



# **SENATE JOURNAL**

**STATE OF ILLINOIS**

**NINETY-FOURTH GENERAL ASSEMBLY**

**56TH LEGISLATIVE DAY**

**TUESDAY, OCTOBER 25, 2005**

**12:00 O'CLOCK NOON**

**SENATE  
Daily Journal Index  
56th Legislative Day**

<b>Action</b>	<b>Page(s)</b>
Committee Appointment .....	5
Committee Meeting Announcement .....	9
Escort Committee .....	4
Joint Session .....	4
Presentation of Senate Resolutions No'd 460- 488 .....	6

<b>Bill Number</b>	<b>Legislative Action</b>	<b>Page(s)</b>
SR 0489	Committee on Rules .....	8

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

The Journal of Tuesday, May 31, 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.

Senator Hunter moved that reading and approval of the Journal of Wednesday, October 19, 2005, be postponed, pending arrival of the printed Journal.  
 The motion prevailed.

### **REPORTS RECEIVED**

The Secretary placed before the Senate the following reports:

Quarterly Report from 7/1/05 - 9/30/05 of the Legislative Inspector General pursuant to Section 25-85 of the State Officials and Employees Ethics Act, submitted by the Office of the Legislative Inspector General.

Funding and Plan Design Summary of the State Employees' Group Insurance Program, submitted by the Commission on Government Forecasting and Accountability.

The foregoing reports were ordered received and placed on file in the Secretary's Office.

### **LEGISLATIVE MEASURES FILED**

The following Floor amendments to the Senate Bills listed below have been filed with the Secretary and referred to the Committee on Rules:

Senate Floor Amendment No. 1 to Senate Bill 638  
 Senate Floor Amendment No. 1 to Senate Bill 700  
 Senate Floor Amendment No. 1 to Senate Bill 809  
 Senate Floor Amendment No. 1 to Senate Bill 830  
 Senate Floor Amendment No. 1 to Senate Bill 852  
 Senate Floor Amendment No. 1 to Senate Bill 1268  
 Senate Floor Amendment No. 2 to Senate Bill 1268

The following Floor amendments to the House Bills listed below have been filed with the Secretary and referred to the Committee on Rules:

Senate Floor Amendment No. 1 to House Bill 708  
 Senate Floor Amendment No. 3 to House Bill 806

The following Committee amendments to the House Bills listed below have been filed with the Secretary and referred to the Committee on Rules:

Senate Committee Amendment No. 1 to House Bill 2706  
 Senate Committee Amendment No. 2 to House Bill 2706

The following Committee amendment to the House Joint Resolution listed below has been filed with the Secretary and referred to the Committee on Rules:

Senate Committee Amendment No. 1 to House Joint Resolution 31

[October 25, 2005]

**MESSAGE FROM THE HOUSE**

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 NO. 65**

**RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN**, that the two Houses shall convene in Joint Session on Tuesday, October 25, 2005 at the hour of 12:00 o'clock noon for the purpose of hearing his Excellency Governor Rod Blagojevich present to the General Assembly his message on the new program "All Kids", offering health insurance for uninsured children.

Adopted by the House, October 25, 2005.

MARK MAHONEY, Clerk of the House

By unanimous consent, on motion of Senator Halvorson, the foregoing message reporting House Joint Resolution No. 65, was taken up for immediate consideration.

Senator Halvorson moved that the Senate concur with the House in the adoption of the resolution.

The motion prevailed.

And the Senate concurred with the House in the adoption of the resolution.

Ordered that the Secretary inform the House of Representatives thereof.

President Jones appointed the following members to constitute a committee to escort the Governor to the House chambers: Senator Wilhelmi, Senator Demuzio, Senator Halvorson, Senator Dillard, Senator Millner

Senator Link announced that there will be a Democrat caucus immediately following the joint session.

Senator Burzynski announced that there will be a Republican caucus immediately following the joint session.

**EXCUSED FROM ATTENDANCE**

On motion of Senator Halvorson, Senator Silverstein was excused from attendance this and the following day due to legislative business.

At the hour of 12:10 o'clock p.m., the Chair announced that the Senate stand at recess for the purpose of proceeding to the House of Representatives to meet in a joint session pursuant to House Joint Resolution No. 65.

**AFTER RECESS**

Thereupon the Senate returned to the Senate Chambers and resumed consideration of business. Senator Link, presiding.

[October 25, 2005]

**COMMUNICATION FROM MINORITY LEADER**

ILLINOIS STATE SENATE  
FRANK C. WATSON  
STATE SENATOR  
51<sup>ST</sup> SENATE DISTRICT  
October 20, 2005

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

Dear Madam Secretary:

Pursuant to the provisions of Senate Rule 3-5(b) and (c), I am hereby appointing Senator Peter Roskam to replace Senator Christine Radogno as a member of the Senate Rules Committee. This appointment shall take effect immediately.

Thank you.

Sincerely,  
s/Frank Watson  
Senate Republican Leader

cc: Senate President Emil Jones  
Senator Peter Roskam  
Senator Christine Radogno  
Assistant Secretary of the Senate Scott Kaiser

**MOTIONS IN WRITING**

Senator Radogno submitted the following Motion in Writing:

**MOTION**

I move that Senate Bill 1654 do pass, the specific recommendations of the Governor to the contrary notwithstanding.

Date: October 25, 2005

s/Christine Radogno  
Senator

Senator Sieben submitted the following Motion in Writing:

**MOTION**

I move that Senate Bill 2104 do pass, the veto of the Governor to the contrary notwithstanding.

Date: October 25, 2005

s/Todd Sieben  
Senator

The foregoing Motions in Writing were filed with the Secretary and placed on the Senate Calendar.

[October 25, 2005]

**PRESENTATION OF RESOLUTIONS****SENATE RESOLUTION 460**

Offered by Senator Haine and all Senators:  
Mourns the death of Margie Crane of Alton.

**SENATE RESOLUTION 461**

Offered by Senator Haine and all Senators:  
Mourns the death of Virginia M. Tonsor of Alton.

**SENATE RESOLUTION 462**

Offered by Senator Haine and all Senators:  
Mourns the death of Gerald E. "Gene" Zimmerman of Cottage Hills.

**SENATE RESOLUTION 463**

Offered by Senator Haine and all Senators:  
Mourns the death of William Allen Rain of Alton.

**SENATE RESOLUTION 464**

Offered by Senator Haine and all Senators:  
Mourns the death of John A. Hunter, Jr., of Glen Carbon.

**SENATE RESOLUTION 465**

Offered by Senator Haine and all Senators:  
Mourns the death of Anthony P. "Tony" Paynic of Wood River.

**SENATE RESOLUTION 466**

Offered by Senator Haine and all Senators:  
Mourns the death of Phyllis J. Schwegel of Alton.

**SENATE RESOLUTION 467**

Offered by Senator Forby and all Senators:  
Mourns the death of Sam Smith of Jonesboro.

**SENATE RESOLUTION 468**

Offered by Senator Forby and all Senators:  
Mourns the death of Bob E. Trammel of Buncombe.

**SENATE RESOLUTION 469**

Offered by Senator Forby and all Senators:  
Mourns the death of Thelma Whittington of Benton.

**SENATE RESOLUTION 470**

Offered by Senator Forby and all Senators:  
Mourns the death of Arthur "Gene" Eugene McDowell.

**SENATE RESOLUTION 471**

Offered by Senator Forby and all Senators:  
Mourns the death of Chad Short of West Frankfort.

**SENATE RESOLUTION 472**

Offered by Senator Forby and all Senators:  
Mourns the death of Theresa Lynn "Meme" Roman of Metropolis.

**SENATE RESOLUTION 473**

Offered by Senator Forby and all Senators:  
Mourns the death of Danny Thomas "Hobart" McCluskey of Carterville.

**SENATE RESOLUTION 474**

Offered by Senator Forby and all Senators:  
Mourns the death of Bonnie May Reiger of Sesser.

**SENATE RESOLUTION 475**

Offered by Senator Forby and all Senators:  
Mourns the death of Mary A. Atchison of Benton.

**SENATE RESOLUTION 476**

Offered by Senator Forby and all Senators:  
Mourns the death of Thresa L. Urban.

**SENATE RESOLUTION 477**

Offered by Senator Forby and all Senators:  
Mourns the death of Alice L. Sizemore of Herrin.

**SENATE RESOLUTION 478**

Offered by Senator Forby and all Senators:  
Mourns the death of Charles "Goose" Sullivan of Herrin.

**SENATE RESOLUTION 479**

Offered by Senator Forby and all Senators:  
Mourns the death of Lorene Schell of New Burnside.

**SENATE RESOLUTION 480**

Offered by Senator Forby and all Senators:  
Mourns the death of Attilio "Red" Calcaterra of Herrin.

**SENATE RESOLUTION 481**

Offered by Senator Forby and all Senators:  
Mourns the death of Millie Cox of Metropolis.

**SENATE RESOLUTION 482**

Offered by Senator Forby and all Senators:  
Mourns the death of Carolyn A. Moore of Herrin.

**SENATE RESOLUTION 483**

Offered by Senator Watson and all Senators:  
Mourns the death of Jimmie (Jim) Hunt Hazelrigg of Decatur.

**SENATE RESOLUTION 484**

Offered by Senator Watson and all Senators:  
Mourns the death of Officer Robin G. Vogel of Springfield.

**SENATE RESOLUTION 485**

Offered by Senator Shadid and all Senators:  
Mourns the death of John F. Kuntz of Peoria.

**SENATE RESOLUTION 486**

Offered by Senator Forby and all Senators:  
Mourns the death of Ruth Greer of Metropolis.

**SENATE RESOLUTION 487**

Offered by Senator Forby and all Senators:  
Mourns the death of William Preston "Bill" Morgan of Olive Branch.

**SENATE RESOLUTION 488**

Offered by Senator Haine and all Senators:  
Mourns the death of John Werner "Wernie" Hoefert, Sr., of Alton.

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

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

**SENATE RESOLUTION NO. 489**

WHEREAS, The members of the Senate of the State of Illinois recognize the dedication and efforts of the March of Dimes Illinois Chapter and their volunteers who for over 67 years have been fighting for the health and well-being of America's children and are now taking on the problem of prematurity; and

WHEREAS, The March of Dimes Illinois Chapter has made a difference in the lives of over 22,000 premature babies born annually in Illinois; and

WHEREAS, The March of Dimes Illinois Chapter is recognized for its programs to improve prematurity risk detection and prevent preterm births; and

WHEREAS, Thanks to the research and education programs funded by the March of Dimes, every premature baby born has an increased chance for survival; and

WHEREAS, The March of Dimes Illinois Chapter serves as a resource for information about healthy pregnancies and prematurity; and

WHEREAS, The March of Dimes Illinois Chapter works to increase awareness of the risk factors associated with premature birth such as smoking, drinking, and substance use; and

WHEREAS, The March of Dimes Illinois Chapter has successfully advocated to expand access to health coverage for pregnant women, infants, and children; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we do hereby proclaim November 15, 2005 as Premature Awareness Day in Illinois and encourage all citizens to be cognizant of the many wonderful and lifesaving services the March of Dimes Illinois Chapter provides to the people of Illinois; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the March of Dimes Illinois Chapter as an expression of our esteem.

**REPORTS FROM RULES COMMITTEE**

Senator Viverito, Chairperson of the Committee on Rules, during its October 25, 2005 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Education: **Senate Floor Amendment No. 1 to Senate Bill 852.**

Executive: **Senate Floor Amendment No. 3 to House Bill 806.**

Labor: **Senate Floor Amendments Numbered 1 and 2 to Senate Bill 1268.**

Revenue: **Senate Committee Amendments Numbered 1 and 2 to House Bill 2706.**

State Government: **Senate Committee Amendment No. 1 to House Joint Resolution 31.**

[October 25, 2005]



Transportation: **Senate Floor Amendment No. 1 to House Bill 708.**

Senator Viverito, Chairperson of the Committee on Rules, to which was referred **Senate Bills Numbered 595, 830 and 1991** on July 1, 2005, pursuant to Rule 3-9(b), reported that the Committee recommends that the bills be approved for consideration and returned to the calendar in their former position.

The report of the Committee was concurred in.

And **Senate Bills Numbered 595, 830 and 1991** were returned to the order of third reading.

Senator Viverito, Chairperson of the Committee on Rules, to which was referred **House Bill No. 3801** on July 1, 2005, pursuant to Rule 3-9(b), reported that the Committee recommends that the bill be approved for consideration.

### COMMITTEE MEETING ANNOUNCEMENTS

Senator Cullerton, Vice-Chairperson of the Committee on Executive, announced that the Executive Committee will meet today in Room 212, at 2:10 o'clock p.m.

Senator Cullerton, Co-Chairperson of the Committee on Judiciary, announced that the Judiciary Committee will meet today in Room 212, at 3:00 o'clock p.m.

Senator Ronen, Chairperson of the Committee on Health & Human Services, announced that the Health & Human Services Committee will meet today in Room 400, at 3:30 o'clock p.m.

Senator Harmon, Chairperson of the Committee on Revenue, announced that the Revenue Committee will meet today in Room 400, at 2:10 o'clock p.m.

Senator Hendon, Chairperson of the Committee on Executive Appointments, announced that the Executive Appointments Committee will meet Wednesday, October 26, 2005 in Room 212, at 8:00 o'clock a.m.

Senator Demuzio, Chairperson of the Committee on Licensed Activities, announced that the Licensed Activities Committee will meet today in Room A-1 Stratton Building, at 4:00 o'clock p.m.

Senator Garrett, Chairperson of the Committee on State Government, announced that the State Government Committee will meet today in Room A-1 Stratton Building, at 2:10 o'clock p.m.

Senator Lightford, Chairperson of the Committee on Education, announced that the Education Committee will meet today in Room 212, at 4:30 o'clock p.m.

Senator Maloney, Vice-Chairperson of the Committee on Labor, announced that the Labor Committee will meet today in Room 400, at 4:00 o'clock p.m.

Senator Shadid, Vice-Chairperson of the Committee on Transportation, announced that the Transportation Committee will meet today in Room 400, at 3:00 o'clock p.m.

At the hour of 1:13 o'clock p.m., the Chair announced that the Senate stand at recess subject to the call of the Chair.

### AFTER RECESS

At the hour of 5:41 o'clock p.m., the Senate resumed consideration of business.

Senator Link, presiding.

[October 25, 2005]

### REPORTS FROM STANDING COMMITTEES

Senator Lightford, Chairperson of the Committee on Education, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 852

Under the rules, the foregoing floor amendment is eligible for consideration on second reading.

Senator Lightford, Chairperson of the Committee on Education, to which was referred **Senate Joint Resolution No. 52**, reported the same back with the recommendation that it be adopted.

Under the rules, **Senate Joint Resolution No. 52** was placed on the Secretary's Desk.

Senator Cullerton, Vice-Chairperson of the Committee on Executive, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 3 to House Bill 806

Under the rules, the foregoing floor amendment is eligible for consideration on second reading.

Senator Ronen, Chairperson of the Committee on Health & Human Services, to which was referred **House Bill No. 3478**, reported the same back with the recommendation that the bill do pass.

Under the rules, the bill was ordered to a second reading.

Senator Cullerton and Senator Dillard, Co-Chairpersons of the Committee on Judiciary, to which was referred **House Bills numbered 692, 1088, 2459, 2612, 2900 and 2943**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Forby, Chairperson of the Committee on Labor, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendments Numbered 1 and 2 to Senate Bill 1268

Under the rules, the foregoing floor amendments are eligible for consideration on second reading.

Senator Forby, Chairperson of the Committee on Labor, to which was referred **House Bills numbered 1368 and 2133**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Demuzio, Chairperson of the Committee on Licensed Activities, to which was referred **House Bill No. 3158**, reported the same back with the recommendation that the bill do pass.

Under the rules, the bill was ordered to a second reading.

Senator Harmon, Chairperson of the Committee on Revenue, to which was referred **House Bills numbered 1142 and 1731**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Harmon, Chairperson of the Committee on Revenue, to which was referred **House Bill No. 2706**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

Under the rules, the bill was ordered to a second reading.

Senator Garrett, Chairperson of the Committee on State Government, to which was referred **House Bills numbered 1716, 3871 and 4025**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

[October 25, 2005]

Senator Garrett, Chairperson of the Committee on State Government, to which was referred **Senate Joint Resolution No. 49**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Joint Resolution No. 49** was placed on the Secretary's Desk.

Senator Garrett, Chairperson of the Committee on State Government, to which was referred **Senate Resolutions numbered 253, 258 and 264**, reported the same back with the recommendation that the resolutions be adopted.

Under the rules, **Senate Resolutions numbered 253, 258 and 264** were placed on the Secretary's Desk.

Senator Garrett, Chairperson of the Committee on State Government, to which was referred **House Joint Resolutions numbered 34, 42, 43 and 54**, reported the same back with the recommendation that the resolutions be adopted.

Under the rules, **House Joint Resolutions numbered 34, 42, 43 and 54** were placed on the Secretary's Desk.

Senator Garrett, Chairperson of the Committee on State Government, to which was referred **House Joint Resolution No. 31**, reported the same back with amendments having been adopted thereto, with the recommendation that the resolution, as amended, be adopted.

Under the rules, **House Joint Resolution No. 31** was placed on the Secretary's Desk.

Senator Munoz, Chairperson of the Committee on Transportation, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to House Bill 708

Under the rules, the foregoing floor amendment is eligible for consideration on second reading.

Senator Munoz, Chairperson of the Committee on Transportation, to which was referred **House Bill No. 3814**, reported the same back with the recommendation that the bill do pass.

Under the rules, the bill was ordered to a second reading.

At the hour of 5:43 o'clock p.m., the Chair announced that the Senate stand adjourned until Wednesday, October 26, 2005, at 11:00 o'clock a.m..