

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

13th Legislative Day

2/28/2003

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PRESIDENT JONES:

Regular Session of the 93rd General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the galleries please rise? The invocation today will be -- be given by Pastor John Hamilton of the Laurel United Methodist Church, Springfield.

PASTOR JOHN HAMILTON:

(Prayer by Pastor John Hamilton)

PRESIDENT JONES:

Please remain standing for the Pledge of Allegiance. Senator Link.

SENATOR LINK:

(Pledge of Allegiance, led by Senator Link)

PRESIDENT JONES:

Reading and Approval of the -- of the Journal. Senator Woolard.

SENATOR WOOLARD:

Mr. President, I move that reading and the approval of the Journals of Tuesday, February 18th; Wednesday, February 19th; Thursday, February 20th; Wednesday, February 26th; and Thursday, February 27th, in the year 2003, be postponed, pending arrival of the printed Journals.

PRESIDENT JONES:

Senator Woolard moves to postpone the reading and approval of the Journal, pending arrival of the printed transcripts. There being no objection, so ordered. Madam Secretary, Committee Reports.

SECRETARY HAWKER:

Senator Silverstein, Chairperson of the Committee on Executive, reports Senate Bills 408 and 526 Do Pass, and Senate Bills 18, 101, 102 and 328 Do Pass, as Amended.

Senator Ronen, Chairperson of the Committee on Labor and Commerce, reports Senate Bills 2 and 90 Do Pass, as Amended.

Senator Munoz, Chairperson of the Committee on Licensed Activities, reports Senate Bill 630 Do Pass, and Senate Bill 780 -- pardon me, 78 Do Pass, as Amended.

Senator Lightford, Chairperson of the Committee on Financial Institutions, reports Senate Bills 24 and 562 Do Pass, as Amended.

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PRESIDENT JONES:

Madam Secretary, Messages.

SECRETARY HAWKER:

Dear Madam Secretary - Pursuant to the provisions of Senate Rules 3-1 and 3-2, I hereby appoint Senator Steve Rauschenberger to replace Senator James "Pate" Philip on the Senate Executive Appointments Committee, effective immediately.

Sincerely, Frank Watson, Senate Republican Leader.

PRESIDENT JONES:

Madam Secretary, House Bills 1st Reading.

SECRETARY HAWKER:

House Bill 345, offered by Senator Dillard.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDENT JONES:

Madam Secretary, Communications.

SECRETARY HAWKER:

Message for the Governor by Joseph B. Handley, Deputy Chief of Staff for Legislative Affairs, February 28, 2003.

Mr. President - The Governor directs me to lay before the Senate the following Message:

State of Illinois, Executive Department

To the Honorable Members of the Senate, 93rd General Assembly - I have nominated and appointed the following named persons to the offices enumerated below and respectfully ask concurrence in and confirmation of these appointments of your Honorable Body.

Rod Blagojevich, Governor.

PRESIDENT JONES:

We will now proceed to the Order of Resolutions Consent Calendar. With leave of the Body, all resolutions read in today will be added to the Consent Calendar. Madam Secretary, have there been any objections filed to any resolutions on the Consent Calendar?

SECRETARY HAWKER:

There have been no objections filed, Mr. President.

PRESIDENT JONES:

Is there any discussion? If not, the question is, shall the resolutions on the Consent Calendar be adopted. All those

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in favor, say Yea. Opposed, Nay. The Ayes have it. The motion carries, and the resolutions are adopted. Senator Demuzio. Resolution.

SECRETARY HAWKER:

Senate Joint Resolution 23, offered by Senator Demuzio.

(Secretary reads SJR No. 23)

PRESIDENT JONES:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. This is the adjournment resolution. This calls for us, at the conclusion of our business today, to return next Tuesday, March the 4th, at the hour 12 o'clock. Mr. President, I would move to suspend the rules for the immediate consideration and adoption of -- Senate Joint Resolution 23.

PRESIDENT JONES:

Senator Demuzio moves for the adoption of Senate Joint Resolution 23. All those in favor, say Aye. Senator Demuzio moves to suspend the rules for the purpose of immediate consideration and adoption of Senate Joint Resolution 23. All -- all those in favor, say Aye. No Nays. Ayes have it, and the rules are suspended. Senator Demuzio. Senator Demuzio.

SENATOR DEMUZIO:

It's the adjournment resolution. I would move to adopt.

PRESIDENT JONES:

Senator Demuzio moves for the adoption of Senate Joint Resolution 23. All those in favor, say Aye. Any Nays? The Ayes have it. The resolution is -- is adopted. To fulfill our responsibility 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 Governor's appointments set forth in the Messages of February 6th, 2003, and February 19th, 2003.

PRESIDENT JONES:

Senator Hendon moves that the Senate resolve itself into Executive Session for the purpose of acting on the Governor's

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appointments as -- as set forth in his Message of February the 6th and February 19, 2003. All -- all -- all those in favor, say Aye. Opposed, Nay. The Ayes have it. The motion carries. The Senate is now in Executive Session. Madam Secretary, Committee Reports.

SECRETARY HAWKER:

Senators Hendon and Geo-Karis, Co-Chairmen of the Committee on Executive Appointments, to which was referred the Governor's Message of February 6th, 2003, reported the same back with the recommendations that the Senate advise and consent to the following appointments.

PRESIDENT JONES:

Senator Hendon.

SENATOR HENDON:

Mr. President, with respect to the Message of February 6, 2003, I will read the salaried appointments of which the Senate Committee on Executive Appointments recommends that the Senate do advise and consent:

To be Director of the Department of Central Management Services for a term commencing January 21st, 2003, and ending January 17th, 2005: Michael M. Rumman.

To be Director of the Environmental Protection Agency for a term commencing January 20th, 2003, and ending January 17th, 2005: Renee Cipriano.

To be Secretary of Department of Human Services for a term commencing February 10th {sic} (17th), 2003, and ending January 17th, 2005: Carol L. Adams.

To be a member of the Illinois Commerce Commission for a term commencing January 21st, 2003, and ending January 21st, 2008: Lula Mae Ford.

To be Secretary of Department of Transportation for a term commencing February 3rd, 2003, and ending January 17th, 2005: Tim W. Martin.

Mr. President, having read the salaried appointments from the Governor's Message of February 6th, 2003, I now seek leave to consider the appointments of -- February 6th, 2003, on a roll call. Mr. President, will you put the question as required by our rules?

PRESIDENT JONES:

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The question is, does the Senate advise and consent to the appointments just read. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, no one voting Present, 4 Absent. And the motion carries. The majority of Senators elected concurring by record vote, the Senate does advise and consent to the appointments just read. Senator Petka. Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. We will come to that, Senator Petka. Thank you, Mr. President. With respect to the Message of February 19th, 2003, I will read the salaried appointments for which the Senate Committee on Executive Appointments recommends that the Senate do advise and consent:

To be Director of the Department of Employment Security for a term commencing on February 10th, 2003, and ending January 17th, 2005: Brenda Russell.

To be Director of the Department of Human Rights for a term commencing February 17th, 2003, and ending January 17th, 2005: Rocco Claps.

To be Director of the Department of Nuclear Safety for a term commencing February 16th, 2003, and ending January 17th, 2005: Gary N. Wright.

To be Director of the Department of Public Aid for a term commencing February 26th, 2003, and ending January 17th, 2005: Barry Maram.

To be Director of the Department of Revenue for a term commencing February 19th, 2003, and ending January 17th, 2005: Brian Hamer.

Mr. President, having read the salaried appointments from the Governor's Message of February 19th, 2003, I now seek leave to consider the appointments of February 19th, 2003, on a roll call. Mr. President, will you put the question as required by our rules?

PRESIDENT JONES:

The -- the question is, does the Senate advise and consent to the appointments just read. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who

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wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, no one voting Present. The Senate does advise -- the majority of Senators elected concurring by record vote, the Senate does advise and consent to the appointments just read. Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. I'd like to, on the non-salaried appointments, apologize to the Members of the Executive Appointments Committee for an error that I made today in not holding two non-salaried nominees. And I would like to turn the -- the mike to Senator Petka, who has given me great advice in how to run that committee. It was a little nervous energy earlier today, and I did speak with Minority Leader Watson and Co-Chair Geo-Karis and Senator Petka about my error, which will not happen in the future. And Senator Petka has been gracious enough to allow me.

PRESIDENT JONES:

Senator Petka.

SENATOR PETKA:

Thank you very much, Mr. President and Mr. Co-Chairman and Senator Hendon. Very -- first of all, I very much appreciate the comments you just made, but I -- I think it -- it just bears repeating, remarks that I made in -- in the Executive Committee. I recognize that - and I've heard it numerous times - that there is a -- a new day in town, but I would hope that old courtesies that have been extended in the past will continue, as a matter of custom and tradition. As you know, Mr. Chairman, a good-faith, bona fide request was made to hold two nominees. In the past, to the best of my knowledge, that has never been refused on a Member of -- of the Executive Committee. I would sincerely hope that in the days and weeks as we work together in a partnership in filling the appointees of this new administration, that you would recognize that our requests are - - are not made for the purpose of -- of harassing or annoying anyone but, again, simply bona fide, good-faith requests to have an opportunity to pass meaningful judgment on the individuals. As I indicated during my remarks in the Executive Committee, I had voted Present for -- for the -- as -- the reason that we had

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not had an opportunity because of -- of the placing of these individuals before the Executive Committee even though a hold had been requested. And for that reason and that reason alone, I'm -- I'm going to request a Present vote from my side of the aisle.

PRESIDENT JONES:

Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. And, Senator Petka, I certainly take that advice to heart, and I will lean on your expertise as the former Chair of this committee, like I did today, and in the future, to make sure we make no more errors like that. Thank you, Mr. President. With respect to the Message of February 19, 2003, I will read the non-salaried appointments of which the Senate Committee on Executive Appointments recommends the Senate do advise and consent:

To -- to be a Member of the Illinois Housing Development Authority for a term commencing February 13th, 2003, and ending January 8th, 2007: Terry Newman.

To be a Member of the University of Illinois Board of Trustees for a term commencing February 11th, 2003, and ending January 12th, 2009: Niranjana Shah.

Mr. President, having read the non-salaried appointments from the Governor's Message of February 19th, 2003, I now seek leave to consider the appointments of February 19th, 2003, on a roll call. Mr. President, will you put the question as required by our rules?

PRESIDENT JONES:

The -- the question is, does the Senate advise and consent to the non-salaried appointments just read. All those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 32 Ayes, 1 Nay, 18 voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the appointments just read. Senator Viverito.

SENATOR VIVERITO:

...President, I accidentally pressed that red when I -- I meant to have it on the green. I don't know how that happened.

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PRESIDENT JONES:

The record will so reflect.

SENATOR VIVERITO:

Thank you, Mr. President.

PRESIDENT JONES:

Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. I move that the Senate arise from Executive Session.

PRESIDENT JONES:

Senator Hendon and Senator Geo-Karis move the Senate arise from Executive Session. All those in favor -- I'm sorry. Senator Hunter.

SENATOR HUNTER:

Thank you, Mr. President. I mistakenly did not register my vote for Executive Appointments No. 2. I hit the wrong button. I pressed speaker button instead of Yes. So, please register me as a Yes for Executive Appointments No. 2, please. Let the record reflect that.

PRESIDENT JONES:

The record will so reflect, Senator. Senator Shadid.

SENATOR SHADID:

Mr. President, point of personal privilege.

PRESIDENT JONES:

State your point.

SENATOR SHADID:

First, Mr. President, I appreciate you pronouncing my name properly. Thank you. I'd like to introduce four gentlemen here from the great City of Peoria. They're members of the West Central Illinois Building Trades. Very good friends of ours. Would you please help me in introducing them and welcoming them to Springfield?

PRESIDENT JONES:

Will our guests in the gallery please rise and -- to be recognized? Welcome to Springfield. Senator Hendon moves that the Senate arise from Executive Session. All -- all those in favor will vote Aye. Those opposed, say Nay. The Ayes have it, and -- and the motion carries. The Senate has arisen from Executive Session. Resolutions.

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SECRETARY HAWKER:

Senate Joint Resolution No. 24, offered by Senator Watson and all Republican Members.

PRESIDENT JONES:

Is there leave to record the proceedings? The following members of the media seek leave to photograph or videotape the proceedings: WICS-TV, News Channel 20. Is leave granted? No objections, so moved. There being no further business to -- to come before the Senate, then pursuant to the adjournment resolution, the Senate stands adjourned until the hour of noon Tuesday, March 4th, 2003. The Senate stands adjourned.