiring Floor action. There will be no Floor action till the Senate reconvenes at the hour of noon on Wednesday, April the 30th. The Senate stands in recess.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The Senate will come to order. As per our announcement this morning, we'll be conducting no business. There will be only Committee Reports for the record. Madam Secretary, Committee Reports.

SECRETARY HAWKER:

Senator Jacobs, Chairperson of the Committee on Insurance and Pensions, reports House Bills 407, 1640, 2434, 3183, 3298 and 3547 Do Pass; and House Bills 943, 2268 and 3661 Do Pass, as Amended.

Senator del Valle, Chairperson of the Committee on Education, reports House Bills 60, 194, 205, 338, 495, 1119, 1180, 1448, 2105, 2350, 2354 and 2910 Do Pass; and House Bill 430 Do Pass, as Amended.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Any -- any further business to come before the Senate?
Senate adjourns till tomorrow at the hour of noon. Noon
tomorrow.