

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

17th Legislative Day

3/11/2003

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PRESIDENT JONES:

The regular Session -- 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 Reverend James Meeks of the Salem Baptist Church, also Senator Meeks. Senator Meeks.

THE REVEREND SENATOR MEEKS:

(Prayer by the Reverend Senator James Meeks)

PRESIDENT JONES:

Please remain standing. The Pledge of Allegiance will be given by Senator Link.

SENATOR LINK:

(Pledge of Allegiance, led by Senator Link)

PRESIDENT JONES:

Madam Secretary, Reading and Approval of the Journal. Senator...

SECRETARY HAWKER:

Senate Journals of Thursday, February 27, and Friday -- Friday, February 28, 2003.

PRESIDENT JONES:

Senator Woolard.

SENATOR WOOLARD:

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

PRESIDENT JONES:

Senator Woolard moves to approve the Journal just read by the Secretary. There being no objections, so ordered. Madam Secretary. Senator Woolard.

SENATOR WOOLARD:

Mr. President, I also move that the reading and approval of the Journals of Tuesday, March 4th; Wednesday, March 5th; and Thursday, March 6th, in the year 2003, be postponed, pending arrival of the printed Journals.

PRESIDENT JONES:

Senator Woolard moves to postpone the reading and approval of the Journals, pending arrival of all printed transcripts. There being no objections, so ordered. The following members of

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the media seek leave to photograph or videotape the proceedings: the Illinois Information Service. Are there any objections? Leave is granted. Senator Sullivan.

SENATOR D. SULLIVAN:

Thank -- thank you Mr. President, Ladies and Gentlemen of the Senate. You all should have received in your offices today a flyer and I want to follow up on Senator John Sullivan's announcement from a couple of weeks ago. Next Tuesday evening were going to have a bipartisan celebration of St. Patrick's Day hosted by the Sullivan Caucus, Senator John Sullivan, Representative Ed Sullivan and myself. And we are joined with Deanna Sullivan from the School Boards, Greg Sullivan from the Sheriffs, Jim Sullivan from the Operating Engineers, Jim Sullivan from the Plumbers, Julie Sullivan from the Realtors, Mike Sullivan from Illinois Power and Terry Sullivan from the Council on Long Term Care. We hope you all join us at Marly's across the street from the Old State Capitol. Thank you.

PRESIDENT JONES:

Senator Watson.

SENATOR WATSON:

Yes. Thank you very much, Mr. President. I -- I'd like to have the Members' attention, if you would please. As you know, our good friend, Dick Klemm, is -- has resigned and is going through considerable treatment and -- for cancer and we all certainly wish him well. And -- and he's going to be going through that for the next several months. But -- but, as you know, also, he resigned. And we now have -- our new Senator from McHenry County is Pam Althoff. She is the Mayor of McHenry. And, Senator Althoff, with the flowers on her desk, right here in the middle, we welcome you to the Illinois Senate and we look forward to serving with you. And all the Members, obviously, will be available to you for your -- your general information and knowledge that we've accumulated through all the years of service to the people of Illinois. We welcome you here, Senator Althoff.

PRESIDENT JONES:

Yes. Welcome to the Senate. If you'll turn your light on, you may want to have your first words of wisdom. Yes, Senator.

SENATOR ALTHOFF:

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Thank you, Mr. President. I'm being prompted. I would just like to say that, truly, as a former educator, a former schoolteacher, it is an unbelievable privilege and honor to be amongst the people who make the laws. I taught government classes forever. And again, it's an honor. Thank you very much for the welcome.

PRESIDENT JONES:

Senator Larry Walsh, what purpose do you rise?

SENATOR WALSH:

For a point of personal privilege, Mr. President.

PRESIDENT JONES:

State your point.

SENATOR WALSH:

Mr. President and Members of the Senate, a distinct honor for me. I have a special guest in the audience -- or, in the gallery behind me. The Mayor of Shorewood, Mr. Rick Chapman, and his daughter, Tracy Ragusa, are here today to testify on a piece of legislation later on this afternoon. I would like to welcome them to the Illinois Senate.

PRESIDENT JONES:

Will our guests in the gallery please rise? Please rise. Welcome to the Senate. Senator Hendon, what purpose do you rise?

SENATOR HENDON:

Purpose of an announcement, Mr. President.

PRESIDENT JONES:

Proceed.

SENATOR HENDON:

The Executive Appointments Committee meeting scheduled for Thursday has been canceled.

PRESIDENT JONES:

Madam Secretary, Communications.

SECRETARY HAWKER:

March 11, 2003.

Dear Ms. Hawker - This office is forwarding herewith copies of the Notice of Vacancy from the Republican Legislative Committee of the 32nd Legislative District declaring the existence of a vacancy in the Office of Senator in the 93rd General Assembly in the 32nd Legislative District, as a result

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of the resignation of Dick Klemm, effective February 10, 2003. Also enclosed is a copy of the Republican Legislative Committee's Certificate of Appointment for Pamela Althoff, 102 North Newport Trail, McHenry, Illinois, who was appointed to fill the vacancy in the Office of State Senator in the 93rd General Assembly for the 32nd Legislative District.

Yours truly, Jesse White, Secretary of State.

I have a communication from Senate Republican Leader Frank C. Watson.

Dear Madam Secretary - Due to the resignation of Senator Dick Klemm, I hereby appoint, pursuant to the provisions to Senate Rules 3-1 and 3-2, Senator Pamela J. Althoff to be a Member of the Local Government Committee and the State Government Committee, effective immediately.

Sincerely, Frank Watson, Senate Republican Leader.

PRESIDENT JONES:

Madam Secretary, Resolutions.

SECRETARY HAWKER:

Senate Resolution 78, offered by Senator Clayborne and all Members.

Senate Resolution 79, offered by Senator Link and all Members.

Senate Resolution No. 80, offered by Senator Geo-Karis and all Members.

And Senate Resolution 81, offered by Senator Clayborne and all Members.

They're all death resolutions.

PRESIDENT JONES:

Resolutions Consent Calendar.

SECRETARY HAWKER:

And Senate Joint Resolution 26, offered by Senator Winkel. It is substantive.

PRESIDENT JONES:

Message from the House, Madam Secretary.

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

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

House Bills 497, 499, 516, 525, 526, 531, 532, 535 and 536.

Passed the House, March 6th, 2003.

I have a like Message with respect to House Bills 544, 547, 1087, 1089, 1094, 1099, 1100, 1103, 1121 and 1135.

And a third Message with respect to 1157, 1175 and 1177. All passed the House, March 6th, 2003.

PRESIDENT JONES:

Madam Secretary, House Bills 1st Reading.

SECRETARY HAWKER:

House Bill 88, offered by Senator Trotter.

(Secretary reads title of bill)

House Bill 207, offered by Senator Trotter.

(Secretary reads title of bill)

House Bill 269, offered by Senator Walsh.

(Secretary reads title of bill)

House Bill 355, offered by Senator Radogno.

(Secretary reads title of bill)

House Bill 547, offered by Senator Silverstein.

(Secretary reads title of bill)

House Bill 1089, offered by Senator Maloney.

(Secretary reads title of bill)

And House Bill 1177, offered by Senator Maloney.

(Secretary reads title of bill)

House Bill 1094, offered by Senator John Jones.

(Secretary reads title of bill)

And House Bill 1121, also offered by Senator John Jones.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDENT JONES:

We are honored to have with us today on the Senate Floor the Lieutenant Governor of the State of Illinois, Patrick Quinn, chatting with his Republican friends on the other side of the aisle. Welcome, Lieutenant Governor. There will be a slight delay in the beginning of our committees this afternoon. Perhaps the committee Chairs, at this point, would like to make

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announcements as relate to their respective committees. Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The Insurance and Pensions subcommittees will meet immediately after adjournment or recess, whatever we do here. The first one will be the Mandates Committee. That should take about ten minutes I hope. Review Committee will follow, with the Review Committee taking probably about fifteen minutes, and then we'll take up the Pensions. I would like to clarify that in addition to the bills posted today for the Committee on Insurance and Pensions, the Committee will also be hearing any bills reported out by the Subcommittees on Mandates, Pensions and Review. This was reported by the Committee staff, but was not clearly reflected on the posting for the committee. It was a clerical error, and ask that you abide with that.

PRESIDENT JONES:

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President. Like to make an announcement that at 3:30 today on the Senate Floor, Appropriations I will be meeting. We will not be in Room 212. We will be here on the Senate Floor. 3:30, Appropriations I.

PRESIDENT JONES:

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President and Members of the Senate. Want to announce that the Senate Education Committee will meet immediately upon adjournment in Room 212.

PRESIDENT JONES:

Senator Obama.

SENATOR OBAMA:

Thank you, Mr. President. I will defer to Senator Crotty and then I'll come after her. Go ahead.

PRESIDENT JONES:

Senator Crotty.

SENATOR CROTTY:

Thank -- thank you, Mr. President, Ladies and Gentlemen of the Senate. I'd also like to announce that the Behavior and

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Developmental Disability Subcommittee of the Senate Health and Human Services Committee will meet tomorrow morning at 9 a.m.

PRESIDENT JONES:

Senator Obama.

SENATOR OBAMA:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. This is purposes of announcement. The Health and Human Services regular committee will be meeting immediately after the Mental Health Subcommittee at 10 a.m. tomorrow in Room 400. And I want to just remind Members to make sure that it's on their calendar that we will recess that meeting to accommodate the State of the State Address and will reconvene the meeting on Thursday at 9 a.m. also -- and I'm sorry, in Room A-1. So, Members of the Health and Human Services Committee, we've got a meeting tomorrow at 10, and then we will recess, reconvene on Thursday at 9 a.m. in Room A-1, not our regular meeting place, Room 400.

PRESIDENT JONES:

Senator Haine.

SENATOR HAINE:

Thank you, President Jones, and Ladies and Gentlemen of the Senate. The Local Government Committee will meet shortly after the recess of the Senate, at approximately ten minutes after Senator Wendell Jones shows up. Thank you, sir.

PRESIDENT JONES:

Senator Shadid.

SENATOR SHADID:

Thank you, Mr. President. The Transportation Committee is scheduled to meet at 3:30 in Room A-1 in Stratton. If it's any possible at all, people who are meeting in previous committees get done early, tell 'em to come over. I'll be there at 3:15 so we can get started. Thank you.

PRESIDENT JONES:

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 317, Committee Amendment No. 1 to Senate Bill 381,

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Committee Amendment No. 1 to Senate Bill 490, Committee Amendment No. 1 to Senate Bill 493, Committee Amendment No. 1 to Senate Bill 624, Committee Amendment No. 2 to Senate Bill 684, Committee Amendment No. 1 to Senate Bill 1074, Committee Amendment No. 1 to Senate Bill 1107 and Committee Amendment No. 1 to Senate Bill 1186; refer to Environment and Energy Committee - Committee Amendment No. 1 to Senate Bill 884, Committee Amendment No. 1 to Senate Bill 1001, Committee Amendment Nos. 1 and 2 to Senate Bill 1379, Committee Amendment No. 1 to Senate Bill 1399, Committee Amendment No. 1 to Senate Bill 1442 and Committee Amendment No. 1 to Senate Bill 1060; refer to Executive Committee - Committee Amendment No. 1 to Senate Bill 10, Committee Amendment No. 1 to Senate Bill 410, Committee Amendment No. 1 to Senate Bill 411, Committee Amendment No. 1 to Senate Bill 413, Committee Amendment No. 1 to Senate Bill 640, Committee Amendment No. 1 to Senate Bill 873, Committee Amendment No. 1 to Senate Bill 898, Committee Amendment No. 1 to Senate Bill 1201, Committee Amendment No. 2 to Senate Bill 1459, Committee Amendment No. 1 to Senate Bill 1493, Committee Amendment No. 1 to Senate Bill 1497, Committee Amendment No. 1 to Senate Bill 1515 and Committee Amendment No. 1 to Senate Bill 1754; refer to Financial Institutions Committee - Committee Amendment No. 1 to Senate Bill -- pardon me, 1193; refer to Health and Human Services Committee - Committee Amendment No. 1 to Senate Bill 263, Committee Amendment No. 2 to Senate Bill 306, Committee Amendment No. 1 to Senate Bill 359, Committee Amendment No. 1 to Senate Bill 377, Committee Amendment No. 1 to Senate Bill 378, Committee Amendment No. 1 to Senate Bill 402, Committee Amendment No. 1 to Senate Bill 459, Committee Amendment No. 1 to Senate Bill 460, Committee Amendment No. 1 to Senate Bill 587, Committee Amendment No. 1 to Senate Bill 809, Committee Amendment No. 1 to Senate Bill 811, Committee Amendment No. 1 to Senate Bill 1026, Committee Amendment No. 1 to Senate Bill 1033, Committee Amendment No. 1 to Senate Bill 1079, Committee Amendment No. 1 to Senate Bill 1109, Committee Amendment No. 2 to Senate Bill 1156, Committee Amendment No. 2 to Senate Bill 1198 and Committee Amendment No. 1 to Senate Bill 1417; refer to -- Insurance and Pensions Committee - Committee Amendment No. 1 to Senate Bill 14, Committee Amendment No. 1 to

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Senate Bill 112, Committee Amendment No. 1 to Senate Bill 309, Committee Amendment No. 1 to Senate Bill 418, Committee Amendment No. 1 to Senate Bill 1103, Committee Amendment No. 1 to Senate Bill 1120, Committee Amendment No. 1 to Senate Bill 1134, Committee Amendment No. 1 to Senate Bill 1150, Committee Amendment No. 1 to Senate Bill 1151, Committee Amendment No. 1 to Senate Bill 1152, Committee Amendment No. 1 to Senate Bill 1207, Committee Amendment No. 1 to Senate Bill -- pardon me, 1513, Committee Amendment No. 1 to Senate Bill 1774 and Committee Amendment No. 1 to Senate Bill 1776; refer to Judiciary Committee - Committee Amendment No. 1 to Senate Bill 77, Committee Amendment No. 2 to Senate Bill 125, Committee Amendment No. 1 to Senate Bill 168, Committee Amendment No. 1 to Senate Bill 211, Committee Amendment No. 1 to Senate Bill 275, Committee Amendment No. 1 to Senate Bill 528, Committee Amendment No. 2 to Senate Bill 641, Committee Amendment No. 1 to Senate Bill 686, Committee Amendment No. 1 to Senate Bill 893, Committee Amendment No. 1 to Senate Bill 1035, Committee Amendment No. 1 to Senate Bill 1329, Committee Amendment No. 1 to Senate Bill 1441, Committee Amendment No. 1 to Senate Bill 1507, Committee Amendment Nos. 1 and 2 to Senate Bill 1577, Committee Amendment No. 1 to Senate Bill 1785, Committee Amendment No. 1 to Senate Bill 1856, Committee Amendment No. 1 to Senate Bill 1885; refer to Labor and Commerce Committee - Committee Amendment No. 1 to Senate Bill 63, Committee Amendment No. 1 to Senate Bill 228, Committee Amendment No. 1 to Senate Bill 247, Committee Amendment No. 2 to Senate Bill 600, Committee Amendment No. 1 to Senate Bill 889, Committee Amendment No. 1 to Senate Bill 1763; refer to Licensed Activities Committee - Committee Amendment No. 1 to Senate Bill 105, Committee Amendment No. 1 to Senate Bill 109, Committee Amendment No. 1 to Senate Bill 124, Committee Amendment No. 1 to Senate Bill 354, Committee Amendment No. 1 to Senate Bill 1073, Committee Amendment No. 1 to Senate Bill 1351, Committee Amendment No. 1 to Senate Bill 1516, Committee Amendment No. 1 to Senate Bill 1545 and Committee Amendment No. 1 to Senate Bill 1880; refer to Local Government Committee - Committee Amendment No. 1 to Senate Bill 152, Committee Amendment No. 2 to Senate Bill 196, Committee Amendment No. 1 to Senate Bill 561,

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Committee Amendment No. 1 to Senate Bill 605, Committee Amendment No. 1 to Senate Bill 974, Committee Amendment No. 1 to Senate Bill 1164 and Committee Amendment No. 1 to Senate Bill 1337; refer to Revenue Committee - Committee Amendment No. 1 to Senate Bill 334, Committee Amendment No. 1 to Senate Bill 1474 and Committee Amendment No. 1 to Senate Bill 1881; refer to State Government Committee - Committee Amendment No. 1 to Senate Bill 155 and Committee Amendment No. 1 to Senate Bill 342; refer to Transportation Committee - Committee Amendment No. 1 to Senate Bill 1108, Committee Amendment No. 1 and 2 (and 3) to Senate Bill 1041, Committee Amendment No. 1 to Senate Bill 1361, Committee Amendment No. 1 to Senate Bill 1408 and Committee Amendment No. 1 to Senate Bill 1471; Be Approved for Consideration -- pardon me. I'm sorry. (Amendment within parentheses submitted on report, but inadvertently not read into record.)

March 11, 2003, Senator Vince Demuzio, Chairman.

PRESIDENT JONES:

Senator Jacobs, for what purpose do you rise?

SENATOR JACOBS:

Thank you, Mr. President. Just a little alteration in our subcommittee meetings. We only had one bill in the Review Subcommittee and that bill is being held. So we will go with Mandates Subcommittee, and hopefully, within fifteen minutes after that, we can get to the Pensions.

PRESIDENT JONES:

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. Rise for purpose of announcement.

PRESIDENT JONES:

Proceed.

SENATOR BURZYNSKI:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, we're very honored today to have some guests with us in the gallery, on both sides behind us, from Benton, Illinois, Senator Woolard's district. And we have a group that are here visiting with us today, which includes my mother and one of my aunts, and I'd like for them to stand and be recognized by the -
- by the Body.

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PRESIDENT JONES:

Will our guests in the gallery please rise? Senator Crotty, what purpose do you rise?

SENATOR CROTTY:

Thank you, Mr. President. I failed to say that the subcommittee for the Health and Human Services will be meeting in Room 400 at 9 o'clock. Thank you.

PRESIDENT JONES:

Senator Clayborne.

SENATOR CLAYBORNE:

Yes. A point of personal privilege, Mr. President.

PRESIDENT JONES:

State your point.

SENATOR CLAYBORNE:

Environment and Energy will meet tomorrow at 9 o'clock in Room 212. Thank you.

PRESIDENT JONES:

Senator Larry Walsh.

SENATOR WALSH:

Thank you, Mr. President. A point of personal privilege to make an announcement.

PRESIDENT JONES:

State your point.

SENATOR WALSH:

The Senate Agriculture and Conservation Committee will meet Wednesday, March 12th, at 9 a.m. in Room A-1 -- A-1.

PRESIDENT JONES:

Senator Cullerton, what purpose do you rise?

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. I'd like to announce that the Judiciary Committee will be meeting in Room 400 at 3:30, and we should be going late into the evening, and dinner will be provided for the Members and staff.

PRESIDENT JONES:

So kind of you, Mr. Chairman. There being no further business to come before the Senate, Senator Demuzio moves that the Senate stand adjourned until the hour of 11:30 a.m., Wednesday March 12, 2003. The -- the Senate stands adjourned.