

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

1/31/2006

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PRESIDING OFFICER: (SENATOR DEL VALLE)

The regular Session of the 94th 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 given by Reverend Faye Buttrick of the First Congregational Church in Springfield.

THE REVEREND FAYE BUTTRICK:

(Prayer by the Reverend Faye Buttrick)

PRESIDING OFFICER: (SENATOR DEL VALLE)

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

SENATOR MALONEY:

(Pledge of Allegiance, led by Senator Maloney)

PRESIDING OFFICER: (SENATOR DEL VALLE)

Madam Secretary, Reading and Approval of the Journal.

SECRETARY HAWKER:

Senate Journals of Thursday, January 19, and Friday, January 20, 2006.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Hunter.

SENATOR HUNTER:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Hunter moves to approve the Journals just read by the Secretary. There being no objection, so ordered. Ray Long from the Chicago Tribune requests permission to photograph the Senate. Hearing no objection, permission is granted. Madam Secretary, Resolutions.

SECRETARY HAWKER:

Senate Resolution 581, offered by Senator Haine and all Members.

Senate Resolution 582, offered by Senator Hunter and all Members.

Senate Resolution 583, offered by Senator Forby and all Members.

Senate Resolution 584, -- and 585, both offered by Senator Forby and all Members.

And Senate Resolution 586, offered by Senator Halvorson and

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all Members.

Senate Resolution 587, offered by Senator Forby and all Members.

Senate Resolution 588, offered by Senator John Jones and all Members.

Senate Resolution 589, offered by Senator Shadid and all Members.

Senate Resolution 590, Senate Resolution 591, both offered by Senator Dillard and all Members.

And Senate Resolution 592, offered by Senator Hunter and all Members.

They're all death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Resolutions Consent Calendar.

SECRETARY HAWKER:

Senate Resolution 593, offered by Senator Cullerton.

Senate Resolution 594, offered by Senator Haine.

They are both substantive.

Senate Joint Resolution, Constitutional Amendment, No. 68.

Senate Joint Resolution, Constitutional Amendment, No. 69.

Senate Joint Resolution, Constitutional Amendment, No. 70.

Senate Joint Resolution, Constitutional Amendment, No. 71.

And Senate Joint Resolution -- Constitutional Amendment, No. 72.

My apologies for not offering the sponsors' names.

Senate Joint Resolution 68, offered by Senator Pankau.

Senate Joint Resolution 69, offered by Senator Brady.

Senate Joint Resolution No. 70, offered by Senator Brady.

Senate Joint Resolution 71, offered by Senator Radogno.

And Senate Joint Resolution 72, Constitutional Amendment, offered by Senators -- Righter, Axley, Dillard, Risinger, John Jones and others.

They're all substantive.

PRESIDING OFFICER: (SENATOR DEL VALLE)

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 concurred with the Senate in the

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passage of a bill of the following title, to wit:

House Bill -- pardon me, Senate Bill 1681,
together with House Amendments 1 and 2.

Passed the House, as amended, January 25, 2006.

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

Mr. President - I am directed to inform the Senate that
the House of Representatives has passed bills of the following
titles, in the passage of which I am instructed to ask the
concurrence of the Senate, to wit:

House Bills 4127, 4141, 4179, 4187, 4192, 4297,
4308.

All passed the House, January 25 {sic} (24), 2006.

I have a like Message with respect to House Bills 4217,
4317, 4349, 4359.

All passed the House, January 25, 2006.

Like Message with respect to House Bills 4172, 4204, 4377,
4419 and 4736 and also House Bill 1744.

All passed the House, January 26, 2006.

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

Mr. President - I am directed to inform the Senate that
the House of Representatives -- have 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 83.

Adopted by the House, January 25, 2006, and it is substantive.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Madam Secretary, Messages.

SECRETARY HAWKER:

A Message from the President, dated January 31, 2006.

Dear Madam Secretary - Pursuant to Rule 3-5(c), I
hereby appoint Senator James DeLeo and Senator Terry Link to
replace Senator Rickey Hendon and Senator John Cullerton
respectively, as members of the Rules Committee. This
appointment is effective immediately.

Very truly yours, Emil Jones, Jr., President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Madam Secretary, Introduction of Bills.

SECRETARY HAWKER:

Senate Bill 3093, offered by Senator Sullivan.

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(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

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 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 74.

Adopted by the House, January 26, 2006, and it is substantive.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Halvorson, for what purpose do you rise?

SENATOR HALVORSON:

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

PRESIDING OFFICER: (SENATOR DEL VALLE)

State your point.

SENATOR HALVORSON:

Thank you. As some of you may or may not be aware, the Dean of the Illinois Capitol Press Room, our one and only Ben Kinningham, has decided to retire. You know, there are so many things I could be talking and saying about Ben, but I've chosen just to pick out a few of the highlights that I believe are very, very important. Ben's career begun in 1966, as he worked his way up from reporter to News Director at WTAX. There, Ben found his way into the press room, reporting on State Capitol issues with the Illinois Radio Network. Ben has always been willing, and one of the things I've watched the ten years I've been here, is how Ben has helped with any of the young reporters, the up-and-comers. If they ever had a question, they ever needed help, Ben was always there. Ben has covered seven Governors, seventeen General Assemblies, the election of the first African-American to Statewide office, and other occurrences that we all believe have changed the landscape of Illinois politics. What is very, very special and, Ben, I hope you take the opportunity now to spend time with your wife, Beth; your son, Jason; and other children, Melissa and Shane. I think you'll also have more time now for

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your hobby of photography and anything else that will help you enjoy your retirement to the fullest. I just also want to mention that he has a reception tonight at the Capital Steakhouse at 5:30. But, Ben, on behalf of the Illinois State Senate, we wish you well. Good luck.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Ben, thank you for your great work over the years and we're going to miss you. Thank you very much. There will be a meeting of the Rules Committee immediately in the President's Anteroom. Meeting of the Rules Committee, immediately. Senator Sandoval, for what purpose do you rise?

SENATOR SANDOVAL:

Yes, Mr. President, point of personal privilege.

PRESIDING OFFICER: (SENATOR DEL VALLE)

State your point, please.

SENATOR SANDOVAL:

Thank you, Mr. President. Members of the Illinois Senate, today I have the honor of welcoming a Mayor of the 12th Legislative District, the Honorable Mayor Michael O'Connor, of the City of Berwyn. And accompanying him is Alderman Michele Skryd, Alderman Nona Chapman and Alderman Jim Ramos, here working on behalf of the people of the City of Berwyn. Also joining them is Chief of Staff, Scott Waguespack, and there are other -- Community Relations Assistant Mary Jean -- Jeanmarie Hajer. Let's give them all a welcome to the City of Springfield.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Welcome to the Illinois Senate. We will be at ease just for a couple minutes. We're awaiting the Rules Committee Report.

Senator Viverito, for what purpose do you rise?

SENATOR VIVERITO:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

State your point, Senator.

SENATOR VIVERITO:

I would like very much, if I may, and I'm sure Marty introduced most of the Berwyn people there, but he forgot a lot of the people up here, the American Legion from Berwyn and Stickney. Would you please give them a warm welcome, the veterans from the southwest side?

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PRESIDING OFFICER: (SENATOR DEL VALLE)

Will our guests in the gallery please rise? Welcome. Senator Sandoval, for what purpose do you rise?

SENATOR SANDOVAL:

Yes, Mr. President, along with those welcoming remarks, I also -- point of personal privilege. I'd also like to welcome, representing the veterans of Illinois, sitting behind me -- would -- would they please rise? Would you please stand up for a second? We have Mr. Leon Barnes, the State Commander of the VFW; we have Mr. Matt Claussen, who is the State Senior Vice Commander of the VFW, and Mr. Jack Meschek, Chairman of the Combined Veterans of Berwyn; and Frank Amaro, coordinator of the Berwyn's veteran. Let's give them all a welcome to the State Capital.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Gentlemen, thank you. Madam Secretary, Committee Reports.

SECRETARY HAWKER:

Senator Viverito, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to Agriculture and Conservation Committee - Committee Amendment No. 1 to Senate Bill 2236 and Committee Amendment 1 to Senate Bill 2271; refer to Commerce and Economic Development Committee - Committee Amendment No. 1 to Senate Bill 2519; refer to Environment and Energy Committee - Committee Amendment No. 1 to Senate Bill 2129 and Committee Amendment No. 1 to Senate Bill 2198; refer to Health and Human Services Committee - Committee Amendment No. 1 to Senate Bill 2510; refer to Judiciary Committee - Committee Amendment No. 1 to Senate Bill 2295; refer to Licensed Activities Committee - Committee Amendment No. 1 to Senate Bill 2144, Committee Amendment No. 1 to Senate Bill 2292 and Committee Amendment 1 to Senate Bill 2511; refer to Local Government Committee - Committee Amendment No. 1 to Senate Bill 2397; refer to State Government Committee - Committee Amendment No. 1 to Senate Bill 2204, Committee Amendment 1 to Senate Bill 2330 and Committee Amendment 1 to Senate Bill 2536 -- pardon me, that's 2356; refer to Transportation Committee - Committee Amendment 1 to Senate Bill 2230, Committee Amendment 1 to Senate Bill 2439 and Committee Amendment 1 to Senate Bill 2489.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Ladies and Gentlemen, we'll be going to the Order of 2nd

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Reading on page 2. The top of page 2. 2nd Reading. Senate Bill 2134. Senator Jacobs. Senator Jacobs. 2nd Reading. Senate Bill 2134. Do you wish to proceed, Senator? Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2134.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DEL VALLE)

3rd Reading. Senate Bill 2137. Senator Halvorson. Senator Halvorson. Senate Bill 2137. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2137.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Judiciary adopted Committee Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Have there been any Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

3rd Reading. Senate Bill 2156. Senator Cullerton. Senator Cullerton. Senate Bill 2162. Senator Harmon. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 2162.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DEL VALLE)

3rd Reading. Senate Bill 2252. Senator Hunter. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 2252.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

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PRESIDING OFFICER: (SENATOR DEL VALLE)

3rd Reading. For committee announcements, Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President. The Pensions and Investment Committee will meet today at 4 o'clock in Room 400.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Thank you, Senator. Senator Crotty.

SENATOR CROTTY:

Thank you, Mr. President. And Local Government will meet today at 1 o'clock in the Stratton Building, Room A-1.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Ronen.

SENATOR RONEN:

Thank you, Mr. President. Health and Human Services will meet tomorrow morning, 9 a.m., in Room 400.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Shadid.

SENATOR SHADID:

Thank -- thank you, Mr. Chairman. Transportation Committee meets at 2:30, Room 400.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Haine.

SENATOR HAINE:

Thank you, Mr. President. I -- I wish to announce to the Members of the Senate that the Insurance Committee will not have a meeting today. The meeting is canceled today. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Demuzio.

SENATOR DEMUZIO:

Yes. Thank you, Mr. President. I would like to announce that Education will be meeting today at 1 o'clock in Room 212.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Clayborne.

SENATOR CLAYBORNE:

I'd like to -- a point of personal privilege. To make an announcement that Energy and Environment will meet tomorrow, Wednesday, at 9 a.m., in Room 212. Again, Environment and Energy will meet tomorrow at -- in 212, at 9 a.m.

PRESIDING OFFICER: (SENATOR DEL VALLE)

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Senator Martinez, for a second announcement.

SENATOR MARTINEZ:

Thank you, Mr. President. The -- there's a correction to be made. The Committee on Pensions and Investment will not meet. It has been canceled.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. The Senate Judiciary Committee will meet today at 2:30 in Room 212.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator John Sullivan.

SENATOR SULLIVAN:

Thank you, Mr. President. Have an announcement. Ag and Conservation Committee will meet tomorrow, 9 o'clock, tomorrow morning, in A-1 of the Stratton Building.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Crotty. Your light is still on, please. Will you turn it off? Will the Chamber please come to order? Will the Chamber please come to order? I think, as -- as most of the Members here know, if not all of the Members, that Coretta Scott King passed away and what we would like to do is have a moment of silence for Coretta Scott King. Will all the Members please rise? Thank you very much. Senator Trotter, for what purpose do you rise?

SENATOR TROTTER:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

State your point.

SENATOR TROTTER:

I'd just like to say a few words about Coretta Scott King for those -- I'm certain everyone here has heard of her, but we don't really know her. You know, Coretta Scott King, we -- we know, certainly was the wife of Martin Luther King, but she was more than that. She was more than just a mother..

PRESIDING OFFICER: (SENATOR DEL VALLE)

Excuse me, Senator. Could we have quiet, please? Can we have your attention, please? Senator Trotter.

SENATOR TROTTER:

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And -- and she was more than just a mother of four children, and -- and she certainly could not have been characterized as a homemaker in the sense of the word that she just stayed at home while Martin Luther King was trying to make a -- a measurable difference in the quality of all of our lives, and she was truly a student of the fifties and sixties. She was the movement herself. She was, again, not as vocal as Martin Luther King, but her impact, her impact in Atlanta while Martin Luther King was -- was going to Alabama, coming up to Chicago, traveling around the world, was one of stability. I mean, she was a -- a -- a soft-spoken woman, but a very passionate woman. She -- and after the death of Martin Luther King, she didn't crawl in a corner, she didn't cry, she picked up that mantle and -- and continued to fight for social justice and for human rights for -- for people around the world. Just recently she was just making comments about the War in Iraq, so she was not a -- a shrinking violet in any sense of the word. Her name in -- in our communities is revered, as many of the -- the women who have done great things in this country. But for us, she was -- she was, again, a very strong part of the movement. She died this morning at seventy-eight years of age. And until just recently, about nine months ago, she had a stroke, but up to that point, she was the motivating force behind keeping the museum down in -- Atlanta alive, keeping the -- the movement alive through multiple organizations. And with just that short thing being said, so know she is going to be truly missed, again, as -- as a real force for years to come. Thank you very much.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Thank you, Senator. Senator Hunter.

SENATOR HUNTER:

Point of personal privilege, Mr. President. I, too, would like to speak about Coretta Scott King. I actually had the pleasure of meeting Mrs. King about fifteen years ago and she was always concerned about -- about the movement. She was concerned about people in general. She loved people and she was a people person and, as Senator Trotter indicated, she was a passionate person. She was a leader in her own right. She was not as vocal as her husband, Martin, was; however, she stood for, in my opinion, women's rights. She empowered many of us to strive and

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to believe in ourselves and to carry the totem for other women in this country. She will truly be -- be missed here, not only in the United States, but, I believe, in the world, because Mrs. King represented women in general. So, I think that as we continue with our daily activities, I just think that we need to keep in mind the struggle that many of our civil rights leaders have sacrificed their lives for. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I never had the pleasure of meeting Mrs. King, but I have always admired her because, you know, before -- behind every great man stands a great woman, and she was with him at all phases of his life that counted and she was very supportive of him and she, herself, was a very articulate speaker and a very good speaker. I had heard her speak at some banquet some time ago. All I can tell you is that she's gone on to meet her Maker and her Maker will say to her, "Well done, my child, because you have been a great inspiration, not only for your husband, but for the world."

PRESIDING OFFICER: (SENATOR DEL VALLE)

Thank you, Senator Geo-Karis. Senator Burzynski, for what purpose do you rise?

SENATOR BURZYNSKI:

Thank you, Mr. President, just for purposes of an announcement and -- first of all, I'd like the record to reflect that Senator Peterson is not here today due to personal business. And secondly, we would request a Republican Caucus immediately upon adjournment. We should be able to get done in time for 1 o'clock committees to begin on time. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Republican Caucus immediately upon adjournment. There being no further business to come before the Senate, the Senate stands adjourned until the hour of noon on Wednesday, February 1st. Senate stands adjourned.