

SENATE JOURNAL

STATE OF ILLINOIS

NINETY-FOURTH GENERAL ASSEMBLY

5TH LEGISLATIVE DAY

TUESDAY, FEBRUARY 1, 2005

12:30 O'CLOCK P.M.

SENATE Daily Journal Index 5th Legislative Day

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The Senate met pursuant to adjournment. Honorable Emil Jones, Jr., President of the Senate, presiding. Prayer by Reverend Debra Avery, Hope Presbyterian Church, Springfield, Illinois. Senator Maloney led the Senate in the Pledge of Allegiance.

The Journal of Wednesday, January 12, 2005, was being read when on motion of Senator Hunter, further reading of same was dispensed with and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

The Journal of Thursday, January 13, 2005, was being read when on motion of Senator Hunter, further reading of same was dispensed with and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

The Journal of Wednesday, January 19, 2005, was being read when on motion of Senator Hunter, further reading of same was dispensed with and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

The Journal of Wednesday, January 26, 2005, was being read when on motion of Senator Hunter, further reading of same was dispensed with and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

MESSAGE FROM THE SECRETARY OF STATE

OFFICE OF THE SECRETARY OF STATE JESSE WHITE • Secretary of State

January 24, 2005

Honorable Linda Hawker Secretary of the Senate Room 401 Capitol Building Springfield, Illinois 62706

Dear Ms. Hawker:

This office is forwarding herewith copies of the Notice of Vacancy from the Legislative Committee of the Democratic Party of the 43rd Legislative District declaring the existence of a vacancy in the Office of Senator in the Ninety-Fourth General Assembly in the 43rd Legislative District, as a result of the resignation of **Senator Lawrence M. Walsh.**

Also enclosed is the copy of the Legislative Committee's Certificate of Appointment for **Arthur J. (A.J.) Wilhelmi, 422 Whitney Ave., Joliet, Illinois 60435** who was appointed to fill the vacancy in the office of Senator, in the 94th General Assembly for the 43rd Legislative District, along with the Oath of Office.

Yours truly, s/Jesse White Secretary of State

OFFICE OF THE SECRETARY OF STATE JESSE WHITE • Secretary of State

NOTICE

Changes in the **Ninety-Fourth** General Assembly

SENATE

Appointment
Arthur J. (A.J.) Wilhelmi
422 Whitney Ave.
Joliet, Illinois 60435
43 rd Legislative District
Appointed: January 17, 2005
Filed: January 24, 2005

cc: Communications Department
House Speaker Madigan
House Minority Leader Cross
Legal Department
Legislative Affairs
Office of the Governor
Secretary of State
Senate President Jones
Senate Minority Leader Watson
State Board of Elections

Vacancy
Lawrence M. Walsh
43rd Legislative District
Resigned: January 12, 2005
Filed: January 24, 2005

COMMUNICATION

NOTIFICATION OF VACANCY

Legislative Committee of the Democratic Party of the 43 rd)
Legislative District)
STATE OF ILLINOIS COUNTY OF WILL)

WHEREAS, Senator Lawrence M. Walsh, a member of the Democratic Party has resigned as Senator in the General Assembly for the Forty-Third (43rd) Legislative District; and

WHEREAS, Senator Walsh was the duly elected State Senator for the 43rd Legislative District; and

WHEREAS, Senator Walsh's resignation is effective on January 12, 2005 at 12:01 a.m.;

NOW, THEREFORE, the Legislative Committee of the Democratic Party of the 43rd Legislative District does hereby find and declare that the office of State Senator in the General Assembly for the 43rd Legislative District is vacant for the remainder of the term in which Senator Walsh was elected or until this duly elected committee appoints a person to serve for the remainder of the term in which Senator Walsh was elected.

Signed S/George Mushro
Chairman
S/David Evans
S/Thomas Braxton

ATTEST: S/Judy Batusich
DATED: January 17, 2005

NOTICE OF APPOINTMENT

Legislative Committee of the

)

Democratic Party of the 43rd
[February 1, 2005]

Legislative District)
)
STATE OF ILLINOIS)
COUNTY OF WILL	j

WHEREAS, the Legislative Committee of the Democratic Party was duly elected by the Will County Democratic Central Committee; and

WHEREAS, the Legislative Committee of the Democratic Party was notified that Senator Lawrence M. Walsh, duly elected Senator of the 43rd District resigned as Senator, effective at 12:01 a.m. on January 12, 2005; and

WHEREAS, the Legislative Committee of the Democratic Party is charged with the obligation of filling a vacancy in the office of State Senator within thirty (30) days of the notification of such vacancy;

NOW, THEREFORE, the Legislative Committee of the Democratic Party of the 43rd Legislative Committee does hereby appoint Arthur J. (A.J.) Wilhelmi who resides at 422 Whitney Ave., Joliet, Illinois, 60435 as State Senator for the 43rd Legislative District for the remainder of the term for which Senator Walsh was elected.

Signed s/George Mushro

Chairman

s/David Evans

s/Thomas Braxton

ATTEST: s/Judy Batusich

DATED: January 17, 2006

STATE OF ILLINOIS OATH OF OFFICE

I, Arthur J. Wilhelmi, do solemnly swear that I will support the Constitution of the United States of America, and the Constitution of the State of Illinois, and that I will faithfully discharge the duties of the office of State Senator to the best of my abilities.

s/Arthur J. Wilhelmi

Subscribed and sworn to before me this 21st day of January, 2005.

s/Jeffrey Allen Associate Judge

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION 18

Offered by Senator Haine and all Senators: Mourns the death of Glendle G. Pickering of Maryville.

SENATE RESOLUTION 19

Offered by Senator Lauzen and all Senators: Mourns the death of Bernard E. Cors of Aurora.

SENATE RESOLUTION 20

Offered by Senator Lauzen and all Senators: Mourns the death of Guy H. Bodor of Aurora.

SENATE RESOLUTION 21

Offered by Senator Lauzen and all Senators:

Mourns the death of Thomas J. McLean.

SENATE RESOLUTION 22

Offered by Senator Lauzen and all Senators:

Mourns the death of Louise Williams of Seneca.

SENATE RESOLUTION 23

Offered by Senator Petka and all Senators:

Mourns the death of John F. Whiteside of Joliet.

SENATE RESOLUTION 24

Offered by Senator Collins and all Senators:

Mourns the death of Robert E. Cherry, IV.

SENATE RESOLUTION 25

Offered by Senators Watson - Brady and all Senators:

Mourns the death of John F. May of Decatur.

SENATE RESOLUTION 26

Offered by Senator Link and all Senators:

Mourns the death of Trevor Lehmann of Wheeling.

SENATE RESOLUTION 27

Offered by Senator Lightford and all Senators:

Mourns the death of Katherine C. Crawford of Maywood.

SENATE RESOLUTION 28

Offered by Senator Geo-Karis and all Senators:

Mourns the death of U.S. Army Staff Sergeant Donald Bernard Farmer.

By unanimous consent, the foregoing resolutions were referred to the Resolutions Consent Calendar.

Senator Crotty offered the following Senate Resolution, which was referred to the Committee on Rules:

SENATE RESOLUTION NO. 29

WHEREAS, The Illinois Senate has been discussing and evaluating many important issues facing the State of Illinois; and

WHEREAS, During the 93rd General Assembly many task forces and committees were established to consider these issues; and

WHEREAS, The Senate Task Force on Illinois Mobile Homes was established pursuant to Senate Resolution 474 to examine the special needs and relationships between home communities, home owners, park owners, and mobile home manufacturers; and

WHEREAS, The heretofore mentioned resolution created to study these issues has expired; and

WHEREAS, Further work is needed on these issues; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the Senate Task Force on Illinois Mobile Homes is hereby extended; and be it further

[February 1, 2005]

RESOLVED, That the Task Force shall submit a report, as established in its authorizing resolution, on or before May 1, 2005; and be it further

RESOLVED, That with this reporting extension, the Task Force shall continue to operate pursuant to its enabling resolution.

Senator Watson offered the following Senate Joint Resolution, which was referred to the Committee on Rules:

SENATE JOINT RESOLUTION NO. 5

WHEREAS, Ronald Reagan was born on February 6, 1911, in Tampico, the first American President born in Illinois; as a youth, he worked as a lifeguard at Lowell Park in Dixon, and he graduated from Eureka College in Eureka; and

WHEREAS, President Ronald Wilson Reagan, a man of humble background, worked throughout his life serving freedom and advancing the public good, having been employed as an entertainer, union leader, corporate spokesman, Governor of California, and President of the United States; and

WHEREAS, Ronald Reagan served with honor and distinction for two terms as the 40th President of the United States of America, the second of which he earned the confidence of three-fifths of the electorate and was victorious in 49 of the 50 states in the general election, a record unsurpassed in the history of American presidential elections; and

WHEREAS, In 1981, when Ronald Reagan was inaugurated President, he inherited a disillusioned nation shackled by rampant inflation and high unemployment; and

WHEREAS, During Mr. Reagan's presidency he worked in a bipartisan manner to enact his bold agenda of restoring accountability and common sense to government which led to an unprecedented economic expansion and opportunity for millions of Americans; and

WHEREAS, President Reagan's commitment to our armed forces contributed to the restoration of pride in America, her values and those cherished by the free world, and prepared America's Armed Forces to meet 21st Century challenges; and

WHEREAS, President Reagan's vision of "peace through strength" led to the end of the Cold War and the ultimate demise of the Soviet Union, guaranteeing basic human rights for millions of people; and

WHEREAS, February 6, 2005 will be the 94th anniversary of Ronald Reagan's birth and the first since his passing; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that we proclaim and recognize February 6, 2005 and subsequent yearly anniversaries thereafter as "Ronald Reagan Day" and urge all the citizens of Illinois to take cognizance of this event and participate fittingly in its observance.

Senator Jacobs offered the following Senate Joint Resolution, which was referred to the Committee on Rules:

SENATE JOINT RESOLUTION NO. 6

WHEREAS, The bridge that the Illinois Department of Transportation is now constructing over the Rock River to connect the cities of Rock Island and Moline to the Milan Beltway and the village of Milan will aid the flow of traffic in the Illinois Quad-Cities; and

WHEREAS, The bridge connecting Milan with Rock Island and Moline is expected to make that area grow in population, businesses, and homes; and

WHEREAS, A newspaper poll of suggested names resulted in the selection of "Carr's Crossing"; and

WHEREAS, The name "Veteran's Memorial Bridge" was suggested as a tribute to those who are currently serving our country in the military and to those who served in the past; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that the bridge being constructed over the Rock River to connect the cities of Rock Island and Moline with the village of Milan be designated the Veteran's Memorial Bridge at Carr's Crossing; and be it further

RESOLVED, That copies of this resolution be delivered to the mayors of the cities of Rock Island and Moline, to the president of the village of Milan, and to the Illinois Secretary of Transportation.

INTRODUCTION OF BILLS

SENATE BILL NO. 104. Introduced by Senator Raoul, a bill for AN ACT concerning criminal law

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 105. Introduced by Senator Althoff, a bill for AN ACT concerning safety. The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 106. Introduced by Senator Clayborne, a bill for AN ACT concerning transportation.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 107. Introduced by Senator Righter, a bill for AN ACT concerning pseudoephedrine.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 108. Introduced by Senator Althoff, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 109. Introduced by Senator Althoff, a bill for AN ACT concerning environmental protection.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 110. Introduced by Senator W. Jones, a bill for AN ACT concerning public aid.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 111. Introduced by Senator Peterson, a bill for AN ACT concerning revenue.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 112. Introduced by Senator Sieben, a bill for AN ACT concerning revenue.

[February 1, 2005]

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 113. Introduced by Senator Radogno, a bill for AN ACT concerning local government.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 114. Introduced by Senator Burzynski, a bill for AN ACT concerning revenue.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 115. Introduced by Senator Radogno, a bill for AN ACT concerning revenue.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 116. Introduced by Senator Martinez, a bill for AN ACT concerning health. The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 117. Introduced by Senator Martinez, a bill for AN ACT concerning school students

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 118. Introduced by Senator Cullerton, a bill for AN ACT concerning State government.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 119. Introduced by Senator Cullerton, a bill for AN ACT concerning transportation.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 120. Introduced by Senator Cullerton, a bill for AN ACT concerning procurement.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 121. Introduced by Senator Cullerton, a bill for AN ACT concerning safety.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 122. Introduced by Senator Crotty, a bill for AN ACT concerning land. The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 123. Introduced by Senator Sieben, a bill for AN ACT concerning government.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 124. Introduced by Senator Brady, a bill for AN ACT concerning civil law. The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 125. Introduced by Senator Garrett, a bill for AN ACT concerning revenue.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules

SENATE BILL NO. 126. Introduced by Senator Garrett, a bill for AN ACT concerning revenue. The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules

SENATE BILL NO. 127. Introduced by Senator Radogno, a bill for AN ACT concerning transportation.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 128. Introduced by Senator Radogno, a bill for AN ACT concerning transportation.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 129. Introduced by Senator Radogno, a bill for AN ACT concerning service contracts.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 130. Introduced by Senator Garrett, a bill for AN ACT concerning water authority.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 131. Introduced by Senator Garrett, a bill for AN ACT concerning education.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 132. Introduced by Senator Demuzio, a bill for AN ACT concerning insurance.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 133. Introduced by Senator Demuzio, a bill for AN ACT concerning State government.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 134. Introduced by Senator Clayborne, a bill for AN ACT concerning public employee benefits.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 135. Introduced by Senator Halvorson, a bill for AN ACT concerning business.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 136. Introduced by Senator Righter, a bill for AN ACT concerning procurement.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 137. Introduced by Senator Righter, a bill for AN ACT concerning renewable fuels.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules

SENATE BILL NO. 138. Introduced by Senator Sieben, a bill for AN ACT concerning wildlife. The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 139. Introduced by Senator Crotty, a bill for AN ACT concerning professional regulation.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 140. Introduced by Senator Ronen, a bill for AN ACT concerning regulation.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 141. Introduced by Senator Ronen, a bill for AN ACT concerning regulation.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 142. Introduced by Senator Ronen, a bill for AN ACT concerning employment.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 143. Introduced by Senator Ronen, a bill for AN ACT concerning government.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

MESSAGE FROM THE PRESIDENT

OFFICE OF THE SENATE PRESIDENT STATE OF ILLINOIS

EMIL JONES, JR. SENATE PRESIDENT 327 STATE CAPITOL Springfield, Illinois 62706

January 26, 2005

Ms. Linda Hawker Secretary of the Senate Room 403 State House Springfield, Illinois 62706

Dear Madam Secretary:

Pursuant to the Rules of the Senate of the 94th General Assembly, attached hereto please find the Chairperson, Co-Chairperson and Vice-Chairperson appointments to each of the standing committees, along with the number of majority and minority appointees to each standing committee.

Sincerely, s/Emil Jones, Jr. Senate President

94th General Assembly

STANDING COMMITTEE	<u>CHAIR</u>	<u>CO-</u> <u>CHAIRS</u>	<u>VICE</u> <u>CHAIR</u>	MAJORITY MEMBERS	MINORITY MEMBERS
Agriculture & Conservation	Sullivan		Wilhelmi	5	4
Appropriations I	Trotter		Collins	8	5
Appropriations II	Schoenberg		Trotter	8	5
Appropriations III	Hunter		Schoenberg	8	5
Commerce & Economic Development	Sandoval		Meeks	6	4
Education	Lightford		del Valle	7	4
Environment & Energy	Clayborne		Jacobs	7	4
Executive	Silverstein		Cullerton	8	5
Executive Appointments		Jacobs	DeLeo	5	4
		Geo-Karis			
Financial Institutions	Collins		Lightford	5	4
Health & Human Services	Ronen		Garrett	7	4
Higher Education	Maloney		Sullivan	7	4
Housing & Community Affairs	Meeks		Martinez	6	4
Insurance	Haine		Clayborne	6	4
Judiciary		Cullerton Dillard	Harmon	6	4
Labor	Forby		Maloney	6	4
Licensed Activities	Demuzio		Haine	5	4
Local Government	Crotty		Sandoval	6	4
Pensions & Investments	Martinez		Raoul	6	4
Revenue	Harmon		Link	6	4
State Government	Garrett		Demuzio	5	4
Transportation	Munoz		Shadid	6	4

COMMUNICATION FROM MINORITY LEADER

ILLINOIS STATE SENATE FRANK C. WATSON STATE SENATOR 51ST SENATE DISTRICT

January 27, 2005

The Honorable Dan Hynes Comptroller State of Illinois 201 State House Springfield, Illinois 62706

Dear Comptroller Hynes:

Please be advised that, pursuant to Senate Rule 3-2, I have appointed the following members as minority spokespersons for the standing committees of the 94th General Assembly as indicated on the attached.

These appointments are effective immediately. If you have any questions please contact my Chief of Staff, Brian McFadden, at 217-782-8184.

[February 1, 2005]

Sincerely, s/Frank Watson Senate Republican Leader

Attachment

cc: Kevin Schoeben

94th General Assembly

SENATE REBPULICAN COMMITTEE SPOKESPERSONS

Agriculture	Dahl	Minority Spokesperson
Appropriations I	Syverson	Minority Spokesperson
Appropriations II	Radogno	Minority Spokesperson
Appropriations III	Rauschenberger	Minority Spokesperson
Commerce & Economic Development	Jones, J.O.	Minority Spokesperson
Education	Cronin	Minority Spokesperson
Environment & Energy	Sullivan, D.	Minority Spokesperson
Executive	Roskam	Minority Spokesperson
Executive Appointments	Geo-Karis	Minority Spokesperson
Financial Institutions	Rutherford	Minority Spokesperson
Health & Human Services	Righter	Minority Spokesperson
Higher Education	Winkel	Minority Spokesperson
Housing & Community Affairs	Althoff	Minority Spokesperson
Insurance	Brady	Minority Spokesperson
Judiciary	Dillard	Minority Spokesperson
Labor	Pankau	Minority Spokesperson
Licensed Activities	Wojcik	Minority Spokesperson
Local Government	Jones, W.	Minority Spokesperson
Pensions & Investments	Brady	Minority Spokesperson
Revenue	Lauzen	Minority Spokesperson
State Government	Risinger	Minority Spokesperson
Transportation	Bomke	Minority Spokesperson

EXCUSED FROM ATTENDANCE

On motion of Senator Burzynski, Senator Lauzen was excused from attendance due to legislative business in his district.

Senator Link announced there would be a Democrat caucus immediately upon adjournment.

At the hour of 12:46 o'clock p.m., the Chair announced that the Senate stand adjourned until Wednesday, February 2, 2005, at 12:00 o'clock noon.