

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

32nd Legislative Day

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PRESIDING OFFICER: (SENATOR DeLEO)

The regular Session of the 95th General Assembly will please come to order. Will the Members please be at their desk? Will our guests in the galleries please rise? The invocation today will be given by Pastor Jeff Smith of Modesto Christian Church in Modesto, Illinois. Pastor.

PASTOR JEFF SMITH:

(Prayer by Pastor Jeff Smith)

PRESIDING OFFICER: (SENATOR DeLEO)

Please remain standing for the Pledge of Allegiance. Senator Maloney and guest, to lead.

SENATOR MALONEY:

(Pledge of Allegiance, led by Senator Maloney)

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Maloney, for a point of personal privilege, sir.

SENATOR MALONEY:

Thank you, Mr. President. I'd just like to take this opportunity to introduce my son, Dan, who has been down here before visiting, his wife Claire - my daughter-in-law Claire - and my newest grandson. This is James Daniel Maloney.

PRESIDING OFFICER: (SENATOR DeLEO)

Welcome to the Illinois State Senate. Welcome to Springfield. WICS-TV 20 seeking leave of the Body for permission to videotape the proceedings. Hearing no objection, leave is granted. Madam Secretary, Reading and Approval of the Journal, please.

SECRETARY SHIPLEY:

Senate Journal of Wednesday, April 25th, 2007.

PRESIDING OFFICER: (SENATOR DeLEO)

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Good afternoon. Senator Hunter.

SENATOR HUNTER:

Thank you, Mr. President. I move that the Journal just read by the Secretary be approved, unless some Senators has objections or -- additions or corrections to offer.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Hunter moves to approve the Journal just read by the Secretary. Seeing -- there being no objection, so ordered. ...Lightford, for what purpose do you seek recognition, ma'am?

SENATOR LIGHTFORD:

Thank you, Mr. President. On a point of personal privilege, please.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, ma'am.

SENATOR LIGHTFORD:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, I'd like for you to give a warm welcome to our Youth of the Year from the Village of Bellwood. She represents the West Cook County Boys and Girls Club - Miss Stacey Dunn. Can you please welcome her to the Chamber?

PRESIDING OFFICER: (SENATOR DeLEO)

Stacey, welcome to the Illinois State Senate. Welcome to Springfield, Illinois. Congratulations. Senator Radogno, for what purpose you seek recognition, ma'am?

SENATOR RADOGNO:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point.

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SENATOR RADOGNO:

I'd like to introduce to the Body my Page for today, George {sic} (Greg) Magrow, from Naperville Central High School. He's a sophomore and he's taking a government class and is here to observe us in action. And he's right here.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Would our -- guest from Naperville, welcome to Springfield, Illinois. Welcome to the Illinois State Senate, sir. Senator Lauzen, for what purpose you seeking recognition, sir?

SENATOR LAUZEN:

Mr. President, a point of personal privilege and an introduction.

PRESIDING OFFICER: (SENATOR DeLEO)

Certainly, and good to see you.

SENATOR LAUZEN:

I would like to introduce two Pages that we have with us in the Senate today. Meghan Hill is a sixth grader from Herget Middle School in Aurora, Illinois. Her parents, Donald and Rebecca, along with little sisters, Melissa and Meredith Hill, are in the gallery. So -- and also joining them -- if you'd rise, but Claire Cozadd is a fourth grader at Porta Central School in Petersburg, Illinois. That's actually Senator Bomke's district. Her parents, Evan and Michelle, are also in the gallery. If we could welcome them?

PRESIDING OFFICER: (SENATOR DeLEO)

Welcome to the Illinois State Senate. Welcome. Welcome to Springfield, Illinois. Madam Secretary, Resolutions, please.

SECRETARY SHIPLEY:

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Senate Resolution 157, offered by Senator Demuzio.
It is substantive, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Bomke, for what purpose you seeking recognition, sir?

SENATOR BOMKE:

Thank you, Mr. President. A point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

State your point, sir.

SENATOR BOMKE:

With me today - an honorary Page - is Preston Carter, who's visiting here today.

PRESIDING OFFICER: (SENATOR DeLEO)

Welcome to the Illinois State Senate. Congratulations. Senator Link, for what purpose you seek recognition, sir? Senator Link.

SENATOR LINK:

Thank you, Mr. President. I would ask for a Democratic Caucus in the President's Office immediately, for approximately thirty minutes.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Senator Link has requested a Democratic Caucus. All Members of the Senate Democratic Caucus will report to Senator Emil Jones' Office upon recess. Senator Righter, for what purpose you seek recognition, sir?

SENATOR RIGHTER:

Thank you, Mr. President. For two announcements, if I might. First...

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Please state your announcement.

SENATOR RIGHTER:

Thank you, Mr. President. First, on behalf of Senators Risinger and Dillard, I would ask the record to reflect Senator Risinger is absent back home on family business; Senator Dillard is gone for the day on legislative business. That's...

PRESIDING OFFICER: (SENATOR DeLEO)

The record will so reflect.

SENATOR RIGHTER:

Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Your second announcement, sir.

SENATOR RIGHTER:

The second announcement, Mr. President, is the Senate Republicans would request a -- an immediate caucus in Senator Watson's Office. We would like forty-five minutes, if you might, please, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Senator Righter has requested a Republican Caucus immediately in Leader Watson's Office. All Members -- Republican Members report to Senator Watson's Office. All Democratic Members will report to President Jones' Office immediately. The Senate will -- Senate will reconvene at the hour of 12:45. The Senate stands in recess to the hour of 12:45 -- to the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

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Madam Secretary, Resolutions, please. Excuse me. The Senate will come to order. Madam Secretary, Resolutions, please.

SECRETARY SHIPLEY:

Senate Resolution 158, offered by Senator Harmon and all Members.

It's a death resolution, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Resolutions Consent Calendar. Madam Secretary, Committee Reports.

SECRETARY SHIPLEY:

Senator Demuzio, Chairperson of the Committee on State Government and Veterans Affairs, reports House Bills 272 and 1355 Do Pass; House Bills 32 and 668 Do Pass, as Amended; and Senate Amendment No. 5 to Senate Bill 1448 recommend Do Adopt; and Senate Joint Resolution 27 Be Adopted.

Senator Harmon, Chairperson of the Committee on Revenue, reports Senate Amendments No. 3 and 4 to Senate Bill 764 and Senate Amendments 2 and 3 to Senate Bill 774 recommend Do Adopt.

Senator Ronen, Chairperson of -- of the Committee on Licensed Activities, reports House Bills 1729 and 1790 Do Pass.

Senator Lightford, Chairperson of the Committee on Education, reports House Bills 38, 285, 357, 895 and 1922 Do Pass; and House Bill 3654 Do Pass, as Amended.

Senator Haine, Chairperson of the Committee on Insurance, reports House Bill 1439 Do Pass; and Senate Amendment No. 2 to Senate Bill 484 recommend Do Adopt.

Senator Maloney, Chairperson of the Committee on Higher Education, reports House Bill 470 Do Pass; House Bill 182 Do Pass, as Amended; and Senate Amendment No. 2 to Senate Bill 1455

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recommend Do Adopt.

Senator Sandoval, Chairperson of the Committee on Commerce and Economic Development, reports House Bills 407 and -- 3394 Do Pass.

Senator Wilhelmi, Chairperson of the Committee on Judiciary-Criminal Law, reports Senate Amendment No. 2 to Senate Bill 607 recommend Do Adopt.

And Senator Meeks, Chairperson of the Committee on Human Services, reports Senate Amendment No. 3 to Senate Bill 544 recommend Do Adopt.

PRESIDING OFFICER: (SENATOR DeLEO)

For the purposes of an announcement -- for the purpose of announcement: All Members within the sound of my voice, please return to the Senate Chamber immediately. We will be working on Senate action - final action. Madam Secretary, Communications, please.

SECRETARY SHIPLEY:

A letter, dated April 26, 2007, from Emil Jones, Jr., Senate President.

Dear Madam Secretary - Pursuant to Rule 3-2(c), I hereby appoint Senator Donne Trotter to resume his position on the Senate Executive Appointments Committee. This appointment is effective immediately.

Sincerely, Emil Jones, Jr., Senate President.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, Messages, please.

SECRETARY SHIPLEY:

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

Mr. President - I am directed to inform the Senate that

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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 1.

We've received like Messages on House Bills 161, 415, 613, 682, 736, 742, 894, 951, 954, 957, 982, 984, 1361, 1475, 1492, 1517, 1551, 1628, 1637, 1657, 1719, 1784, 1805, 1915, 1930, 2133, 2242, 3490, 3588, 3604 and 3678.

All passed the House, April 25th, 2007. Mark Mahoney, Clerk of the House.

Also have 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 19.

Offered by Senator Hunter. Adopted by the House, April 19th, 2007. Mark Mahoney, Clerk of the House.

It's substantive, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Once again, for the purpose of announcement: We'd ask all Members please report to the Senate Floor immediately. We will be taking up action that will be final action. Madam Secretary, House Bills 1st Reading, please.

SECRETARY SHIPLEY:

House Bill 1, offered by Senator Harmon.

(Secretary reads title of bill)

House Bill -- 161, offered by Senator DeLeo.

(Secretary reads title of bill)

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House Bill 187, offered by Senator Risinger.

(Secretary reads title of bill)

House Bill 415, offered by Senator Demuzio.

(Secretary reads title of bill)

House Bill 613, offered by Senator Ronen.

(Secretary reads title of bill)

House Bill 682, offered by Senator Frerichs.

(Secretary reads title of bill)

House Bill 736, offered by Senator Koehler.

(Secretary reads title of bill)

House Bill 820, offered by Senator Althoff.

(Secretary reads title of bill)

House Bill 894, offered by Senator Haine.

(Secretary reads title of bill)

House Bill 954, offered by Senator Dahl.

(Secretary reads title of bill)

House Bill 984, offered by Senator Frerichs.

(Secretary reads title of bill)

House Bill 1124, offered by Senator Haine.

(Secretary reads title of bill)

House Bill 1242, offered by Senator Bond.

(Secretary reads title of bill)

House Bill 1456, offered by Senator Frerichs.

(Secretary reads title of bill)

House Bill 1460, offered by Senator Garrett.

(Secretary reads title of bill)

House Bill 1516 -- I'm sorry, House Bill 1517, offered by
Senator Wilhelmi.

(Secretary reads title of bill)

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House Bill 1637, offered by Senator Koehler.

(Secretary reads title of bill)

House Bill 1657, offered by Senator Trotter.

(Secretary reads title of bill)

House Bill 1719.

(Secretary reads title of bill)

Offered by Senator Harmon.

House Bill 1839, offered by Senator Delgado.

(Secretary reads title of bill)

House Bill 1930, offered by Senator Halvorson.

(Secretary reads title of bill)

House Bill 1514, offered by Senator Watson.

(Secretary reads title of bill)

House Bill 3604, offered by Senator Silverstein.

(Secretary reads title of bill)

House Bill 3627, offered by Senator Trotter.

(Secretary reads title of bill)

And House Bill 3658, offered by Senator Viverito.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, to fulfill our responsibilities under Article V, Section 9 of the Constitution, we will now proceed to the Order of Advise and Consent. Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. I move that the Senate resolve itself into Executive Session for the purpose of acting on the appointments set forth in the Messages from the Governor dated February 23rd and March 22nd, 2007, and in the Message from the

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Secretary of State dated April 10th, 2007.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Hendon, just one second. We're just making sure that all the Messages from the Governor were received. Okay, Ladies and Gentlemen, Senator Hendon moves that the Senate resolve itself into Executive Session for the purpose of acting on appointments set forth in the Messages from the Governor - those were dated February 23, March 22nd, the year 2007 - and in the Message from the Secretary of State dated April 10th, 2007. Okay. Madam Secretary, Committee Reports, please.

SECRETARY SHIPLEY:

Senator Hendon, Chairman of the Committee on Executive Appointments, to which was referred the Governor's Message of March 22nd, 2007, reported the same back with the recommendation that the -- the Senate do advise and consent to the following appointment.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Hendon. Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. With respect to the Governor's Message of March 22nd, 2007, I will read the salaried appointment of which the Committee on Executive Appointments recommends that the Senate do advise and consent:

To be a Commissioner of the Illinois Civil Service Commission for a term commencing March 16, 2007, and ending March 1st, 2013: Ares Dalianis -- Dalianis.

Mr. President, having read the salaried appointment from the Governor's Message of March 22nd, 2007, I now seek leave to consider the appointment on a roll call. Mr. President, will you

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put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Hendon. Ladies and Gentlemen, is there any discussion? Is there any discussion? Seeing no discussion, the question is, does the Senate advise and consent to the appointment just read from the Governor's Message of March 22nd. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 55 Ayes, 0 voting Nay, 1 voting Present. The Senate -- a majority of Senators elected by concurring record vote, the Senate does advise to the consent to the appointment just read. Madam Secretary, Committee Report.

SECRETARY SHIPLEY:

Senator Hendon, Chairman -- Chairman of the Committee on Executive Appointments, to which was referred the Governor's Message of February 23rd, 2007, reported the same back with the recommendation that the Senate do advise and consent to the following appointment.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Senator Hendon.

SENATOR HENDON:

Mr. President, with respect to the Governor's Message of February 23rd, 2007, I will read the non-salaried appointment of which the Committee on Executive Appointments recommends that the Senate do advise and consent:

To be a member of the Department of Labor Advisory Board for a term commencing February 16, 2007, and ending January 19th, -- I -- I'm sorry, 2009: Joseph Ward.

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Mr. President, having read the non-salaried appointment from the Governor's Message of February 23rd, 2007, I now seek leave to consider the appointment on a roll call. Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Hendon. Is there any discussion? Is there any discussion? Senator Luechtefeld, for what purpose do you rise, sir?

SENATOR LUECHTEFELD:

Thank you, Mr. President and Members of the Senate. I -- I just would like to alert certainly the people from this side of the aisle and -- we had some definite questions on the background of -- of Mr. Ward in -- in Committee and -- and certainly the -- the Republicans did vote against him. I think there were -- is some -- also some question, especially from the Hispanic Caucus, on that side of the aisle about this particular individual and his background and whether he is suited for this particular job. I just wanted to alert our side here that certainly this -- this man did not come out with a unanimous vote in the Committee. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Thank you, Senator. Any further discussion? Any further discussion? Senator Righter, for what purpose you seek recognition?

SENATOR RIGHTER:

To the Message, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the Message, sir.

SENATOR RIGHTER:

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Thank you. Mr. President, Ladies and Gentlemen of the Senate, I also rise in opposition to the nominee, Mr. Ward. As - - as the Minority Spokesperson of Executive Appointments Committee already noted, Mr. Ward appeared before the Committee some weeks ago and there were a number of questions asked, but more importantly, there are even greater number of questions that remain about Mr. Ward, about his conduct as a member of the Joliet Arsenal Development Authority, wherein he was alleged, in a Daily Southtown article of some years ago, as a member of that board, to have betrayed the public trust with regards to land dealings. There are a lot of questions surrounding Mr. Ward's active involvement in an ownership of a casino down in Florida where he recruited members of the labor community to work as part of that casino and his conflict of interest in those regards. There are a lot of questions that remain about Mr. Ward's involvement in a land deal, which he is now the subject of litigation and the defendant in a lawsuit claiming that he took an opportunity to enrich himself at the -- to the -- to the detriment of the labor community. I think that Mr. Ward perhaps would be suitable in public service in another area, but for Mr. Ward to serve the Department of Labor as a member of the Advisory Board when it is alleged, directly alleged, and in some cases proven, that he has acted contrary to members of the labor community's interest, think that is inappropriate and I think this Senate should send a message that we do not believe that Mr. Ward, with all that surrounds him, is appropriate for this office. I would urge a No vote. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Any further discussion? Seeing none,

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Senator Hendon, to close, sir.

SENATOR HENDON:

Thank you, Mr. President. Let me say in response to the two esteemed Senators who just spoke. Mr. Ward came before the Committee and answered all of those questions. He answered them honestly. He answered them quite straightforward. He admitted any past mistakes that he had -- may have been involved in - like none of us are perfect. He admitted that he had a bump in the road here and there. None of us can honestly stand here in this Senate and say one hundred percent of the time we've always been politically correct and -- and things like that. Mr. Ward I believe should be approved. We need to give the Governor his appointee and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Ladies and Gentlemen, the question is, does the Senate advise and consent to the appointment just read from the Governor's Message of February 23rd. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary -- Madam Secretary, please take the record. On that question, there are 27 Ayes, 23 Nays, 3 voting Present. A majority of Senators elected, having refused to give their advice and consent by record vote, the Senate rejects the appointment of Joseph Ward as a member of the Department of Labor Advisory Board. Senator Hendon.

SENATOR HENDON:

Mr. President, I'd like to put this matter on Postponed Consideration.

PRESIDING OFFICER: (SENATOR DeLEO)

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Okay. Ladies and Gentlemen, Senator Hendon requests that the Message be placed on Postponed. The Message will be placed on Postponed Consideration. Senator Righter.

SENATOR RIGHTER:

Mr. President, a point of order.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR RIGHTER:

Mr. President, according to the Senate Rules, it's not clear to me that we can place a Message on Postponed Consideration. I am referring specifically to Rule 7-12. List the items that can be -- or...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter. On the -- I believe we're reading the same Rules of the Senate. If you turn to page 2 -- 2 of your Rules, you would -- were -- go to the middle of page 2, Senate Rule 1-9 -- I'm sorry, 1-8, the one above that, 1-8, Legislative Measure means bills, amendments, resolutions, conference committee reports, motions and Messages from the Executive Branch, sir. So the gentleman's motion is in order. Thank you. Senator Righter.

SENATOR RIGHTER:

Well, that's fine, Mr. President, but the term that you've outlined the definition of does not appear in Rule 7-12. It says Legislative Measure or proposition. It doesn't talk about a Message.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter, it does define it in Rule 1-7. Senator Hendon.

SENATOR HENDON:

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Thank you, Mr. President. With respect to the...

PRESIDING OFFICER: (SENATOR DeLEO)

Excuse me, on 1-8. Senator Hendon.

SENATOR HENDON:

To respect to the Secretary of State's Message of April 10, 2007, I will read the salaried appointment of which the Committee on Executive Appointments recommends that the Senate do advise and consent:

To be the Director of Personnel for the Office of the Secretary of State for a term commencing April 10th, 2007, and ending January 1st, 2011: Steve Roth.

Mr. President, having read the salaried appointment from the Secretary of State's Message of April 10, 2007, I now seek leave to consider the appointment on a roll call. Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Senator Hendon, before we proceed on your question, sir, I'd ask the Secretary to please read the Committee Report of April 10th into the record, please.

SECRETARY SHIPLEY:

Senator Hendon, Chairman of the Committee on Executive Appointments, to which was referred the Secretary of State's Message of April 10th, 2007, reported the same back with the recommendation that the Senate do advise and consent to the following appointment.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon, can you please -- repeat your request again, sir?

SENATOR HENDON:

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Mr. President, will you put the question from the Message -- the Secretary of State's Message of April 10th, 2007 -- will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Hendon. Is there any discussion?
Senator Righter.

SENATOR RIGHTER:

Mr. President, I've had my light on for some time, and pressed my light on again before Senator Hendon moved to the Message of April 10th, to request that we have a record roll call on a motion to overrule the Chair with regards to the ruling of whether or not a Message can be placed on Postponed Consideration. I'd make that motion now with regards to the Message of March {sic} (February) 23rd.

PRESIDING OFFICER: (SENATOR DeLEO)

After conducting and consulting with authorities high above, Senator Righter, we will get back to your motion in just a moment, sir. The Senate has conducted intervening business right now, since we were just talking about that motion, and we'll finish this up and we'll come to your motion in one second, as soon as -- immediately after we finished this roll call, sir. So, Ladies and Gentlemen, the question is, does the Senate advise and consent to the appointment just read from the Secretary of State's Message of April 10th. All those in favor, vote Aye. All those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 55 Ayes, 1 voting Nay, 0 voting Present. A majority of Senators elected by concurring of -- by record vote, the Senate

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does advise and consent to the appointment just read. Senator Righter, your intention, sir.

SENATOR RIGHTER:

Thank you, Mr. President. Once again, I would renew my motion to appeal the ruling of the Chair with regards to the interpretation of Rule 7-12 as it relates to the Message of March {sic} (February) 23rd.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter, it's the opinion of the Chair that an automatic application of our rules does not constitute a ruling from the Chair. The Chair did not make a ruling. The Chair is merely applying the rules that are in effect that were adopted by this Chamber in January of this year, sir. So, I don't believe that your motion is in order, sir. Senator Righter.

SENATOR RIGHTER:

Mr. President, did you just make a ruling just now?

PRESIDING OFFICER: (SENATOR DeLEO)

No, sir. I just gave you the...

SENATOR RIGHTER:

Didn't you...

PRESIDING OFFICER: (SENATOR DeLEO)

...explain to you the application of rules under our Rule book. Senator Righter.

SENATOR RIGHTER:

Mr. President, you just ruled my motion out of order. That's a ruling from the Chair. There's no other way to do it, Mr. President. That is a ruling and I would now make...

PRESIDING OFFICER: (SENATOR DeLEO)

No, that's not what -- the -- the Chair -- excuse me,

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Senator. The Chair said that your -- what your motion was, was not applicable because this was an automatic application of rules. Senator Cullerton, for what purpose you seek recognition?
Senator Cullerton.

SENATOR CULLERTON:

Well, I was just going to suggest that if I understand it, the -- the -- Senator Hendon's motion can be renewed at any time. So, even if you think -- and I don't agree with you; I think he can put it on Postponed Consideration. It doesn't put us at any disadvantage one way or the other. So I -- I just think we shouldn't be discussing this. He can renew that motion at any time. He can do it right now and it would make everything moot. So, I don't think we should be arguing over the -- the -- and trying to overrule the Chair when all you're trying to accomplish is to -- apparently if -- Senator might think that we can't vote on this again if he prevails. That's not the case. He can renew the motion at any time. So, and -- and I also don't really quite understand your argument, Senator, because it -- I'm reading Rule 7-12 and it -- and it just talks about Legislative Measures can be put on Postponed Consideration. So, I -- I just think people should just back away a little bit here, have a discussion. If Senator Hendon wants to renew his motion, we're right back where we started from and we don't have to get involved in these disputes.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Burzynski, you seeking recognition, sir?

SENATOR BURZYNSKI:

Thank you, Mr. President. Just an inquiry of the Chair. What is the status of Senator Righter's motion?

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PRESIDING OFFICER: (SENATOR DeLEO)

Senator Burzynski, that request is not before us right now.
Senator Hendon.

SENATOR HENDON:

Thank -- thank you, Mr. President. I renew my motion to advise and consent to the Governor's appointment of February 23rd, 2007:

To be a member of the Department of Labor Advisory Board for a term commencing February 16, 2007, and ending January 19, 2009: Joseph Ward.

Mr. President, having read the non-salaried appointment from the Governor's Message of February 23rd, 2007, I now seek leave to consider the appointment on a roll call. Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Thank you, Senator Hendon. As the question has already been presented and debated on the Floor, debate on this bill will be limited to one proponent and one opponent. Senator Watson. Excuse me, Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. To the Message.

PRESIDING OFFICER: (SENATOR DeLEO)

To the -- to the Message, sir.

SENATOR RIGHTER:

Ladies and Gentlemen, it's a little like Groundhog Day. We will go through this again. We've already had a vote on this. The nominee failed. The nominee failed for good reasons. And the fact that there is this -- we're going through these procedural gymnastic maneuvers in order to try to protect a

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second vote on the nominee that has already failed, I think speaks to the issue itself. I would again urge a No vote. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon, to close, sir.

SENATOR HENDON:

Thank -- thank you, Mr. President. I don't think it's Groundhog Day. I believe that the nominee will pass and there was just simply a question of a Senator not being on the Floor at the time or had a telephone call. That's all. So I urge all of those who are sensible and reasonable to vote Aye for Joseph Ward and I hope that all of those who understand the politics that's being played on that other side of the aisle will stand with their President and the Leader over here and vote Aye on Joseph Ward.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, the question is, does the Senate advise and consent to the appointment just read from the Governor's Message of February 23rd. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 30 Ayes, 23 Nays, 2 voting Present. A majority of Senators elected by concurring record vote, the Senate does advise and consent to the appointment just read. Senator Watson, for what purpose do you rise, sir?

SENATOR WATSON:

Yes. Thank you, Mr. President. We'd like to verify that last roll call, please.

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PRESIDING OFFICER: (SENATOR DeLEO)

Okay. That request is in order. I'd ask all Members to please be in their seats. Senator Watson -- Senator Watson has requested a verification. Will all Members, once again, please be in their seats? Madam Secretary, read the affirmative votes, please.

SECRETARY SHIPLEY:

Bond, Collins, Crotty, Cullerton, DeLeo, Demuzio, Forby, Frerichs, Garrett, Halvorson, Harmon, Hendon, Hunter, Koehler, Kotowski, Lightford, Link, Maloney, Meeks, Noland, Raoul, Ronen, Sandoval, Schoenberg, Silverstein, Sullivan, Trotter, Viverito, Wilhelmi, Emil Jones.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Watson, you question the presence of any Member voting in the affirmative, sir?

SENATOR WATSON:

Yes, thank you. Gary Forby. Senator Forby.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Gary Forby is standing...

SENATOR WATSON:

Oh, he's with his friend, the Senate President. I -- I'm sorry, Gary; I didn't see you over there with your good friend.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Watson. Excuse me. Senator Watson, do you question any other -- presence of any other Member, sir?

SENATOR WATSON:

No, I believe you're all there, unless you might want to tell me different. You got any requests of your own? Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

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Okay, Ladies and Gentlemen, on a verified roll call, there are 30 Ayes, 23 Nays, 2 voting Present. And a majority of Senators elected concurring by record vote, the Senate does advise and consent to the appointment that was just read. Senator -- Senator Mattie Hunter, for what purpose you seek recognition, ma'am?

SENATOR HUNTER:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point.

SENATOR HUNTER:

Thank you, Mr. President. I'd like to ask the Members of the Senate to join me today in welcoming the Illinois Black Chamber of Commerce and their president, Larry Ivory, of Peoria. They represent over twenty Black Chamber of Commerce Chapters located throughout the State of Illinois and they're standing... Will you please rise and be welcomed?

PRESIDING OFFICER: (SENATOR DeLEO)

Will our guests please rise and be recognized by the Illinois State Senate? Welcome to Springfield. Welcome. Senator Hendon.

SENATOR HENDON:

Thank -- thank you, Mr. President. And I thank all of you who voted with us. I move that the Senate arise from Executive Session.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Hendon. Ladies and Gentlemen, Senator Hendon moves that the Senate arise from Executive Session. All those in favor will say Aye. All those opposed will say Nay.

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The Ayes have it, and the motion carries. The Senate has arisen from Executive Session. Okay, for the purposes of an announcement, Ladies and Gentlemen. For the purposes of an announcement: All Members of the Rules Committee will meet immediately. The Rules Committee will meet immediately in the President's Anteroom. Would all Members please report to the Committee Room? Madam Secretary, Committee Reports.

SECRETARY SHIPLEY:

Senator Halvorson, Chairman -- Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to Executive Committee - House Bill 1100 and Senate Joint Resolution 50; and re-refer to Rules Committee from Transportation Committee - House Bill 1100.

Senator Debbie Halvorson, Chairman, April 26, 2007.

PRESIDING OFFICER: (SENATOR DeLEO)

House {sic} Bills 1st Reading, Madam Secretary.

SECRETARY SHIPLEY:

Senate Bill 1840, offered by Senator Kotowski.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, on the Order of Resolutions, please.

SECRETARY SHIPLEY:

Senate Joint Resolution 49, offered by Senator Halvorson.

(Secretary reads SJR No. 49)

I also...

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Senator Halvorson moves to suspend the rules for the purpose of immediate consideration of the adoption of Senate

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Joint Resolution 49. Those in favor will say Aye. Those opposed will say Nay. The Ayes have it, and the rules are suspended. Now Senator Halvorson moves for the adoption of Senate Joint Resolution 49. All those in favor will say Aye. All those opposed will say Nay. And the Ayes have it, and the resolution is adopted. Madam Secretary, are there any other resolutions?

SECRETARY SHIPLEY:

Senate Joint Resolution 50, offered by Senator Emil Jones and Senator Maloney.

It is substantive, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, we'll now proceed to the Order of Resolutions Consent Calendar. With leave of the Body, all those resolutions read in today will be added to the Consent Calendar. Madam Secretary, has there been any objections filed to any resolution on the Consent Calendar?

SECRETARY SHIPLEY:

No objections filed, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Seeing -- seeing no discussion, if not, the question is, shall the resolutions on the Consent Calendar be adopted. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the motion carries. And the resolutions are adopted. Pursuant to Senate Joint Resolution 49, the Senate will stand adjourned until Tuesday, May 1st, the year 2007, at 12 noon. The Senate stands adjourned.