

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

117th Legislative Day

5/27/2004

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PRESIDING OFFICER: (SENATOR WELCH)

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 Pastor Travis Peterson of the Knox Knolls Free Methodist Church.

PASTOR TRAVIS PETERSON:

(Prayer by Pastor Travis Peterson)

PRESIDING OFFICER: (SENATOR WELCH)

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

SENATOR LINK:

(Pledge of Allegiance, led by Senator Link)

PRESIDING OFFICER: (SENATOR WELCH)

Madam Secretary, Reading and Approval of the Journal.

SECRETARY HAWKER:

Senate Journal of Wednesday, May 26, 2004.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Haine.

SENATOR HAINE:

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

PRESIDING OFFICER: (SENATOR WELCH)

Senator Haine moves to approve the Journals just read by the Secretary. There being no objection, so ordered. Would the Members please come to the Floor? We're going to be taking some action on legislation this morning. So would the secretaries please tell their Senators to come up to the 3rd Floor or down to the 3rd Floor? Madam Secretary, Messages from the House.

SECRETARY HAWKER:

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

Mr. President - I am directed to inform the Senate that the House of Representatives had adopted the -- following Joint Resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Joint Resolution 58.

Adopted by the House, May 26, 2004.

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I have a like resolution -- a like Message on House Joint Resolution 60, which was adopted by the House, May 25th, 2004;

House Joint Resolution 70, adopted -- by the House, May 26, 2004; and

House Joint Resolution 82, adopted by the House, May 26, 2004.

They are all substantive.

PRESIDING OFFICER: (SENATOR WELCH)

House Bills 1st Reading.

SECRETARY HAWKER:

House Bill 6354, offered by Senator Righter.

(Secretary reads title of bill)

And House Bill 6415, offered by Senator Rutherford.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Collins, for what purpose do you seek recognition?

SENATOR COLLINS:

Thank you, Mr. President. I move to suspend the rules for the immediate consideration and adoption of Senate Resolution 572. Senate Resolution 572 is a resolution that I am the chief cosponsor. It honors the life and the legacy of Journalist Vernon Jarrett. He was my professor at Northwestern University, a man of integrity, courage and vision.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Collins moves to suspend the rules for the purpose of the immediate consideration and adoption of Senate Resolution 572, which is now on the Resolutions Consent Calendar. Senator Geo-Karis, do you wish -- wish to speak to the resolution?

SENATOR GEO-KARIS:

Yes.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I had the pleasure of meeting Mr. Jarrett. I always found him to be a very pleasant individual who believed and did what he believed in and did it with grace and dignity. He was just a very fine gentleman and I regret his passing.

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PRESIDING OFFICER: (SENATOR WELCH)

Senator Hunter.

SENATOR HUNTER:

Thank you, Mr. President. I, too, would like to speak to -
- in honor of Mr. Vernon Jarrett. I met Mr. Jarrett on numerous occasions. He was actually one of our commissioners for Brown versus the Board of Ed. He -- he established the -- ACT-SO to excellence program. He truly believed in education. He worked -- he looked forward to working with young people, encouraging them and instilling in their minds the fact that education is an important tool to have in order to succeed in today's world. Mr. -- Mr. Vernon Jarrett will be greatly missed. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

Any further discussion? If not, those in favor of suspending the rules will say Aye. Those -- opposed, Nay. The Ayes have it. The rules are suspended. Senator Collins now moves for the adoption of Senate Resolution 572. The question is, shall Senate Resolution 572 be adopted. All in favor, say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Ladies and Gentlemen, please turn to page 17 of today's Calendar. We're going to the Order of Secretary's Desk, Concurrence on Senate Bills. Page 17, Secretary's Desk, Concurrence on Senate Bills. Would our Members please come to the Floor? We're voting on final passage on these bills this morning. So, anybody in their office, please come to the Floor. The list of sponsors: Senator DeLeo, Senator Jacobs, Senator Link, Senator Munoz, Senator Welch, Senator Walsh, Senator Walsh. Senator Burzynski, for what purpose do you rise?

SENATOR BURZYNSKI:

Thank you, Mr. President. For purposes of announcement. As we all know, there's a major dedication ceremony going on in Washington, D.C., this weekend for the World War II Memorial. A good friend and colleague of ours, Senator Ray Soden, former Commander of the National Veterans of Foreign War, will be absent at least today and tomorrow. And I don't know what our schedule will be, but we'll make those announcements appropriately. But Ray is in Washington, D.C., and will be

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there commemorating the unveiling of the memorial. Just like for the record to reflect that. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

The record will so reflect. Senator Geo-Karis, for what purpose do you rise?

SENATOR GEO-KARIS:

Purpose of announcement.

PRESIDING OFFICER: (SENATOR WELCH)

Please proceed.

SENATOR GEO-KARIS:

Tomorrow morning we're going to have a little veterans ceremony and I'd like everyone of you, Democrats and Republicans, please come and tell me who you are because I will be calling on you for a few words, no more than two or three minutes apiece, to memorialize Veterans' Day and Decoration Day. So, don't forget. Please come and tell me and I'll make a list, and all you need to do is just talk about one short experience or what it means to you. Okay? We owe it to our veterans. We owe it to those who've gone on before us so that we can be here today.

PRESIDING OFFICER: (SENATOR WELCH)

Senator, is that if you're a veteran, you are to contact you to make a statement. Is that what you're asking?

SENATOR GEO-KARIS:

Right.

PRESIDING OFFICER: (SENATOR WELCH)

All right. Any Members who are veterans who want to make a statement tomorrow during the Veterans' Day program, please contact Senator Geo-Karis. You can say anything you want, but hopefully relate it to veterans. Thank you. Senator Crotty, for what purpose do you rise?

SENATOR CROTTY:

Thank you very much. I rise on a point of personal privilege.

PRESIDING OFFICER: (SENATOR WELCH)

Please state your point.

SENATOR CROTTY:

Up in the gallery in the red t-shirts we have fifth graders from Fernway School. Also accompanying them are their -- some

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of the parents and teachers. But we also have Mayor Kyle Hastings, the Mayor of Orland Hills. So if everybody would welcome them.

PRESIDING OFFICER: (SENATOR WELCH)

Please rise and be recognized. Stand up. Stand up. You're -- you're younger than us, you can stand. Welcome to Springfield. Returning to the Calendar on page 17, Senate Bill 984. Senator DeLeo. Do you wish to proceed? Madam Secretary, read the bill. I'm sorry. Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to House {sic} Bill 984.

Motion filed by Senator DeLeo.

PRESIDING OFFICER: (SENATOR WELCH)

Senator DeLeo, to explain his motion.

SENATOR DeLEO:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 1, on the concurrence to Senate Bill 984, this came back over from the House. It deletes all and became the bill. This is a situation where police officers have received innumerable anonymous phone call complaints lodged against them by police -- persons to the police. They're believed to be gang members. And what this does is makes this -- a sworn police officer the same as any other citizen, same as it is in all hundred and one counties. Every police department, every police officer in the State of Illinois has this, except the City of Chicago. This puts it in parity with that. I ask for a concurrence in Senate Bill 984 to Amendment No. 1, sir.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? If not, this is final action. The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 984. Those in favor will vote Aye. Those 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, 57 Members voted Yes, no Members voted No, no Member voted Present. Senate Bill 984, having received the required constitutional majority, is declared

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passed. Senate Bill 2145. Senator Jacobs. Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 2145.

Motion filed by Senator Jacobs.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jacobs, to explain your motion.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I ask for concurrence of House Amendment 1, 2145. It's a noncontroversial amendment. Was approved unanimously by the Senate. It just explains a little bit clearer pollution control facilities in -- in regards to the collection of broken concrete and metal bars that must be recycled within one year. I know no opposition, and ask for your support.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator David Sullivan.

SENATOR D. SULLIVAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. For Members on this side of the aisle, this passed out of committee unanimously, and out of deference to the sponsor, I move the previous question.

PRESIDING OFFICER: (SENATOR WELCH)

The question -- the question being moved, there being no further discussion. This is final action. The question is, shall the Senate concur in Amendment No. 1 to Senate Bill 2145. All those in favor will vote Aye. Those opposed, vote Nay. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 56 Members voted Yes, no Member voted No, no Member voted Present. Senate Bill 2145, having received the required constitutional majority, is declared passed. Turning to the top of page 18, Senate Bill 2175. Senator Link. Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 2175.

Motion filed by Senator Link.

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PRESIDING OFFICER: (SENATOR WELCH)

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

SENATOR LINK:

Thank you, Mr. President. Amendment 1 is -- where -- is the split lot provision where owners and owners of a residential lot that are located in and governed by two municipalities or governed by a municipality and a county may disconnect a portion of the lot so that a single municipality or county govern the entire lot. I know of no opposition on House Amendment 1. House Amendment -- House Amendment 2 is a -- a -- additional amendment which would allow cities that are increasing size of city councils from four to six members in cities fewer of fifty thousand, with this amendment it would allow them to increase from four to six. I know of no opposition on either amendment.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? This is final action. The question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 2175. 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, 57 Members voted Yes, no Members voted No, none voted Present. Senate Bill 2175, having received the required constitutional majority, is declared passed. Bottom of page 18, Senate Bill 2252. Senator Munoz. Turning to page 19, with leave of the Body, we'll return to Senate Bill 2320. With leave of the Body, we will return to Senate Bill 2252 on page 18. Senator Munoz. Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 2252.

Motion filed by Senator Munoz.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Munoz, to explain your motion.

SENATOR MUNOZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Amendment 1 amends the Department of Professional Regulation Law of the Civil Administrative Code relating to design professionals. Requires the Department to retain designated design professionals; however, these professionals

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would have the primary responsibility of enforcing various design professional Acts, rather than the exclusive responsibility of doing so. This legislation allows the Department of Professional Regulation flexibility, as workers would be able to perform other tasks as needed by the Department. Also makes changes to the Illinois Architecture Practice Act. Much of the language is just clean-up language. I know of no opposition. I will attempt to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Winkel.

SENATOR WINKEL:

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

PRESIDING OFFICER: (SENATOR WELCH)

Sponsor indicates he'll yield, Senator.

SENATOR WINKEL:

Senator, on this bill just for clarification, in light of the Governor's agency reorganization plan, how will this apply to the design professionals dedicated staff if DPR gets folded into a mega agency with the Department of Insurance, the Department of Financial Institutions and Office of Banks and Real Estate? Will they also be used for other -- these other agencies? Because, as I understand it, right now they're dedicated to their current function. How will this -- how will this amendment impact their function? Will they be used by other agencies?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Munoz.

SENATOR MUNOZ:

As far as my understanding, Senator, DPR would be using as normal, you know, with -- without the other agencies.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Winkel.

SENATOR WINKEL:

Well, I -- I'm not clear that I understand your response on this. I mean, these are dedicated staff design personnel. They're supposed to be dedicated to their current function. Given this reorganization plan that the Governor has, will they be used now by other agencies? I'm just looking for that

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clarification. I mean, now we've got the Department of Insurance, Department of Financial Institutions and Office of Banks and Real Estate. Will they also be used by these -- these other agencies? I think, it's just simply not clear with this amendment.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Munoz.

SENATOR MUNOZ:

The only ones -- just -- just for DPR, Senator.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Winkel.

SENATOR WINKEL:

Okay. I -- I appreciate that. So, just -- these are dedicated design personnel that will only be used by DPR, and even given the reorganizational plan by the Governor, that will remain the same. And that -- that's as I understand your clarification. Is that correct?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Munoz.

SENATOR MUNOZ:

That's correct, Senator.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Winkel.

SENATOR WINKEL:

Well, I appreciate the clarification. Thank you very much.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any further discussion? If not, Senator Munoz, to close. Senator Munoz, do you -- do you wish to close?

SENATOR MUNOZ:

Just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR WELCH)

This is final action. The question is, shall the Senate concur in Amendment No. 1 to House Bill {sic} 2252. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 56 Members voted Yes, no Members voted No, and none voted Present. House - - Senate Bill 2252, having received the required constitutional

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majority, is declared passed. Moving to page 19. Senate Bill 2327. Senator Walsh. Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 2327.

Motion filed by Senator Walsh.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Walsh, to explain his motion.

SENATOR WALSH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Amendment No. 1 to 2327 deletes everything and becomes the bill. This was a permitted weight for trucks that we sent over there out of the Senate that passed unanimously. What the amendment did was remove the ten percent harvest season weight flexibility that is applicable to vehicles transporting agricultural crops. It permits IDOT and local authorities, with respect to highways under their respective jurisdictions, to issue special permits for limited continuous operations for agricultural commodities on three and four axle vehicles with axle loads not to exceed twenty percent and on five axle vehicles not to exceed ten percent. It also includes livestock as well as grain. And I'd be more than glad to answer any questions.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Watson.

SENATOR WATSON:

Yes. Thank you, Mr. President. And I appreciate the sponsor's explanation and his cooperation when this bill passed the Senate. It passed the Senate with a 57 to nothing vote. And we had some language that I had -- had suggested and the sponsor concurred to put into the bill that would have helped the farmers in -- in my area and I think many of our areas who are getting stopped by the State Police in regard to portable scales that were being set up during the harvest time. And the provisions of that bill would have allowed for a variance of ten percent additional weight during harvest season - and that's a key term - and it also would have -- would have said that the Illinois State Police to be nondiscriminatory in their enforcement of the State's truck weight laws. And we referred

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to the State Police and what they were doing as occupational profiling because they were unfairly targeting the agriculture community. And House Amendment No. 1, unfortunately, removes all of that language and the ten percent tolerance for trucks carrying agriculture goods is gone. The provision that would have prohibited the State Police from targeting farmers is gone. And I -- as a result, I can't support your motion, Senator, but I do appreciate and I do support the underlying bill. It's just that I'm very upset and concerned about what the House did on this legislation. And I would like to be -- I will be recorded No, and I'd also like, Mr. President, for my name to be taken off as sponsor of the legislation, which I see our staff has already made available to me to do. And appreciate any No votes. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any further discussion? If not, Senator Walsh, to close.

SENATOR WALSH:

Well, thank you, Mr. President. And to my distinguished colleague, Senator Watson, I know that this was an issue that I've been dealing with for a number of years in regards to authorizing the respective people in authority, namely supervisors or superintendents of highways for counties and township highway commissioners, to have the authority to -- to grant permits -- overweight permits on what was a -- a very touchy subject known as a divisible load. And this has caused a lot of problem. It has caused a lot of problem in my area for local farmers that want to -- transport grain all year long. And they need special permitting -- permits -- weight permits in order to travel maybe three, four, five miles on a thirty-mile trip. That would allow them the opportunity to maximize efficiency by having a truck that is licensed at eighty thousand pounds, and they can haul eighty thousand pounds on the vast majority of those roads except for maybe a special area that only allows seventy-three two eighty. This is not a -- complete bill that we had hoped to put together. We took many pieces of -- of different farm bills or weight limit bills that come together and put it all in one. In committee the other day, Senator Watson, Senator Jones and Senator Bomke, Senator Shadid

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and myself have committed that we will continue to work on your specific issue. We will work together if we can come up with something in the -- in the veto Session, and if not, we'll direct our efforts in next year's spring Session to work on this, because you are absolutely right. The issue that you have brought up is a contentious issue. It's an issue that has -- seems to always crop up during the months of September, October, November when the farmers are hauling grain. And the -- the inability to know whether their truck is overweighted or not as they are pulling out into a field should not be challenged, and -- and penalized for. So it's an issue that we are not going to step away from. It's an issue that we are going to continue to work with. And this is a good piece of legislation. Addresses a lot of issues that -- that our farmers are -- are in -- are in need of. Illinois Farm Bureau strongly supports this piece of legislation. And I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

This is final action. The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 2327. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 37 Members voted Yes, 15 Members voted No, 3 Members voted Present. Senate Bill 2327, having received the required constitutional majority, is declared passed. Senator Lauzen, for what purpose do you seek recognition? The Senate will stand at ease for a few moments. Senator Geo-Karis, for what purpose do you rise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this place is much too cold. Can't somebody turn the -- the cold vents off? I'm freezing in this place.

PRESIDING OFFICER: (SENATOR WELCH)

The -- Senator Geo-Karis, to...

SENATOR GEO-KARIS:

I realize that some of the folks here have very hot blood. Well, I don't.

PRESIDING OFFICER: (SENATOR WELCH)

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We've asked Senator DeLeo to take care of the problem. Senator DeLeo is now taking care of the heating problem. Senator Wendell Jones, for what purpose do you seek recognition?

SENATOR W. JONES:

Yes. Mr. President, I had a question of the Chair. Some of our Members are inquiring about the possibility of checking out of their hotels to go home for the Memorial Day weekend. I was wondering if you could give us any direction on that.

PRESIDING OFFICER: (SENATOR WELCH)

At this moment our plan is to be in the entire weekend. So, I would say, don't check out. Senator Wendell Jones.

SENATOR W. JONES:

Don't check out. Is that the word from the Chair?

PRESIDING OFFICER: (SENATOR WELCH)

That is the word as of 10:45 on Thursday, May 27th. Yes. Senator Jones.

SENATOR W. JONES:

Mr. President, is there any way to appeal the rule of the Chair?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Luechtefeld, for what purpose do you seek recognition?

SENATOR LUECHTEFELD:

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

PRESIDING OFFICER: (SENATOR WELCH)

State your point.

SENATOR LUECHTEFELD:

Senator, on a -- I think a more serious note. You know, an issue that we knew in southern Illinois was going to be maybe -- from -- from -- from our standpoint, maybe the biggest issue in this State this year, from -- from southern Illinois' standpoint, was the malpractice issue. Now...

PRESIDING OFFICER: (SENATOR WELCH)

Ladies and Gentlemen, we welcome your appearance in the Senate, but we don't welcome -- demonstrations of support or opposition. We're not a theater or rodeo. We are just here to debate the issues. So, there are issues you like and cheer;

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there's issues you don't like and boo. We'd prefer that you not express those opinions. Senator Luechtefeld.

SENATOR LUECHTEFELD:

By the way, Senator, I was not aware that this would happen. So, but obviously, it's an important issue to these people.

PRESIDING OFFICER: (SENATOR WELCH)

It -- it often -- often happens when you speak, Senator.

SENATOR LUECHTEFELD:

I -- I remember it happening a lot when we were in control and you were speaking. But anyway, this is an issue that is really, really serious. I mean, it is an issue, I think, that we knew was important in southern Illinois possibly before it happened throughout the State. And it is happening throughout the State right now. And my concern is that, you know, we have -- we have spent a lot of time talking about a lot of issues. You know, we spent several hours and even brought Bo Derek down here to talk about the -- horse slaughter situation. We have not spent one minute talking about malpractice in -- in committee or on this Floor. We were supposed to adjourn last Friday and we still have not talked about it. Is this -- you know, this is something that is so important. We have several areas in -- in our State that will -- will go down economically, not just medically, but economically if this doesn't happen. Now, I know there have been some talks and I have been in talks with -- with -- with Senator Clayborne and -- and he has -- he has tried to do some things. His -- his hands are tied, obviously, with a lot of things off the table. But this is -- this is not something that we can wait till next year to do. And -- and again, I -- you know, what's going to happen - you know, what I fear happens an awful lot in here - is on the last day, on the last night, something will be put in front of us that is not enough to make a difference and then we're supposed to vote on it. And we go home and it's too late to change. And I guess I would ask you, or whoever, where are we on this issue? All of a sudden it has become very quiet, nothing's happening, you know, and so many things are taken off the table that I'm not...

PRESIDING OFFICER: (SENATOR WELCH)

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Senator...

SENATOR LUECHTEFELD:

...really sure anything is left to make a difference.

PRESIDING OFFICER: (SENATOR WELCH)

Senator...

SENATOR LUECHTEFELD:

Where are we at on this issue, Senator?

PRESIDING OFFICER: (SENATOR WELCH)

Senator, many of us have issues that we would have liked to have had debated here. I've had many, and if you ask the Chairman of the Environment and Energy Committee, they will tell you I had several issues I would like to see debated. They didn't get debated. That's the way the system works. I'm sorry. Senator Haine, for what purpose do you rise?

SENATOR HAINE:

Privilege, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

Please proceed.

SENATOR HAINE:

Mr. President, I rise to ask the Senate to welcome citizens from my area who are here behind the President's Chair and they represent doctors and physicians and nurses from my hometown. And they are here to observe the Senate. They are here to observe the House, I'm sure, take up issues that are vitally important...

PRESIDING OFFICER: (SENATOR WELCH)

Senator.

SENATOR HAINE:

...to -- to them. I'm sorry.

PRESIDING OFFICER: (SENATOR WELCH)

This is out of order. Senator Jacobs.

SENATOR HAINE:

I'm sorry, Mr. President, may I have -- have the Senate welcome...

PRESIDING OFFICER: (SENATOR WELCH)

All right.

SENATOR HAINE:

...these citizens. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

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Would our guests in the gallery Senator Haine referred to please rise? Madam Secretary, Messages from the House.

SECRETARY HAWKER:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to concur with the Senate in the adoption of their amendment to a bill of the following title, to wit:

House Bill 4247, together with Senate Amendment No. 1.

Nonconcurrent in by the House, May 20th, 2004.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cullerton, for what purpose do you rise?

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. I thought I'd respond to Senator Luechtefeld. The -- to kind of give him an update on the progress. He gave a speech. I thought I'd respond. If I'm out of order...

PRESIDING OFFICER: (SENATOR WELCH)

Briefly.

SENATOR CULLERTON:

There's a bill that's been filed in the House dealing with medical malpractice. I just had a copy brought to me and it's going to be heard in the Judiciary I Committee over in the Senate. It's the product of perhaps hundreds of hours of negotiations to which you've been invited and you've participated. And perhaps you may not agree with the legislation, but it's very substantial and substantive and it will be voted on in the House. And we'll see what happens with the House. If it passes, I would certainly hope we would concur with it. If it doesn't pass, then I'm sure we will take up other action. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jacobs, for what purpose do you rise?

SENATOR JACOBS:

Thank -- thank you, Mr. President. Just to follow up on -- on Senator Cullerton. I have 4847 which is out of Rules and is waiting a hearing in -- in Executive. And I would certainly

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request, before we get into an open revolt, that that bill be heard.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Dillard, for what purpose do you rise?

SENATOR DILLARD:

Couple of points of inquiry, Mr. President. Maybe I misread the Calendar, but I thought we were supposed to adjourn, according to the Calendar put out by the Senate President, last Friday. Did I misread that Calendar?

PRESIDING OFFICER: (SENATOR WELCH)

Senator, I still have my cup that says we're going to adjourn May 24th signed by Pate Phillip. So, I think that there's nothing unusual here. Senator Emil Jones, for what purpose do you rise?

SENATOR E. JONES:

Thank you, Mr. President. Point of personal privilege. I listened to all the rhetoric as it relate to many of the issues that have been bantered about. Earlier this year, I know Senator Garrett and Senator Cullerton and many Members came together to -- to bring individuals together to try and deal with the complex issue as relate to medical malpractice. And they've been working diligently on that issue. All parties involved. I -- I'm shocked to see a Member from the other side of aisle jump up and holler about an issue, grandstanding because there are people in the gallery. I certainly wish that the opportunity would have prevailed itself when critical issues came up as relate to those persons on the lower rung of our society who needed a raise on minimum wage, and last -- and prior to this administration, those issues weren't even permitted to be heard on this Floor. And -- and so, you must be consistent when you talk about what issues need to be raised on this Floor. At least we have a democratic process where there's input and discussions and so forth. And -- and -- and in response to Senator Dillard, we are putting forth issues on this Floor that are going to benefit all people of the State of Illinois. We would not be here, we would not be here had we worked cooperatively together to deal with those issues. But they have been out here. You vote against them. We are not hiding anything in the Rules Committee, as the previous

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administration have done. So I wish you would have jumped on the Floor two years ago. But don't jump on the Floor grandstanding about what's happening as it relate to medical malpractice. You've been involved in the meetings. I assume that you have. The Medical Society has been involved. The Trial Lawyers have been involved. Everyone's working together to try to bring a resolve to this issue. So -- so, with those statements and everything, if you would learn to vote for the citizens of Illinois a little bit more, maybe we'd get the heck out of here.

PRESIDING OFFICER: (SENATOR WELCH)

Ladies and Gentlemen, there will be an immediate meeting of the Rules Committee. The Senate will stand at ease while the Rules Committee meets.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR WELCH)

Madam Secretary, Committee Reports.

SECRETARY HAWKER:

Senator Viverito, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to Executive Committee - Floor Amendment No. 2 to House Bill 7181; refer to Health and Human Services Committee - Motion to Concur with House Amendment 1 to Senate Bill 2270; refer to Judiciary Committee - Motion to Recede from Senate Amendment No. 1 to House Bill 4247, Motion to Concur with House Amendment 1 to Senate Bill 2496, Motion to Concur with House Amendment 1 to Senate Bill 2654, Motion to -- Concur with House Amendments 1 and 2 to Senate Bill 2878; refer to Licensed Activities Committee - Motion to Concur with House Amendment 1 to Senate Bill 2251 and Motion to Concur with House Amendment 1 to Senate Bill 2382; refer to Local Government Committee - Floor Amendments 1 and 2 to Senate {sic} Bill 846 and Motion to Concur with House Amendments 1 and 2 to Senate Bill 132; refer to Revenue Committee - Motion to Concur with House Amendments 1, 2 and 3 to Senate Bill 2635; and Be Approved for Consideration - Floor Amendment 1 to House Bill 854 and House Bill 629.

PRESIDING OFFICER: (SENATOR WELCH)

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Senator Collins, for what purpose do you seek recognition?

SENATOR COLLINS:

A point of order.

PRESIDING OFFICER: (SENATOR WELCH)

Point of order. Please proceed.

SENATOR COLLINS:

Mr. President. Yes. I would like to announce that the Revenue Committee will meet today at 3 p.m. in Room 400.

PRESIDING OFFICER: (SENATOR WELCH)

Revenue at 3 p.m., Room 400. Senator Jacobs, for what purpose do you seek recognition?

SENATOR JACOBS:

Thank you, Mr. President. Point of announcement.

PRESIDING OFFICER: (SENATOR WELCH)

Please proceed.

SENATOR JACOBS:

We'll have an Insurance and Pensions Committee meeting at 12:30 sharp in Room 400.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Cullerton, for what purpose do you seek recognition?

SENATOR CULLERTON:

The Judiciary Committee will meet at 1:30 in Room 400.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Hendon, for what purpose do you seek recognition?

SENATOR HENDON:

Thank you, Mr. President. Purpose of announcement.

PRESIDING OFFICER: (SENATOR WELCH)

Please proceed.

SENATOR HENDON:

The friendly Energy and Environment Committee will meet today at 2:30 in Room 212.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Halvorson, for what purpose do you seek recognition?

SENATOR HALVORSON:

Thank you, Mr. President. For purpose of an announcement.

PRESIDING OFFICER: (SENATOR WELCH)

Please proceed.

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SENATOR HALVORSON:

I'd like to announce that Executive will meet today in Room 212 at 3 p.m.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Ronen, for what purpose do you rise?

SENATOR RONEN:

To announce the Labor and Commerce Committee will meet today at 3:30, but in a different room. We'll be meeting in Room 212. That's Labor and Commerce at 3:30 in Room 212.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Crotty, for what purpose do you rise?

SENATOR CROTTY:

For an announcement, please.

PRESIDING OFFICER: (SENATOR WELCH)

Proceed.

SENATOR CROTTY:

The Licensed Activities Committee will be meeting today at 3:30 in the Stratton Building, A-1.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Obama, for what purpose do you rise?

SENATOR OBAMA:

Purposes of announcement, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

Please proceed.

SENATOR OBAMA:

The Health and Human Services Committee will meet at 2:30 in Room 400.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Larry Walsh, for what purpose do you rise?

SENATOR WALSH:

For the purpose of announcement, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

Please proceed.

SENATOR WALSH:

The Local Government Committee will meet at 12:30 in Room A-1 in the Stratton Building.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Shadid, for what purpose do you rise?

SENATOR SHADID:

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Make an announcement, Mr. President. Transportation Committee will meet at 1:30, Room A-1.

PRESIDING OFFICER: (SENATOR WELCH)

1:30, A-1. Ladies and Gentlemen, the Senate will stand in recess till the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR WELCH)

The Senate will come to order. Messages from the House.

SECRETARY HAWKER:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Joint Resolution 49.

Passed the House -- adopted by the House, May 25th, 2004.

PRESIDING OFFICER: (SENATOR WELCH)

Committee Reports.

SECRETARY HAWKER:

Senator Jacobs, Chairperson of the Committee on Insurance and Pensions, reports Motion to Concur on House Amendment No. 1 to Senate Bill 2339 Be Adopted.

Senator Haine, Chairperson of the Committee on Local Government, reports Senate Amendment No. 1 to House Bill 846, Senate Amendment No. 2 to House Bill 976 and Motions to Concur with House Amendments 1 and 2 to Senate Bill 132, House Amendment 1 to Senate Bill 1631, all Be Approved for Consideration.

Senator Ronen, Chairperson of the Committee on Labor and Commerce, reports Motion to Concur with House Amendment No. 1 to Senate Bill 2858 Be Adopted.

Senator Halvorson, Vice-Chairperson of the Committee on Executive, reports Senate Amendment No. 2 to House Bill 7181 Be Adopted.

Senator Obama, Chairperson of the Committee on Health and Human Services, reports Motion to Concur with House Amendment 1

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to Senate Bill 2270 and House Amendments 1 and 2 to Senate Bill 3013, all Be Approved for Consideration.

Senator Link, Chairperson of the Committee on Revenue, reports Motion to Concur with House Amendments 1, 2 and 3 to Senate Bill 2635 Be Approved for Consideration.

Senator Munoz, Chairperson of the Committee on Licensed Activities, reports Motions to Concur with House Amendment 1 to Senate Bill 2251, House Amendment 1 to Senate Bill 2382 and House Amendment 1 to Senate Bill 2887, all Be Adopted.

Senators Cullerton and Dillard, Co-chairpersons of the Committee on Judiciary, report Motions to -- to recede -- a Motion to Recede from Senate Amendment 1 to House Bill 4247 and Motions to Concur with House Amendment 1 to Senate Bill 2244, House Amendment 1 to Senate Bill 2654 and House Amendments 1 and 2 to Senate Bill 2878, all Be Approved for Consideration.

Senator Shadid, Chairperson of the Committee on Transportation, reports Senate Amendment No. 4 to House Bill 3835 Be Adopted.

PRESIDING OFFICER: (SENATOR WELCH)

Resolutions.

SECRETARY HAWKER:

Senate Resolution 577 and Senate Resolution 578, both offered by Senator Clayborne and all Members.

And Senate Resolution 579, offered by Senator Forby and all Members.

And they're all death resolutions.

PRESIDING OFFICER: (SENATOR WELCH)

Consent Calendar. There being no further business to come before the Senate, the Senate stands adjourned until the hour of noon on Friday, May 28th, 2004. The Senate stands adjourned. Noon. Twelve o'clock tomorrow.