

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

69th Legislative Day

2/1/2006

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PRESIDING OFFICER: (SENATOR LINK)

The regular Session of the 94th General Assembly will please come to order. Will the Members please at their desk? Will our guests in the gallery please rise? The invocation today will be given by the Reverend Jeff Chitwood of the South Side Christian Church in Springfield. Reverend.

THE REVEREND JEFF CHITWOOD:

(Prayer by the Reverend Jeff Chitwood)

PRESIDING OFFICER: (SENATOR LINK)

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

SENATOR MALONEY:

(Pledge of Allegiance, led by Senator Maloney)

PRESIDING OFFICER: (SENATOR LINK)

Madam Secretary, Reading and Approval of the Journal.

SECRETARY HAWKER:

Senate Journal of Tuesday, January 31, 2006.

PRESIDING OFFICER: (SENATOR LINK)

Senator Hunter.

SENATOR HUNTER:

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

PRESIDING OFFICER: (SENATOR LINK)

Senator Hunter moves to approve the Journal just read by the Secretary. Are there -- there being no objection, so ordered. Madam Secretary, Resolutions.

SECRETARY HAWKER:

Senate Resolution 595, offered by Senator Hunter.

It is substantive.

PRESIDING OFFICER: (SENATOR LINK)

Madam Secretary, Messages.

SECRETARY HAWKER:

A Message from the President, dated February 1, 2006.

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

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

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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 4134, 4135, 4147, 4202, 4425, 4453, 4462, 4526, 4696.

All passed the House, January 31, 2006.

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

Mr. President - I am directed to inform the -- 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 76.

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

PRESIDING OFFICER: (SENATOR LINK)

Madam Secretary, Committee Reports.

SECRETARY HAWKER:

Senator Lightford, Chairperson of the Committee on Education, reports Senate Bills 2191, 2202, 2257 and 2336 Do Pass; and Senate Bill 2235 Do Pass, as Amended.

Senator Crotty, Chairperson of the Committee on Local Government, reports Senate Bills 2247, 2348 and 2360 Do Pass; and Senate Bill 2397 Do Pass, as Amended.

Senators Cullerton and Dillard, Co-Chairpersons of the Committee on Judiciary, report Senate Bills 2272, 2300, 2402 and 2475 Do Pass.

Senator Munoz, Chairperson of the Committee on Transportation, reports Senate Bills 2130 and 2306 Do Pass; and Senate Bills 2230 and 2489 Do Pass, as Amended.

Senator Sullivan, Chairperson of the Committee on Agriculture and Conservation, reports Senate Bill 2334 Do Pass; Senate Bills 2236 and 2271 Do Pass, as Amended.

Senator Ronen, Chairperson of the Committee on Health and Human Services, reports Senate Bills 2170, 2195, 2199, 2238, 2308 and 2491 Do Pass; and Senate Bill 2510 Do Pass, as Amended.

Senator Clayborne, Chairperson of the Committee on Environment and Energy, reports Senate Bills 2285 and 2412 Do Pass; and Senate Bill 2129 Do Pass, as Amended.

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PRESIDING OFFICER: (SENATOR LINK)

May I have everybody's attention, please? We have the privilege of Senator Lauzen coming in with some distinguished guests from York High School. Senator Lauzen.

SENATOR LAUZEN:

Thank you very much. Ladies and Gentlemen of the Senate, I would like to introduce to you this year's Cross Country Champions, State of Illinois. The people in this room understand how important the virtues of perseverance and courage are, and I don't know of any other sport that is more conducive to developing those virtues than overcoming the pain and the training habits that it requires to be very good in cross country. This is the York High School Cross Country Team. They are the 2005/2006 State Champs. Like to introduce their coaches. The legendary Joe Newton is not here today because he's undergoing some hip surgery, but we do have Charlie Kern here, and Charlie is right over here. Raise your hand. Charlie looks so young. He could be one of these runners. I also would like to introduce the York High School new athletic director, Rob Wagner. I -- I would like to thank Senator Dan Cronin for representing a district that has such fine young people. That's -- and this is -- this is the fourth year in a row that the York Dukes have won the State Championship, and the twenty-fifth year that the State Championship has been won in the history of York Cross Country. Last year they were the -- the national champions. This year they went out to the national meet and won the runner-up, or the second position. With that, I'd like to introduce Co-Captain Matt Dettman. And Matt is -- his nickname is "Twin One", because he and his brother have run for fours years, never lost a meet, brought home four State titles. So, Matt, come on up and introduce your teammates.

MATT DETTMAN:

(Remarks and introductions by Matt Dettman)

SENATOR LAUZEN:

Well done. Ladies and Gentlemen, I'd like to recognize Senator Dan Cronin, who'd like to share a thought with us.

SENATOR CRONIN:

Thank you very much, Senator Lauzen. Senator Pankau and I would like to offer our congratulations to this fine group of

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young men. I am very, very proud of York High School and the wonderful accomplishments that the York Cross Country Team has -- has -- has realized over the years. It's just remarkable. It's rare. It's a unique achievement. Out of all the high schools in America, I don't think that there is a high school that can match your record of success in State Championships in Cross Country, and that's something to be proud of and to remember and nourish for the rest of your lives. And it's becoming almost routine honoring York High School Cross Country Team down here and I will never permit it to be taken for granted. However, in recognition of the wonderful success you have, I'm thinking seriously about proposing legislation that declares February 1st of every year the "Honor York High School Cross Country State Championship Team Day" in Springfield. Thank you. God bless you. Congratulations, young men.

SENATOR LAUZEN:

Thank you, Senator Cronin. I would also ask the Membership in the Senate, if you would keep their coach - the York Coach - in your prayers; he's going through a hip operation. I believe it's today. It's -- and that's Joe Newton. To give you an idea of how quickly these fellows run through their program, try, the next time you go out to a track, to run a ninety-second four hundred meter. Try to get around the track in ninety seconds. And I think that most of us will be doubled over, you know, leaving lunch behind. These guys run it not in ninety seconds, but in seventy-five seconds, and then they do twelve of 'em in a row without stopping. The three-mile would be at that pace for twelve times that much. It is really an incredible feat and it's overcoming a lot of pain and fear. They've done a great job. Thank you very much for your attention.

PRESIDING OFFICER: (SENATOR LINK)

There will be a Rules Committee meeting in the President's Anteroom immediately. Rules Committee in the President's Anteroom immediately. Senator Althoff, for what purpose do you rise?

SENATOR ALTHOFF:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR LINK)

State your point.

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SENATOR ALTHOFF:

Although it is York High School day and -- and we are honoring them, it's a very other important day. We have a Member on the Republican Senate side who is celebrating his big birthday. Senator John Millner. We do have cake in the front for everyone, and just so you know, that big 5-0, I -- I would add another few years to that.

PRESIDING OFFICER: (SENATOR LINK)

Congratulations on your twenty-ninth birthday, Senator Millner. Senator Sieben, for what purpose do you rise?

SENATOR SIEBEN:

Thank you, Mr. President. Two points.

PRESIDING OFFICER: (SENATOR LINK)

State your points.

SENATOR SIEBEN:

The first item is to let the record reflect that Senator Peterson is away from the Chamber today on personal business. And Senator Burzynski is away today. He's in Belvidere -- with the Governor in Belvidere today and like the record to reflect that. The second item, Mr. President, is to request a brief Republican Caucus immediately upon adjournment.

PRESIDING OFFICER: (SENATOR LINK)

Your request is always in order. How long do you anticipate that, because that will delay our committee assignments? Do you anticipate ten minutes, fifteen minutes or two minutes?

SENATOR SIEBEN:

I'll -- I'll -- of those three choices, I'll take the fifteen minutes, sir.

PRESIDING OFFICER: (SENATOR LINK)

Thank you. Senator Garrett, for what purpose do you rise? Senator Clayborne, for what purpose do you...

SENATOR CLAYBORNE:

A point of personal privilege.

PRESIDING OFFICER: (SENATOR LINK)

State your point.

SENATOR CLAYBORNE:

Thank you, Mr. Chairman -- Mr. -- Mr. President. I have behind me people that have come up to join me today, , and I'd like for them to be welcomed today by the Senate.

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PRESIDING OFFICER: (SENATOR LINK)

Will our guests rise and the Senate welcome them? Senator Halvorson, for what purpose do you rise?

SENATOR HALVORSON:

Thank you, Mr. President. For an announcement.

PRESIDING OFFICER: (SENATOR LINK)

State your announcement.

SENATOR HALVORSON:

I would like the record to reflect that Senator Forby is not here due to illness.

PRESIDING OFFICER: (SENATOR LINK)

The record shall reflect. Senator Maloney, for what purpose do you rise?

SENATOR MALONEY:

Purpose of an announcement, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

State your announcement.

SENATOR MALONEY:

The Labor Committee -- as was stated, Senator Forby is not here, but the Labor Committee will meet today, at 2:30, in Room 400.

PRESIDING OFFICER: (SENATOR LINK)

That's Labor at 2:30, in Room 400. Madam Secretary, Committee Reports.

SECRETARY HAWKER:

Senator Viverito, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer from Health and Human Services Committee to Rules Committee - Senate Bill 2487; refer to Agriculture and Conservation Committee - Senate Bills 2810, 2841 and 2887; refer to Commerce and Economic Development Committee - Senate Bills 2885 and 3056; refer to Education Committee - Senate Bills 2630, 2670, 2762, 2784, 2795, 2796, 2829, 2882; refer to Environment and Energy Committee - Senate Bills 2580, 2594, 2720 and 2807; refer to Executive Committee - Senate Bills 2487, 2520 through 2542, 2558, 2587, 2592, 2711, 2748, 2776, 2847, 2978, 2981 and 2998, 3053 and 3086; refer to -- Financial Institutions Committee - Committee Amendment No. 1 to Senate Bill 2305, Committee Amendment 1 to Senate Bill 2495, Senate Bill 2569, 2611, 2619, 2844 and 3035;

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refer to Health and Human Services Committee - Senate Bills 2559, 2578, 2626, 2654, 2672, 2692, 2728, 2730, 2763, 2770, 2782, 2936, 3010 and 3087; refer to Higher Education Committee - Committee -- pardon me, Senate Bills 2627 and 2778; refer to Housing and Community Affairs Committee - Senate Bill 2696 {sic} (2697), 2772 and 3036; refer to Insurance Committee - Committee -- Senate Bills 2655, 2705, 2911 and 2917; refer to Judiciary Committee - Senate Bills 2562, 2570, 2601, 2616, 2657, 2673, 2676, 2684, 2737, 2739, 2890, 2915, 2954, 2955, 2960, 2962, 2966, 2968, 2971, 2985, 3016, 3018, 3037 and 3076; refer to Labor Committee - Senate Bills 2339, 2662 and 2693; refer to Licensed Activities Committee - Committee Amendment 2 to Senate Bill 2144 and Senate Bills 2556, 2608, 2774 and 2909; refer to Local Government Committee - Senate Bills 2615, 2621, 2625, 2664, 2713, 2777, 2798, 2871, 2904, 2933 and 3046; refer to Pensions and Investments Committee - Senate Bill -- pardon me, 2622, 2652, 2653, 2666, 2754, 2761; refer to Revenue Committee - Senate Bills 2691, 2709 and 3088; refer to State Government Committee - Committee Amendment No. 1 to Senate Bill 2456, 2639, 2674, 2726, 2830, 2868, 2899, 2921, 2949, 2951, 2952 and 3011; refer to Transportation Committee - Senate Bills 2575, 2650, 2759, 2808, 2834, 2837, 2865 and 2878.

PRESIDING OFFICER: (SENATOR LINK)

Madam Secretary, Introduction of Bills.

SECRETARY HAWKER:

Senate Bill 3094, offered by Senator Schoenberg.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Harmon, for what purpose do you rise?

SENATOR HARMON:

For purposes of an announcement, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

State your announcement.

SENATOR HARMON:

Thank you, Mr. President. The Senate Revenue Committee is posted to meet at 1 p.m. today, in Room 400. I understand with the current schedule we may be declaring it 1 o'clock, closer to 1:30.

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PRESIDING OFFICER: (SENATOR LINK)

Senator Collins, for what purpose do you rise?

SENATOR COLLINS:

Thank you. For the purpose of an announcement.

PRESIDING OFFICER: (SENATOR LINK)

State your announcement.

SENATOR COLLINS:

The Committee on Financial Institutions will meet tomorrow morning at 9 a.m., in Room 400.

PRESIDING OFFICER: (SENATOR LINK)

Senator Garrett, for what purpose do you rise?

SENATOR GARRETT:

For purpose of announcement.

PRESIDING OFFICER: (SENATOR LINK)

State your announcement.

SENATOR GARRETT:

State Government will meet today at 1 o'clock, A-1, the Stratton Building.

PRESIDING OFFICER: (SENATOR LINK)

Senator Garrett, there may be a delay on your starting of your committee because of the Republican Caucus. Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

Yes, Mr. President. For the purpose of an announcement. Licensed..

PRESIDING OFFICER: (SENATOR LINK)

State your -- state your announcement.

SENATOR DEMUZIO:

Licensed Activities will meet today at 2:30 in the Stratton Building, in A-1.

PRESIDING OFFICER: (SENATOR LINK)

Senator Meeks, for what purpose do you rise?

SENATOR MEEKS:

Purpose of an announcement.

PRESIDING OFFICER: (SENATOR LINK)

State your announcement.

SENATOR MEEKS:

The Committee on Commerce and Economic Development will meet tomorrow morning, at 9 a.m., in A-1.

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PRESIDING OFFICER: (SENATOR LINK)

Senator Demuzio, for what purpose do you rise, again? Oh, no. The Senate will stand at recess to the call of the Chair. After committees, the Senate will reconvene to receive committee reports and other matters not requiring Floor action. There will be no Floor action until the Senate reconvenes tomorrow at 10 a.m. The Senate stands in recess to the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR LINK)

The Senate will come to order. Madam Secretary, Committee Reports.

SECRETARY HAWKER:

Senator Harmon, Chairperson of the Committee on Revenue, reports Senate Bills 2350 and 2513 Do Pass.

Senator Garrett, Chairperson of the Committee on State Government, reports Senate Bills 2204, 2330 and 2456 Do Pass, as Amended.

Senator Maloney, Chairperson of the Committee on Labor, reports Senate Bill 2399 Do Pass.

Senator Demuzio, Chairperson of the Committee on Licensed Activities, reports Senate Bills 2286, 2345 and 2395 Do Pass.

PRESIDING OFFICER: (SENATOR LINK)

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 passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bill 4137, 4302 and 4699.

Passed the House, February 1, 2006.

PRESIDING OFFICER: (SENATOR LINK)

Madam Secretary, Resolutions.

SECRETARY HAWKER:

Senate Resolutions 596 through 599, all sponsored by Senator Link and all Members.

And they're all death resolutions.

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PRESIDING OFFICER: (SENATOR LINK)

Madam Secretary, Resolutions Consent Calendar. I just --
Madam Secretary, House Bills 1st Reading.

SECRETARY HAWKER:

House Bill 231, offered by Senator Martinez.

(Secretary reads title of bill)

House Bill 1744, offered by Senators Raoul and Collins.

(Secretary reads title of bill)

House Bill 2369, offered by Senator Axley.

(Secretary reads title of bill)

House Bill 4127, offered by Senator Sieben.

(Secretary reads title of bill)

House Bill 4134, offered by Senator Cullerton.

(Secretary reads title of bill)

House Bill 4135, offered by Senator -- Winkel.

(Secretary reads title of bill)

House Bill 4147, offered by Senator Clayborne.

(Secretary reads title of bill)

House Bill 4172, offered by Senator Hunter.

(Secretary reads title of bill)

House Bill 4179, offered by Senator Peterson.

(Secretary reads title of bill)

House Bill 4202, offered by Senator Emil Jones.

(Secretary reads title of bill)

House Bill 4204, offered by Senator Axley.

(Secretary reads title of bill)

House Bill 4217, offered by Senator Viverito.

(Secretary reads title of bill)

House Bill 4317, offered by Senator Peterson.

(Secretary reads title of bill)

House Bill 4308, offered by Senator Sieben.

(Secretary reads title of bill)

House Bill 4349, offered by Senator Demuzio.

(Secretary reads title of bill)

House Bill 4359, offered by Senator Winkel.

(Secretary reads title of bill)

House Bill 4377, offered by Senator Haine.

(Secretary reads title of bill)

House Bill 4425, offered by Senator Trotter.

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(Secretary reads title of bill)

House Bill 4526, offered by Senators Collins and Raoul.

(Secretary reads title of bill)

And House Bill 4736, offered by Senator Collins.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR LINK)

There being no further business to come before the Senate, the Senate stands adjourned until the hour of 10 a.m., on Thursday, February 2nd, 2006. The Senate -- Senate stands adjourned.