

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

11th Legislative Day

2/26/2003

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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 T. Ray McJunkins, Union Baptist Church, Springfield, Illinois. Pastor McJunkins.

PASTOR T. RAY McJUNKINS:

(Prayer by Pastor T. Ray McJunkins)

PRESIDING OFFICER: (SENATOR WELCH)

Thank you, Pastor. Please remain standing for the Pledge of Allegiance. Senator Link.

SENATOR LINK:

(Pledge of Allegiance, led by Senator Link)

PRESIDING OFFICER: (SENATOR WELCH)

Please be seated. Reading and Approval of the Journal. Senator Woolard.

SENATOR WOOLARD:

Thank you, Mr. President. I move that the reading and approval of the Journals of Tuesday, February 18th; Wednesday, February 19th; and Thursday, February 20th, in the year 2003, be postponed, pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Woolard moves to postpone the reading and approval of the Journal, pending arrival of the printed transcripts. There being no objection, so ordered. Communications. Messages from the House.

SECRETARY HAWKER:

A Message from the House by Mr. Rossi, 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 instructed to ask the concurrence of the Senate, to wit:

House Bills 2, 12, 53, 69, 81, 130, 135, 138, 194.

All passed the House, February 20, 2003.

And I have a like Message with respect to House Bills 99, 210, 273, 307, 313, 338, 345, 354 and 355.

All passed the House, February 21, 2003.

PRESIDING OFFICER: (SENATOR WELCH)

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Resolutions.

SECRETARY HAWKER:

Senate Resolution 45, offered by Senator Lightford and all Members.

Senate Resolution 46, offered by Senator Dillard and all Members.

Senate Resolution 47, offered by Senator Shadid and all Members.

Senate Resolution 48, offered by Senator Link, Senators -- del Valle and all Members.

Senate Resolution 49, offered by Senator Link and all Members.

And Senate Resolution No. 50, offered by Senator Haine and all Members.

(Senate Resolution 51.) (Resolution within parentheses submitted in writing, but inadvertently not read into the record.)

They're all death resolutions.

PRESIDING OFFICER: (SENATOR WELCH)

Resolutions Consent Calendar.

SECRETARY HAWKER:

And Senate Resolution 52, offered by Senators Watson, Rauschenberger, Petka and all Republican Members.

Senate Joint Resolution 15, offered by Senators Watson, Rauschenberger, Petka and all Republican Members.

Senate Joint Resolution 16, offered by Senator Obama.

Senate Joint Resolution, Constitutional Amendment, 17, offered by Senator Burzynski.

Senate Joint Resolution, Constitutional Amendment 18, offered by Senator Silverstein.

Senate Joint Resolution 19, Constitutional Amendment, offered by Senator Lauzen.

Senate Joint Resolution, Constitutional Amendment, No. 20, offered by Senator Crotty.

Senate Joint Resolution, Constitutional Amendment, 21, offered by Senator Petka.

(Senate Joint Resolution, Constitutional Amendment 22.) (Resolution within parentheses submitted in writing, but inadvertently not read into the record.)

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They're all substantive.

PRESIDING OFFICER: (SENATOR WELCH)

Introduction of Bills.

SECRETARY HAWKER:

Senate Bill 2010, offered by Senator Dillard.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

House Bills 1st Reading.

SECRETARY HAWKER:

House Bill 69, offered by Senator Bomke.

(Secretary reads title of bill)

Senate Bill 81 -- pardon me, House Bill 81, offered by
Senators Trotter, Obama.

(Secretary reads title of bill)

Senate Bill 130 -- pardon me, House Bill 130, offered by
Senator Dillard.

(Secretary reads title of bill)

House Bill 194, offered by Senator Righter.

(Secretary reads title of bill)

House Bill 307, offered by Senator Shadid.

(Secretary reads title of bill)

And House Bill 313, offered by Senator Shadid.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Haine, for what purpose do you rise?

SENATOR HAINE:

Mr. President and Members of the Senate, to announce the
meeting of Local Government Committee after Session at 1 p.m.,
A-1 Stratton Building.

PRESIDING OFFICER: (SENATOR WELCH)

Senator John Sullivan, for what purpose do you rise?

SENATOR J. SULLIVAN:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR WELCH)

State your point.

SENATOR J. SULLIVAN:

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We have with us -- I'd like to introduce the Immaculate Conception School seventh grade class. The State Champions are here with us today. I'd like to welcome them to the Chamber.

PRESIDING OFFICER: (SENATOR WELCH)

If the group would please proceed to the Podium, we will recognize them here at the Podium.

SENATOR J. SULLIVAN:

Fellow Members, could I have your attention, please? I'd like to -- I'm very honored and privileged to have here with me -- honored and privileged to have with me here today, from Monmouth, Illinois, the Class 7A State Championship Basketball Team from Immaculate Conception School in Monmouth, Illinois. These kids are 24-0 this season. They're State champions, and I'd to introduce Coach Hammond here and he's going to introduce the team for you.

IMMACULATE CONCEPTION COACH HAMMOND:

(Remarks and Introductions by Coach Hammond)

PRESIDING OFFICER: (SENATOR WELCH)

Senator Shadid, for what purpose do you rise?

SENATOR SHADID:

I can't see you. Can you see me?

PRESIDING OFFICER: (SENATOR WELCH)

Would the conference in front of Senator Shadid please...

SENATOR SHADID:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

State your point, Senator Shadid.

SENATOR SHADID:

I have two -- I have two announcements. In the gallery behind me are constituents of mine from the Pekin Chamber of Commerce. Would you please join me in welcoming them to Springfield?

PRESIDING OFFICER: (SENATOR WELCH)

Would our guests in the gallery please rise for welcome to Springfield? Thank you very much. Senator Shadid.

SENATOR SHADID:

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

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Thank you.

SENATOR SHADID:

Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Clayborne, for what purpose do you rise?

SENATOR CLAYBORNE:

Mr. President, I rise for a point of personal privilege.

PRESIDING OFFICER: (SENATOR WELCH)

Please state your point.

SENATOR CLAYBORNE:

To my right, I have my longtime friend, one of the best basketball players that came out of East St. Louis Senior High School, as well as a prominent educator in East St. Louis, DeMarco Martin. I'd like for the Senate to welcome him.

PRESIDING OFFICER: (SENATOR WELCH)

Thank you, Senator. Senator Lauzen, for what purpose do you rise?

SENATOR LAUZEN:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR WELCH)

Please state your point.

SENATOR LAUZEN:

As long as we're on introduction, I'd like to introduce a couple of constituents and friends from back home. They're in the gallery on the -- on the -- this side. Mike Keenum and his good friend from Naperville, Illinois. I'd just like to have the Senate recognize them.

PRESIDING OFFICER: (SENATOR WELCH)

Would our guests in the gallery please rise? Welcome to the Senate. Senator Lightford, for what purpose do you rise?

SENATOR LIGHTFORD:

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

PRESIDING OFFICER: (SENATOR WELCH)

Please proceed.

SENATOR LIGHTFORD:

Thank you. The Pages will be passing out a complimentary pin of the State Seal on behalf of the Illinois Legislative Black Caucus. Some of the pins are -- have names of former

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Members. So if there is not a pin for you, I'll make sure that you do get one within the next couple days. But there will be a pin, a State Seal, provided by the Illinois Legislative Black Caucus.

PRESIDING OFFICER: (SENATOR WELCH)

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

SENATOR BURZYNSKI:

Thank you, Mr. President. For purposes of announcement. There will be a Senate Republican Caucus upon recess, as I understand it.

PRESIDING OFFICER: (SENATOR WELCH)

Could you tell us how long that's going to last?

SENATOR BURZYNSKI:

Approximately thirty minutes, sir.

PRESIDING OFFICER: (SENATOR WELCH)

Thank you, Senator. Senator del Valle, for what purpose do you rise?

SENATOR DEL VALLE:

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

PRESIDING OFFICER: (SENATOR WELCH)

Please proceed.

SENATOR DEL VALLE:

The Senate Education Committee will meet in Room 212 at 1 o'clock. Room 212, at 1 o'clock.

PRESIDING OFFICER: (SENATOR WELCH)

Thank you. Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

Mr. President, I can neither see you nor hear you. I guess that's good.

PRESIDING OFFICER: (SENATOR WELCH)

Will people please move from the line of sight and earshot of Senator Demuzio?

SENATOR DEMUZIO:

He's my friend; he's not the problem. It's all these other folks. Yesterday was an important day in the history of one of our Members. That person thought that, perhaps, they could escape our keen eye, but it was the twenty-ninth birthday of one

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of our Members. And Martinez - you know, Senator Martinez - she was twenty-nine yesterday. Let's say happy birthday.

PRESIDING OFFICER: (SENATOR WELCH)

Thank you. Happy birthday, Senator. Senator Halvorson, for what purpose do you rise?

SENATOR HALVORSON:

Thank you, Mr. President. A point of interest. We are going to have a short caucus meeting upon adjournment.

PRESIDING OFFICER: (SENATOR WELCH)

Thank you, Senator. Caucus is always in order. Senator Jacobs, for what purpose do you rise?

SENATOR JACOBS:

Yeah. Thank you, Mr. President, Ladies and Gentlemen of the Senate. For an announcement.

PRESIDING OFFICER: (SENATOR WELCH)

Please state your point.

SENATOR JACOBS:

The Senate Insurance and Pensions Committee will meet -- one -- one-half hour, to accommodate our friends on the other side of the aisle, after recess, in Room 400.

PRESIDING OFFICER: (SENATOR WELCH)

Thank you, Senator. Senator Cullerton, for what purpose do you rise? Could...

SENATOR CULLERTON:

For the purposes of an announcement. Mr. -- Mr. President, I just wanted to...

PRESIDING OFFICER: (SENATOR WELCH)

Please proceed.

SENATOR CULLERTON:

...remind the Members of the Judiciary Committee that we will be meeting today at 3:30. 3:30, in Room 400.

PRESIDING OFFICER: (SENATOR WELCH)

Thank you. Senator Trotter, for what purpose do you rise?

SENATOR TROTTER:

Thank you very much, Mr. Chairman. Mr. Chairman - excuse me, Mr. President. For purpose of an announcement.

PRESIDING OFFICER: (SENATOR WELCH)

Please proceed.

SENATOR TROTTER:

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Announcing at 3:30 this afternoon, we'll be having an Appropriations I meeting in Room 212.

PRESIDING OFFICER: (SENATOR WELCH)

Thank you, Senator. Senator Halvorson, for what purpose do you rise?

SENATOR HALVORSON:

A point of clarification. I just...

PRESIDING OFFICER: (SENATOR WELCH)

Please state your point.

SENATOR HALVORSON:

...earlier said that we'd have a short caucus meeting upon adjournment. We will be in recess. So I -- we will have our caucus meeting during the recess.

PRESIDING OFFICER: (SENATOR WELCH)

Thank you, Senator. Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

Well, we'll have another Rules Committee meeting today also, so there'll be some other bills read in.

PRESIDING OFFICER: (SENATOR WELCH)

Thank you, Senator. Senator Hunter, for what purpose do you rise?

SENATOR HUNTER:

I rise to make an announcement.

PRESIDING OFFICER: (SENATOR WELCH)

Please proceed.

SENATOR HUNTER:

I announce that tomorrow, at 9 o'clock, the Health and Human Services Committee will meet at 4 o'clock.

PRESIDING OFFICER: (SENATOR WELCH)

Four o'clock. Thank you, Senator.

SENATOR HUNTER:

I'm sorry. Room 400, at 9 o'clock in the morning. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Room 400, at 9 o'clock. Thank you, Senator. Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

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Also, Mr. President, let the record reflect that Senator Schoenberg is not here. I -- I think it's -- one -- one of his children were in an -- were in an accident and, therefore, he's not here today.

PRESIDING OFFICER: (SENATOR WELCH)

The record will so reflect, Senator. Thank you. Committee Reports.

SECRETARY HAWKER:

Senator Demuzio, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to Education Committee - Committee Amendment No. 1 to Senate Bill 368; refer to Executive Committee - Committee Amendment No. 1 to Senate Bill 101, Committee Amendment No. 2 to Senate Bill 102, Committee Amendment No. 3 to Senate Bill 102, Committee Amendment No. 1 to Senate Bill 18; refer to Financial Institutions Committee - Senate Amendment No. 1 to Senate Bill 235 and Committee Amendment No. 1 to -- to Senate Bill 562; refer to Health and Human Services Committee - Committee Amendment No. 1 to Senate Bill 64, Committee Amendment No. 1 to Senate Bill 76, Committee Amendment No. 1 to Senate Bill 110; refer to Judiciary Committee - Committee Amendment No. 1 to Senate Bill 50, Committee Amendment No. 1 to Senate Bill 244; refer to Labor and Commerce Committee - Committee Amendment No. 2 to Senate Bill 2, Committee Amendment No. 1 to Senate Bill 73, Committee Amendment No. 1 to Senate Bill 90, Committee Amendment No. 1 to Senate Bill 600; refer to Licensed Activities Committee - Committee Amendment No. 1 and Committee Amendment No. 2 to Senate Bill 78; refer to Local Government Committee - Committee Amendment No. 1 to Senate Bill 157; refer to Revenue Committee - Committee Amendment No. 1 to Senate Bill 289; refer to Transportation Committee - Committee Amendment No. 1 to Senate Bill 69 and Committee Amendment No. 1 to Senate Bill 98; re-refer to Rules - Senate Bill 589; and Be Approved for Consideration - Floor Amendment No. 2 to Senate Bill 21, Floor Amendment No. 1 to Senate Bill 44, and Floor Amendment No. 1 to Senate Bill 292.

PRESIDING OFFICER: (SENATOR WELCH)

The Senate will stand in recess to the call of the Chair, at which time the Senate will reconvene for the purpose of

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receiving reports and communications and also other matters not requiring Floor action today. We anticipate reconvening at 3 o'clock this afternoon. No Floor action will be taken until the Senate reconvenes tomorrow, Thursday, February 27th, 2003. So we will be back here in Chambers, approximately 3 o'clock today. Senate stands in recess till the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR WELCH)

The Senate will be in order. Committee Reports.

SECRETARY HAWKER:

Senator Demuzio, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: refer to Agriculture and Conservation Committee - Senate Bill 1043; refer to Education Committee - Senate Bills 346, 381, 623, 624, 634, 684, 693, 696, 697, 805, 814, 877, 878, 879, 890, 891, 902, 903, 1030, 1038, 1039, 1040, 1106 and 1107; refer to Environment and Energy Committee - Senate Bills 876, -- pardon me, 884, 887, 914, 1055, 1056, 1060, 1061, 1085, 1098 and 1099; refer to Executive Committee - Senate Bills 620, 699, 875, 898, 1028, 1034, 1036, 1042, 1046, 1047, 1074, 1095, 1096, 1111, 1459, 1604, 1605, 1655, 1656 and 2001; refer to Financial Institutions Committee - Senate Bills 683, 905, 1048, 1063 and 1116; refer to Health and Human Services Committee - Senate Bills 220, 351, 467, 633, 639, 691, 692, 806, 807, 809, 810, 811, 819, 880, 1025, 1031, 1033, 1062, 1064, 1067, 1079, 1081, 1082, 1083, 1087 and 1109; refer to Insurance and Pensions Committee - Senate Bills 429, 430, 498, 501, 517, 518, 580, 589, 599, 601, 618 {sic} (818), 620 {sic} (820), 692 {sic} (892), 908, 909, 910, 911, 1080, 1103, 1104, 1115, 1119, 1120 and 1134; refer to Judiciary Committee - Senate Bills 45, 55, 238, 278, 279, 353, 382, 406, 468, 516, 616, 641, 642, 679, 681, 686, 688, 817, 883, 888, 893, 899, 1029, 1035, 1051, 1127, 1128, 1134 {sic} and 1578, (1793) (Bill within parentheses submitted in writing, but inadvertently not read into the record); refer to Labor and Commerce Committee - Senate Bills 158, 489, 621, 632, 682, 899 {sic} (889) and 1070; refer to Licensed Activities Committee - Senate Bills 190, 355, 398 -- pardon me -- pardon

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me, that was -- pardon me, that was 698, 1032, 1068 and 1110; refer to Local Government Committee - Senate Bills 428, 594, 604, 605, 612, 685, 886, 1027, 1073, 1105, 1117, 1122, 1124; refer to Revenue Committee - Senate Bills 270, 315, 321, 466, 593, 606, 607, 615, 694, 813, 881, 1023, 1024, 1044, 1049, 1101, 1102, 1126 and 1135; refer to State Government Committee - Senate Bills 226, 336, 680, 689, pardon me, that was -- yeah, 689, 808, 812, 897, 915, 1069 and 1075; refer to Transportation Committee - Senate Bills 338, 349, 901, 1041, 1072, 1084, 1093, 1100 and 1108.

PRESIDING OFFICER: (SENATOR WELCH)

Messages from the House.

SECRETARY HAWKER:

A Message from the House by Mr. Rossi, 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'm instructed to ask the concurrence of the Senate, to wit:

House Bills 207 and 236.

Passed the House, February 26, 2003.

PRESIDING OFFICER: (SENATOR WELCH)

Resolutions.

SECRETARY HAWKER:

Senate Resolution 53, offered by Senator Hendon and all Members.

It is a death resolution.

PRESIDING OFFICER: (SENATOR WELCH)

Resolutions Consent Calendar. House Bills 1st Reading.

SECRETARY HAWKER:

House Bill 135, offered by Senator Winkel.

(Secretary reads title of bill)

House Bill 138, offered by Senator Link.

(Secretary reads title of bill)

And House Bill -- I mean -- pardon me, 273, offered by Senator Link.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR WELCH)

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There being no further business to come before the Senate, the Senate stands adjourned until the hour of noon on Thursday, February 27, 2003. The Senate stands adjourned.