

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

73rd Legislative Day

February 27, 2002

PRESIDENT PHILIP:

The regular Session of the 92nd General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the galleries please rise? Our prayer today will be given by Reverend Dr. Miley Palmer, Westminster -- Westminster Presbyterian Church, Decatur, Illinois. Dr. Palmer.

THE REVEREND DR. MILEY PALMER:

(Prayer by the Reverend Dr. Miley Palmer)

PRESIDENT PHILIP:

Please remaining standing for the -- Pledge of Allegiance. Senator Radogno.

SENATOR RADOGNO:

(Pledge of Allegiance, led by Senator Radogno)

PRESIDENT PHILIP:

Reading of the Journal.

SECRETARY HARRY:

Senate Journals of Friday, February 22nd, and Tuesday, February 26th, 2002.

PRESIDENT PHILIP:

Senator Myers.

SENATOR MYERS:

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

PRESIDENT PHILIP:

Senator Myers moves to approve the Journal just read. There being no objection, so ordered. Messages.

SECRETARY HARRY:

A Message from the President, dated February 27th, 2002.

Dear Mr. Secretary - Pursuant to Senate Rule 3-5(c), please be advised that I have replaced Senator Weaver with Senator Petka on the Senate Rules Committee, effective immediately.

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Senator Dillard will serve as Chair, with Senator Dudycz serving as Vice-Chair of the Committee.

Signed by President Philip.

PRESIDENT PHILIP:

Committee Reports.

SECRETARY HARRY:

Senator Sieben, Chair of the Committee on Agriculture and Conservation, reports Senate Bills 1573, 1999, 2205 Do Pass, and Senate Bill 1806 Do Pass, as Amended.

Senator Hawkinson, Chair of the Committee on Judiciary, reports Senate Bills 1658, 1704, 1705, 2074, 2160 and 2197 Do Pass, and Senate Bill 1527 Do Pass, as Amended.

Senator Mahar, Chair of the Committee on Environment and Energy, reports Senate Bills 2072 and 2222 Do Pass.

Senator Cronin, Chair of the Committee on Education, reports Senate Bills 1684 and 1734 Do Pass, and Senate Bill 1777 Do Pass, as Amended.

And Senator Parker, Chair of the Committee on Transportation, reports Senate Bill 1926 Do Pass, as Amended.

PRESIDENT PHILIP:

Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

Well, I'm happy to report that Senator -- well, Senator Ronen is not here today due -- due to illness. I'd like the record to so reflect.

PRESIDENT PHILIP:

The record will so indicate. Senator Geo-Karis, for what purpose do you rise?

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I'm sorry to report that Senator Weaver is ill again today, will not be here. So, let the record be noted, please.

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PRESIDENT PHILIP:

The record will so indicate. Resolutions.

SECRETARY HARRY:

Senate Resolution 343, offered by Senator Dudycz and all Members.

Senate Resolutions 344 and 345, by Senator Clayborne and all Members.

They're all death resolutions, Mr. President.

PRESIDENT PHILIP:

Consent Calendar.

SECRETARY HARRY:

Senate Joint Resolution 57, offered by Senator Parker.

And Senate Joint Resolution 58, by Senator Rauschenberger.

They're both substantive.

PRESIDENT PHILIP:

Senator Shadid, for what purpose do you rise?

SENATOR SHADID:

Point of personal privilege, Mr. President.

PRESIDENT PHILIP:

State your point.

SENATOR SHADID:

In the gallery today are constituents of mine from the 46th District. They are members of the Pekin Area Chamber of Commerce Leadership School. I'd like to welcome them to Springfield. Would you...

PRESIDENT PHILIP:

Will they please rise and be acknowledged by the Senate? Senator Shadid, for the second time.

SENATOR SHADID:

Mr. President, the T-shirt is my emblem.

PRESIDENT PHILIP:

Listen, your -- your nose doesn't look that good, Senator.

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SENATOR SHADID:

"George Nose".

PRESIDING OFFICER: (SENATOR DONAHUE)

...could have the Body's attention. We are going to go to page 7 on your -- today's Calendar to the Order of Constitutional Amendment, 1st Reading. Senator Petka, on Senate Joint Resolution 18. Read the resolution, Mr. Secretary.

SECRETARY HARRY:

Senate Joint Resolution 18, Constitutional Amendment.

(Secretary reads SJRCA No. 18)

1st Reading of the Constitutional Amendment Resolution.

PRESIDING OFFICER: (SENATOR KARPIEL)

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

SENATOR GEO-KARIS:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR KARPIEL)

State your point.

SENATOR GEO-KARIS:

We're happy to have visiting us today the Chairman of the Lake County Board of Commissioners, my constituent, Suzi Schmidt, and also another member of our County Board who is a constituent of Senator Bill Peterson, that's Diana O'Kelly, from Mundelein, and Suzi is from Lake Villa. And we'd like you to welcome them.

PRESIDING OFFICER: (SENATOR KARPIEL)

Welcome to Springfield. Okay. For the Members, on page 8 of the Calendar is the Order of Motions in Writing to Accept the Specific Recommendations for Change. Senator Donahue, on House Bill 3247. Read the bill, Madam Secretary -- the motion.

ACTING SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 3247, in manner and form as follows:

Amendment to House Bill 3247

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in Acceptance of Governor's Recommendations

Motion filed by Senator Donahue.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Madam President. I would move that we accept the Governor's specific recommendations for change. The changes are really pretty technical. It removes a conveyance that had the wrong legal description. We've added that in this year's conveyance bill. And it also has language that includes a reverter clause. So, I would move for the Senate to accept the Governor's recommendations for change.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Donahue has moved to accept the specific recommendations of the Governor as to House Bill 3247. Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 3247, in the manner and form just stated by Senator Donahue. Those in favor will vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On this question, there are 55 voting Aye, none voting Nay, none voting Present. And the specific recommendations of the Governor as to House Bill 3247, having received the required constitutional majority vote of the Senators elected, are declared accepted.

PRESIDING OFFICER: (SENATOR DONAHUE)

On the -- page 2 of today's Calendar is Senate -- the Order of Senate Bills 2nd Reading, and I will go through the Calendar. I would ask you, take some of your conferences off the Floor - I can already anticipate what's coming - have the Senators in their seat, and we can move through this Calendar real quickly. First is Senate Bill 1656. Senator Woolard. Read the bill, Madam

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Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1656.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Bowles, on Senate Bill 1695. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1695.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported. Excuse me. Committee on Local Government adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DONAHUE)

Are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Dudycz, on Senate Bill 1732. Out of the record. Senator Dudycz, on Senate Bill 1733. Senator Karpiel, on Senate Bill 1761? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1761.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Philip, on Senate Bill 1813. Senator Philip? Senator Philip, on Senate Bill 1813. Read the bill, Madam Secretary.

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ACTING SECRETARY HAWKER:

Senate Bill 1813.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Karpziel, on Senate Bill 1814. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1814.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Myers, on Senate Bill 1840. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1840.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Peterson, on Senate Bill 1900. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1900.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Klemm, on Senate Bill 1997. Read the bill, Madam Secretary.

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ACTING SECRETARY HAWKER:

Senate Bill 1997.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Parker, on Senate Bill 2071. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 2071.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Parker, on Senate Bill 2189. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 2189.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Public Health and Welfare adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DONAHUE)

Are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Parker, on Senate Bill 2201. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 2201.

(Secretary reads title of bill)

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

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reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Rauschenberger, on 2202. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 2202.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Syverson, on Senate Bill 2224. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 2224.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Public Health and Welfare adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DONAHUE)

Are there any Floor amendments approved?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Philip, on Senate Bill 2253. Senator Philip? Out of the record. Senator Dillard, on 2263. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 2263.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard, on Senate Bill -- 3rd Reading. Senator

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Dillard, on 2264. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 2264.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Dillard, on 2265. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 2265.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Dillard, on Senate Bill 2266. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 2266.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Dillard, on Senate Bill 2267. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 2267.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Dillard, on Senate Bill 2302. Read the

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bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 2302.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. House Bills 1st Reading.

ACTING SECRETARY HAWKER:

House Bill 3652.

(Secretary reads title of bill)

House Bill 3672.

(Secretary reads title of bill)

And House Bill 4007.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Karpriel, for what purpose do you seek recognition?

SENATOR KARPIEL:

Thank you, Madam Chairman. I would like to announce that there will be a Republican Caucus immediately upon adjournment in Senator Philip's Office. It'll be before committees meet this afternoon. Immediately upon adjournment in Senator Philip's Office.

PRESIDING OFFICER: (SENATOR DONAHUE)

I would inform the Members that it's anticipated to last about forty-five minutes, half hour to forty-five minutes. So, if committees were to meet at 1, they will be meeting about 1:30. Senator Klemm, for what purpose do you rise?

SENATOR KLEMM:

Well, I just wanted to remind the Members of the Senate Executive Committee that we will be meeting immediately upon

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returning from caucus. So, for the Executive Committee Members, maybe you'll come right to the -- Room 212. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio, for what purpose do you seek recognition?

SENATOR DEMUZIO:

Well, Madam President, I liked your time frame better than I did the last gentleman. Why don't we set a time certain and just make it 1:30, if that would -- I mean, we don't know what time you get out of caucus.

PRESIDING OFFICER: (SENATOR DONAHUE)

I indicated, as best I could, that the caucus would last about a half hour to forty-five minutes. I would assume it's going to be about 1:30. That's about as good as the Chair can do. Committee Reports.

ACTING SECRETARY HAWKER:

Senator Dillard, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to Agriculture and Conservation Committee -- pardon me, there are no bills; refer to Appropriations Committee - Senate Bills 1741, 1885, 1886, 1887, 1888, 1889, 1911, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2038, 2122, 2324, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, -- pardon me, 2410, 2411, 2412, 2413 and 2414; refer to Commerce and Industry Committee - Senate Bill 1827; refer to Education Committee - Senate Bills 1843, 1950, 1963 and 2018; refer to Environment and Energy Committee - Senate Bills 1566, 1569, 1645,

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1803, 2034 and -- pardon me, make that 2235; refer to Executive Committee - Senate Bills 1556, 1565, 1583, 1649, 1706, 1756, 1797, 1982, 2029, 2052, 2117, 2118, 2311 and House Bill 909 and Senate Joint Resolution 50 and House Joint Resolution 54; refer to Insurance and Pensions Committee - Senate Bills 268, 1779, 1817, 1833, 1849, 1858, 1859, 1860, 1862, 1873, 1976, 1996, 2113, 2115 and 2245; refer to Judiciary Committee - Senate Bills 1577, 1661, 1662, 1663, 1697, 1721, 1966, 2022, 2030, 2155 and 2183; refer to Local Government Committee - Senate Bills 1571, 1679, 1683, 1972 and 2149; refer to Public Health and Welfare Committee - Senate Bills 1978, 2050 and 2241; refer to Revenue Committee - Senate Bills 1543, 1760, 1932, 2037 and 2227; refer to State Government Operations Committee - Senate Bill 1782; and refer to Transportation Committee - Senate Bills 1531, 1552, 1623, 1655, 1657, 1805, 1851, 1880, 1907, 1924, 1994, 2129, 2157, 2169, 2185 and Senate Bill 2194.

Filed by Senator Kirk Dillard, Chairman of the Committee on Rules.

PRESIDING OFFICER: (SENATOR DONAHUE)

Resolutions.

ACTING SECRETARY HAWKER:

Senate Joint Resolution 59, offered by Senators O'Daniel, Bowles, Welch, Larry Walsh, Clayborne and Woolard.

It is substantive.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any further business to come before the Senate? If not, the Senate stands -- Senator Weaver moves -- Senator Luechtefeld moves that the Senate stand adjourned until 10 a.m., Thursday, February 28th. 10 o'clock, February 28th.