

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

146th Legislative Day

7/14/2004

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PRESIDING OFFICER: (SENATOR DeLEO)

Ladies and Gentlemen, once again, now we'll start the regular Session of the 93rd General Assembly. The General Assembly will please come to order. Madam Secretary, Reading and Approval of the Journal.

SECRETARY HAWKER:

Senate Journal of Tuesday, July 13, 2004, from the regular Session.

PRESIDING OFFICER: (SENATOR DeLEO)

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 DeLEO)

Senator Haine moves to approve the Journals just read by the Secretary. There being no objection, so ordered. Senator Haine, for what purpose do you rise, sir?

SENATOR HAINE:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR HAINE:

Mr. President and Ladies and Gentlemen of the Senate, I wish to note for the Senate that besides the distinguished Senator Wojcik's birthday, today is Bastille Day, the birthday of the Republic of France. And on behalf of myself and the Senate, I would like to offer a congratulations to the people of France on this day, overlooking the past few years of their lack of support for the United States of America. And I would like to thank them for two very important things that they have done for the welfare of mankind. Sending Marquis de Lafayette to assist our revolution and the manufacture of Grand Marnier. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR CROTTY:

I think that we'll probably hear that tomorrow, because tomorrow is Bastille Day. Thank you.

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PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, Communications.

SECRETARY HAWKER:

Communication from the Minority Leader. July 14, 2004.

Dear Madam Secretary - Pursuant to the provisions of Senate Rules 3-5(b) and (c), I hereby appoint -- Senator Steve Rauschenberger to replace Senator Ed Petka as a member and Spokesperson of the Rules Committee and Senator Dave Luechtefeld to replace Senator Peter Roskam as a member of the Rules Committee, effective immediately.

Sincerely, Frank Watson, Senate Republican Leader.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, Committee Reports, please.

SECRETARY HAWKER:

Senator Hendon, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to Education Committee - House Bill 4431 and a Motion to Concur with House Amendment 1 and 2 to Senate Bill 1400; refer to Environment and Energy Committee - Motion to Concur with House Amendment 1 to Senate Bill 431; refer to Executive Committee - House Joint Resolution 54, House Joint Resolution 83, House Joint Resolution 86 {sic}, Senate Resolution 569, House Bill 4510, House Bills 5252, 7307, Floor Amendment No. 1 to House Bill 1007, Floor Amendment 1 to House Bill 1030, Motion to Concur with House Amendment 1 to Senate Bill 829 and a Motion to Concur with House Amendment 1 to Senate Bill 2256; refer to Insurance and Pensions Committee - House Bill 45; refer to Licensed Activities Committee - Motion to Concur with House Amendment 1 and House Amendment 3 to Senate Bill 2299 and Senate Bill 2793; refer to Revenue Committee - Motion to Concur with House Amendments 1 and 3 to Senate Bill 2411; refer to State Government Committee - Motion to Concur with House Amendments 1 and 2 to Senate Bill 2222 and a Motion to Concur with House Amendment 1 to Senate Bill 3188; refer to Transportation {sic} Committee - Motion to Concur with House Amendments 1 and 2 to Senate Bill 2222 and a Motion to Concur with House Amendment 1 to Senate Bill 3188; refer to Transportation Committee - Motion to Recede from Senate Amendment 3 to House Bill 4098; and Be

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Approved for Consideration - Floor Amendment 2 to Senate Bill --  
pardon me, House Bill 1010.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sandoval, for what purpose do you rise, sir.

SENATOR SANDOVAL:

Mr. President, a point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR SANDOVAL:

Mr. President and Members of the Senate, I'd like to recognize a couple of members from -- couple of visitors from the country of Mexico who are actually representatives of the President of Mexico, Vicente Fox. Representing here from the state of Chihuahua, Mexico, is Mr. Licenciado Alfonso Cisneros, accompanied by a representative of the President of Mexico, an appointed advisor to the Mexican government on matters of immigrants abroad and the United States, Licenciado Francisco Cisneros, Sr., and his son, Francisco Cisneros, Jr. I'd like to give them a -- warm welcome in the gallery.

PRESIDING OFFICER: (SENATOR DeLEO)

Will our guests please rise? Welcome to the Illinois State Senate. Welcome to Springfield, Illinois. Thank you for joining us. Madam Secretary, Resolutions.

SECRETARY HAWKER:

Senate Resolution 633, offered by Senator Maloney and all Members.

It is a death resolution.

PRESIDING OFFICER: (SENATOR DeLEO)

Resolutions Consent Calendar. Madam Secretary, Messages from the House, please.

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 concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Bill 2263, with House Amendment 1.

Passed the House, as amended, July 14, 2004, with a three-fifths vote.

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Madam Secretary, Introduction of Bills, please.

SECRETARY HAWKER:

Senate Bill 3387, offered by Senators Dillard, Rauschenberger and Radogno.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Silverstein, for what purpose do you rise, sir?

SENATOR SILVERSTEIN:

For purpose of an announcement.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement, sir.

SENATOR SILVERSTEIN:

The Senate Executive Committee will meet tomorrow at 11 o'clock in Room 212.

PRESIDING OFFICER: (SENATOR DeLEO)

Thursday at the hour of -- at the hour of 11 o'clock, the Senate Executive Committee will meet in Room 212. Senator Clayborne, for what purpose do you rise, sir?

SENATOR CLAYBORNE:

For a point of personal announcement.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement, sir.

SENATOR CLAYBORNE:

The Environment and Energy Committee will meet tomorrow at -- in Room 212 at 10:30. The Environment and Energy Committee will meet tomorrow in Room 212 at 10:30 a.m.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. Senator Link, for what purpose do you rise?

SENATOR LINK:

For a purpose of an announcement, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement, sir.

SENATOR LINK:

Senate Revenue Committee will meet at 11 a.m. in Room 400.

PRESIDING OFFICER: (SENATOR DeLEO)

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Senate Revenue tomorrow at the hour of 11 o'clock. Thank you very much. Senator Garrett, for what purpose do you rise, ma'am?

SENATOR GARRETT:

Thank you, Mr. President. The Transportation Committee will meet tomorrow at 10 a.m., Stratton Building, A-1.

PRESIDING OFFICER: (SENATOR DeLEO)

Transportation at 10 o'clock in A-1 tomorrow. Senator Schoenberg, for what purposes do you wake up -- do you stand up, sir? Senator Schoenberg.

SENATOR SCHOENBERG:

The -- thanks for the wake-up call. The State Government Committee will meet tomorrow at 11 a.m. in Room A-1, Stratton.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much, Senator. Senator Crotty, for what purposes do you rise, ma'am?

SENATOR CROTTY:

Thank you, Mr. President. Tomorrow, at 11:30 a.m., Licensed Activities will be meeting in the Stratton Building, A-1.

PRESIDING OFFICER: (SENATOR DeLEO)

Licenses 11:30 tomorrow, in A-1. Senator del Valle, for what purpose do you rise?

SENATOR DEL VALLE:

For purposes of an announcement.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement, sir.

SENATOR DEL VALLE:

The Education Committee will meet tomorrow, Thursday, at 9:30 a.m. in Room 212.

PRESIDING OFFICER: (SENATOR DeLEO)

Education Committee, tomorrow morning, at the hour of 9:30 in 212. Okay. That's all the announcements. Ladies and Gentlemen -- Ladies and Gentlemen, to -- I'm sorry. Mr. President, Senator Jones, for what purpose do you rise, sir?

SENATOR E. JONES:

Yeah. Thank you, Mr. President. I see that many announcements have been -- been made regarding the respective committee hearings commencing tomorrow. And Leader Watson and I

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had discussions today, and we had discussed yesterday, many of you have been very attentive and I know -- I do -- I do appreciate you Members for being here, and sometime you like to do a lot of work. And so, what we're -- we are planning to do is, there'll be several committee hearings tomorrow. There will be Floor action on some of the legislation on Concurrence, as well as, perhaps, action on -- on some of the measures that will be heard tomorrow in committee. Now, we will stagger those matters on the Calendar for hearing or to be voted on tomorrow, and perhaps through the following days, so that we do not have a backlog as we move toward the conclusion of Session when we have the budgetary issues resolved. So, tomorrow and -- and Friday, I would suggest strongly to each of you and most of you have been here, but be prepared to vote on various matters. And most of the stuff is noncontroversial. And I know many of you want to be in attendance and be on roll call. But, we're trying to move this process along as fast we possibly can. And as -- as I had indicated when we began the First Special Session that I -- and many of you want to be involved in the process. I always suggested that all these negotiations be out in the open, and wherein you can have your input as to the decisions that's being made. I -- I particularly don't like necessarily that decisions have to be made behind closed doors, but I try to keep our Members informed as to what is the main concern. And the -- the issue now that we are really trying to get resolved is the fairness in the education allocation, of the dollars and so forth. And I'm quite certain that we will come to a resolve on those issues. So... But tomorrow and -- and -- and Friday be prepared to be here, because committees will meet and many issues will be voted on tomorrow and Thursday {sic}.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Mr. President. Okay. Ladies and Gentlemen, at this -- Ladies and Gentlemen, at this time, to fulfill our responsibilities under Article V, Section 9 of the Constitution, we will now proceed to the Order of Advise and Consent. Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. I move that the Senate -- resolve itself into Executive Session for the purpose of acting

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on the appointments set forth in the Messages from the Governor of June 9th, June 25th, July 6th, 2004, and the Message from the Treasurer dated May 24th, 2004.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Senator Hendon moves that the Senate resolve itself in Executive Session for the purposes of acting on appointments set forth in the Messages from the Governor on June 9th, June 25th and July 6, the year 2004, and the Message from the Treasurer dated on May 24th, the year 2004. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the motion carries. The Senate is now in Executive Session. Madam Secretary, Committee Reports.

SECRETARY HAWKER:

Senators Hendon and Geo-Karis, Co-Chairmen of the Committee on Executive Appointments, to which was referred the Governor's Message of July 6, 2004, reported the same back with the recommendations that the Senate advise and consent to the following appointment.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon.

SENATOR HENDON:

Mr. President, with respect to the Governor's Message of July 6th, 2004, I will read the nonsalaried appointment of which the Committee on Executive Appointments recommends that the Senate do advise and consent.

To be a member of the Illinois Finance Authority for a term commencing July 6th, 2004, and ending July 16th, 2007: Roger D. Herrin.

Mr. President, having read the nonsalaried appointment from the Governor's Message of July 6th, 2004, I now seek leave to consider the appointment on a roll call. Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you -- thank you, Senator. Is there any discussion? Is there any discussion? The question is, does the Senate advise and consent to the nonsalaried appointment just read from the Governor's Message of July 6. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all



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voted who wish? Madam Secretary, please take the record. On that question, there are 50 Ayes, 0 Nays, 0 voting Present. majority of Senators elected concurring by record vote, the Senate does advise and consent to the appointment just read. Madam Secretary, Committee Reports.

SECRETARY HAWKER:

Senators Hendon and Geo-Karis, Co-Chairmen of the Committee on Executive Appointments, to which was referred the Treasurer's Message of May 24, 2004, reported the same back with the recommendation that the Senate advise and consent to the following appointment.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon.

SENATOR HENDON:

Mr. President, with respect to the Treasurer's Message of May 24, 2004, I will read the nonsalaried appointment of which the Committee on Executive Appointments recommends that the Senate do advise and consent.

To be a member of the Treasurer's Personnel Review Board for a term commencing May 24th, 2004, and ending May 24th, 2010: Tamara L. Howard.

Mr. President, having read the nonsalaried appointment from the Treasurer's Message of May 24th, 2004, I now seek leave to consider the appointment on a roll call. Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Hendon. Is there any discussion? Is there any discussion? Seeing no discussion, the question is, does the Senate advise and consent to the nonsalaried appointment just read by the Treasurer's Message of May 24th. All those -- in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 53 Ayes, 0 voting Nay, 0 voting Present. A majority of Senators elected -- by concurring vote -- elected concurring by record vote, the Senate does advise and consent to the appointment just read. Madam Secretary, continuing on Committee Reports.

SECRETARY HAWKER:

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Senators Hendon and Geo-Karis, Co-Chairmen of the Committee on Executive Appointments, to which was referred the Governor's Message of June 9, 2004, reported the same back with the recommendation that the Senate advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon.

SENATOR HENDON:

Mr. President, with respect to the Governor's Message of June 9th, 2004, I will read the salaried appointments of which the Committee on Executive Appointments recommends that the Senate do advise and consent.

To be a member of the Educational Labor Relations Board for a term commencing June 1st, 2004, and ending June 1st, 2007: Ronald Ettinger.

To be a member of the Educational Labor Relations Board for a term commencing June 1st, 2004, and ending June 1st, 2009: Bridget Lamont.

To be a member of the Educational Labor Relations Board for a term commencing June 1st, 2004, and ending June 1st, 2007: Michael Prueter.

To be a member of the Educational Labor Relations Board for a term commencing June 1st, 2004, and ending June 1st, 2007: Jimmie E. Robinson.

To be a member and Chair of the Educational Labor Relations Board for a term commencing June 1st, 2004, and ending June 1st, 2009: Lynne Sered -- Sered.

Mr. President, having read the salaried appointments from the Governor's Message of June 9th, 2004, I now seek leave to consider the appointments on a roll call. Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Hendon. Is there any discussion? Is there any discussion? Senator Schoenberg, for what purpose do you rise, sir?

SENATOR SCHOENBERG:

Thank you, Mr. President. In accordance with the appropriate Senate rules and statutes, I'd like to indicate that

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I will be recusing myself from this vote, as I am married to one of the nominees.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Any further discussion? Any further discussion? Seeing no further discussion, the question is, does the Senate advise and consent to the salaried appointments just read by the Governor's Message of June 9th. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 52 Ayes, 0 voting Nay, 1 voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the appointments just read. Madam Secretary, continuing on Committee Reports, please.

SECRETARY HAWKER:

Senators Hendon and Geo-Karis, Co-Chairmen of the Committee on Executive Appointments, to which was referred the Governor's Message of June 25, 2004, reported the same back with the recommendation that the Senate advise and consent to the following appointment.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon.

SENATOR HENDON:

Mr. President, with respect to the Governor's Message of June 25th, 2004, I will read the salaried appointment of which the Committee on Executive Appointments recommends that the Senate do advise and consent.

To be the Director of the Department of Labor for a term commencing July 5th, 2004, and ending January 17th, 2005:  
Arthur Ludwig.

Mr. President, having read the salaried appointment from the Governor's Message of June 25th, 2004, I now seek leave to consider the appointment on a roll call. Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Okay. The question is, does the Senate advise and consent to the salaried appointment just read by the Governor's Message of June

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25th. All those in favor will vote Aye. All those opposed will vote -- Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 53 Ayes, 0 voting Nay, and 0 voting Present. A majority of Senators elected by -- concurring by record vote, the Senate does advise and consent to the appointment just read. Madam Secretary, continuing on Committee Reports, please.

SECRETARY HAWKER:

Senators Hendon and Geo-Karis, Co-Chairmen of the Committee on Executive Appointments, to which was referred the Governor's Message of July 6, 2004, reported the same back with the recommendations that the Senate advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon.

SENATOR HENDON:

Mr. President, with respect to the Governor's Message of July 6, 2004, I will read the salaried appointments of which the Committee on Executive Appointments recommends that the Senate do advise and consent.

To be the Secretary of the Department of Financial and Professional Regulation for a term commencing July 1st, 2004, and ending January 17th, 2005: Fernando Grillo.

To be a member of the State Board of Elections for a term commencing July 6, 2004, and ending June 30th, 2007: Bryan Schneider.

Mr. President, having read the salaried appointments from the Governor's Message of July 6th, 2004, I now seek leave to consider the appointments on a roll call. Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Hendon. Is there any discussion? Is there any -- Senator del Valle, for what purpose do you rise, sir?

SENATOR DEL VALLE:

A -- a question.

PRESIDING OFFICER: (SENATOR DeLEO)

Of the sponsor?

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SENATOR DEL VALLE:

Of the sponsor, yes.

PRESIDING OFFICER: (SENATOR DeLEO)

Indicates he'll yield for a question, sir.

SENATOR DEL VALLE:

Senator Hendon, on the appointment of the Financial and Professional Regulation Department, we passed a bill that has also been passed by the -- by the House and sent to the Governor that would require advise and consent for the directors that will be working under the -- the new Secretary. Is it your understanding that that bill will be signed by the Governor?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon.

SENATOR HENDON:

Yes, Senator del Valle, it is my understanding that that will be signed by the Governor and I'm certain you know I want advice and consent on all these directors being chair of that committee.

PRESIDING OFFICER: (SENATOR DeLEO)

Any further discussion? Any further discussion? Seeing no further discussion, the question is, does the Senate advise and consent to the salaried appointments just read by the Governor's Message of July 6. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 53 Ayes, 0 voting Nay, 0 voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the appointments just read. Senator Hendon.

SENATOR HENDON:

Thank -- thank you, Mr. President. I also want to thank you for chairing Executive Appointments, the great work that you and Senator Geo-Karis did last week when I was ill. You did a wonderful job, and I move that the Senate arise from Executive Session.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Hendon. At this time, Senator Hendon moves that the Senate arise from Executive Session. All those in favor will say Aye. All those opposed will say Nay. The

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Ayes have it, and the motion carries. The Senate has arisen from Executive Session. Senator Welch, for what purpose do you rise, sir?

SENATOR WELCH:

A point of information.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR WELCH:

Mr. President, Senator Ronen is not here today because of the passing of her mother.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. The Journal will so indicate Senator Ronen's excused absence because of a death in the family. Senator Burzynski, for what purpose do you rise, sir?

SENATOR BURZYNSKI:

Thank you, Mr. President. Just like to announce that there will be a Republican Caucus immediately upon adjournment today. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

That request is always in order, sir. And upon adjournment the Senate Republicans will go to Leader Watson's Office for a caucus - immediately upon adjournment. Senator Jacobs, for what purpose do you rise, sir?

SENATOR JACOBS:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR JACOBS:

I just want to point out that we're privileged today to have with us former Senator Jimmy Rea. He was able to -- to clear his -- his very busy retirement schedule to come and visit us today, and glad to have him.

PRESIDING OFFICER: (SENATOR DeLEO)

Welcome back to the Illinois Senate, Senator Rea. Okay. Ladies and Gentlemen, being no further business to come before the Senate, the Senate will stand adjourned until the hour of 12:05 on Thursday, July 15th, the year 2004. 12:05 on Thursday, July 15th. Senate stands adjourned.