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93rd GENERAL ASSEMBLY
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15th Legislative Day

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PRESIDING OFFICER: (SENATOR HENDON)

The 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 given by Pastor Jonathan Grubbs, First Church of God, Springfield, Illinois. Pastor Grubbs.

PASTOR JONATHAN GRUBBS:

(Prayer by Pastor Jonathan Grubbs)

PRESIDING OFFICER: (SENATOR HENDON)

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

SENATOR LINK:

(Pledge of Allegiance, led by Senator Link)

PRESIDING OFFICER: (SENATOR HENDON)

Madam Secretary, Reading and Approval of the Journal.

SECRETARY HAWKER:

Senate Journals of Wednesday, February 19, Thursday, February 20; and Wednesday, February 26th, 2003.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Woolard.

SENATOR WOOLARD:

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

PRESIDING OFFICER: (SENATOR HENDON)

Senator Woolard moves to approve the Journals just read by the Secretary. There being no objection, so ordered. Senator Woolard.

SENATOR WOOLARD:

Mr. President, I also move that the reading and approval of the Journals of Thursday, February 27th; Friday, February 28th; and Tuesday, March 3rd, in the year 2003, be postponed, pending arrival of the printed -- Journals.

PRESIDING OFFICER: (SENATOR HENDON)

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

SECRETARY HAWKER:

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Senator del Valle, Chairperson of the Committee on Education, reports Senate Bills 191, 192, 233, 339, 390, 533, 697, 902, 903, 1038, 1039 and 1040 Do Pass and Senate Bills 201 and 207 Do Pass, as Amended.

Senator Haine, Chairperson of the Committee on Local Government, reports Senate Bills 428, 886 and 1122 Do Pass and Senate Bill 1124 Do Pass, as Amended.

Senator Jacobs, Chairperson of the Committee on Insurance and Pensions reports Senate Bills 318, 820, 908, 1104 Do Pass and Senate Bills 559 and 601 Do Pass, as Amended.

Senator Shadid, Chairperson of the Committee on Transportation, reports Senate Bills 330, 563 and 901 Do Pass, as Amended.

Senator Cullerton and Senator Dillard, Co-Chairpersons of the Committee on Judiciary, reports Senate Bills 30, 52, 58, 363, 406, 616, 642, 688 and 1127 Do Pass and Senate Bills 15, 43, 50, 240, 242, 407, 472, 1578 and 1793 Do Pass, as Amended.

Senator Walsh, Chairperson of the Committee on Agriculture and Conservation, reports Senate Bills 93, 142, 1166 and 1211 Do Pass.

Senator Demuzio, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to Executive Committee; re-referred to Rules - Senate Bill 1074; from the Judiciary Committee, re-refer to Rules - Senate Bill 497; refer to Education - Committee Amendment No. 1 to Senate Bill 890, Committee Amendment No. 1 to Senate Bill 891; refer to Environment and Energy Committee - Committee Amendment No. 1 to Senate Bill 431; refer to Executive Committee - Committee Amendment No. 1 to Senate Bill 1416, Committee Amendment No. 1 to Senate Bill 1586, Committee Amendment No. 1 to Senate Bill 1871 and Committee Amendment No. 1 to Senate Bill 2001; (refer to Financial Institutions Committee - Committee Amendment No. 1 to Senate Bill 1500) (Legislation in parentheses submitted in writing, but inadvertently not read into the record); refer to Health and Human Services Committee - Committee Amendment No. 1 to Senate Bill 306 and Committee Amendment No. 1 to Senate Bill 307; refer to Judiciary Committee - Committee Amendment No. 1 Senate Bill 1051; refer to Local -- pardon me, refer to Labor and Commerce Committee - Committee

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Amendment No. 3 to Senate Bill 73 and Committee Amendment No. 1 to Senate Bill 632; refer to Local Government Committee - Committee Amendment No. 1 to Senate Bill 612; refer to Revenue Committee - Committee Amendment No. 1 to Senate Bill 1135, Committee Amendment No. 1 to Senate Bill 1765, Committee Amendment No. 1 to Senate Bill 466, Committee Amendment No. 1 to Senate Bill 1373 and Committee Amendment No. 1 to Senate Bill 606; refer to Agriculture Committee - Senate Bills 357 {sic} (257) and 1527; refer to Appropriations I Committee - Senate Bills 249, 590, 66 -- 666 through 678 and 1443; refer to Appropriations II Committee - Senate Bills 473, 572, 643, 655 through 665 and 1772; refer to Education Committee - Senate Bills 618, 1037 and 1074; refer to Environment and Energy Committee - Senate Bills 885, 1001 {sic}, 1399, 1442 and 1788; refer to Executive Committee - Senate Bills 95, 291, 640, 701, 702 through 732, 734 through 804, 830 -- pardon me, 821 through 874, 916 through 948, 950 through 972, 975 through 1022, 1054, 1383, 1431, 1480, 1493, 1497, 1515, 1549 through 1568, 1596 through 1603, 1606 through 1646, 1648, 1650 through 1654, 1657 through 1691, 1695 through 1747, 1778 {sic}, 1891 through 1960, 1692 -- pardon me, that's 1962 through 1997, 2003 through 2009; and refer to Financial Institutions Committee - Senate Bills 497 and 907; refer to Health and Human Services Committee - Senate Bills 1045, 1198, 1491 and 1531 {sic}; refer to -- Insurance and Pensions Committee - Senate Bills 1145, 1150 and 1768; refer to Judiciary Committee - Senate Bills 96 {sic}, 356, 528, 690, 1053, 1125, 1466, 1479, 1785, 1856 and 1869; refer to Labor and Commerce Committee - Senate Bills 247 and 1133; refer to Licensed Activities Committee - Senate Bills 109, 354, 1073, 1117, 1351 and 1516; refer to Local Government Committee - Senate Bills 974, 1168, 1354, 1357, 1526 and 1762; refer to Revenue Committee - Senate Bills 135, 700 and 1118; refer to State Government Committee - Senate Bills 1868 and 1961; and -- and -- pardon me, and refer to Transportation Committee - Senate Bills 639 and 1169.

March 5, 2003.

PRESIDING OFFICER: (SENATOR HENDON)

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Point of information for the Members. We will be going to the Order of 2nd Readings. Madam Secretary, Resolutions. Senator Trotter, for what purpose do you rise?

SENATOR TROTTER:

A -- a -- a point of inquiry, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

State your inquiry.

SENATOR TROTTER:

Are you the first African-American male from the west side to stand up there as President?

PRESIDING OFFICER: (SENATOR HENDON)

I may be, sir.

SENATOR TROTTER:

Good. Congratulations. You're doing a wonderful job. Keep up the good work, sir.

PRESIDING OFFICER: (SENATOR HENDON)

Thank you very much. Madam Secretary, Resolutions.

SECRETARY HAWKER:

Senate Resolution 73, offered by Senator Petka and all Members.

And -- Senate Resolution 74, also offered by Senator Petka and all Members.

They're both death resolutions.

PRESIDING OFFICER: (SENATOR HENDON)

Resolutions Consent Calendar. Madam Secretary, Messages from the House.

SECRETARY HAWKER:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, in the -- passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bill 43.

Passed the House, March 4, 2003.

I have a like Message with respect to House Amendments -- pardon me, House Bills 312, 333, 336, 362, 385, 405, 413, 438, 467, 469 and 495.

Passed the House, March 4, 2003.

PRESIDING OFFICER: (SENATOR HENDON)

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Madam Secretary, House Bills 1st Reading.

SECRETARY HAWKER:

House Bill 43, offered by Senator Crotty.

(Secretary reads title of bill)

House Bill 123, offered by Senator Shadid.

(Secretary reads title of bill)

Senate Bill 199, offered by Senator Obama.

(Secretary reads title of bill)

Senate Bill 200, offered by Senator Obama.

(Secretary reads title of bill)

Senate Bill 211, offered by Senator Martinez.

(Secretary reads title of bill)

Senate Bill 312, offered by Senator Harmon.

(Secretary reads title of bill)

Senate Bill 385, offered by Senator Halvorson.

(Secretary reads title of bill)

Senate Bill 467, offered by Senator Lightford.

(Secretary reads title of bill)

And Senate Bill 495, offered by Senator Garrett.

(Secretary reads title of bill)

Pardon me. Those were all House Bills. 1st Reading of the bills.

PRESIDING OFFICER: (SENATOR HENDON)

On page 2 of the Calendar is the Order of Senate Bills 2nd Reading. Senate Bill 13. Senator Demuzio. Senate Bill 21. Senator Dillard. Senator Dillard. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill -- Senate Bill 21.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Transportation adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR HENDON)

Have there been any Floor amendments approved for consideration?

SECRETARY HAWKER:

Yes. Floor Amendment No. 2, offered by Senator Dillard.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Dillard, on Floor Amendment No. 2.

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SENATOR DILLARD:

Thank you, Mr. President. Amendment No. 2 is offered at the request of the Illinois Fire Safety Alliance and the Illinois Fire Inspectors Association. And it just clarifies in Amendment No. 1, which was adopted in Committee, and I'd move its adoption.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Dillard moves the adoption of Amendment No. 2 to Senate Bill 21. All those in favor will vote Aye. Opposed, vote Nay. The Ayes have it. And the amendment is adopted. Madam Secretary, are there any further amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Senate Bill 24. Senator del Valle. Senate Bill 40. Senator Walsh. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 40.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HENDON)

Have there been any Floor amendments approved for consideration? 3rd Reading. Senate Bill 64. Senator del Valle. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 64.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Senate Bill 66. Senator del Valle. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 66.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Education adopted Committee Amendment No. 1.

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PRESIDING OFFICER: (SENATOR HENDON)

Have there been any Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Senate Bill 70. Senator Cullerton. Senator Cullerton? Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 70.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Senator -- I mean, Senate Bill 76. Senator del Valle. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 76.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HENDON)

Have there been any Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Senate Bill 78. Senator del Valle. Senate Bill 82. Senator Walsh. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 82.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Local Government adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR HENDON)

Have there been any Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

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PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Senate Bill 83. Senator Link. Senator Link, on Senate Bill 83? Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 83.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Revenue adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR HENDON)

Have there been any Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Senate Bill 90. Senator del Valle. Senate Bill 101. Senator Ronen. Senator Ronen. Senate Bill 102. Senator Clayborne. Senator Clayborne. Senate Bill 106. Senator Cullerton. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 106.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Local Government adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR HENDON)

Have there been any Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Senate Bill 110. Senator DeLeo. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 110.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HENDON)

Have there been any Floor amendments approved for consideration?

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SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Senate Bill 111. Senator Jacobs. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 111.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HENDON)

Have there been any Floor readings {sic} approved for consideration? 3rd Reading. Senate Bill 123. Senator Cullerton. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 123.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Judiciary adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR HENDON)

Have there been any Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Senate Bill 151. Senator Viverito. Senate Bill 153. Senator Link. Senate Bill 153. Senator Link. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 153.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Senate Bill 154. Senator Link. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 154.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Senate Bill 157. Senator Halvorson. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 157.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Local Government adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR HENDON)

Have there been any Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Senate Bill 170. Senator Walsh. Senate Bill 170. Senator Walsh. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 170.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Senate Bill 171. Senator Walsh. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 171.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Senate Bill 180. Senator Sullivan. Dave Sullivan. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 180.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Judiciary adopted Committee Amendment No. 1.

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Have there been any Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Senate Bill 193. Senator Jacobs. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 193.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Senate Bill 195. Senator Jacobs. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 195.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Senate Bill 229. Senator Link. 229? Senate Bill 230. Senator Link. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 230.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Senate Bill 232. Senator Trotter. Senate Bill 243. Senator Silverstein. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 243.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HENDON)

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3rd Reading. Senate Bill 244. Senator Silverstein. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 244.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Judiciary adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR HENDON)

Have there been any Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Senate Bill 245. Senator Garrett. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 245.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Senate Bill 256. Senator Haine. Senate Bill 256? Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 256.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Senate Bill 265. Senator del Valle. Senate Bill 268. Senator Jacobs. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 268.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Environment and Energy adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR HENDON)

Have there been any Floor amendments approved for consideration?

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SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Senate Bill 272. Senator Walsh. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 272.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Senate Bill 274. Senator Cullerton. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 274.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Senate Bill 277. Senator Cullerton. 277. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 277.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Senate Bill 289. Senator Rutherford. Senator Rutherford. Senate Bill 289? Senate Bill 292. Senator Shadid. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 292.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR HENDON)

Have there been any Floor amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Shadid.

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PRESIDING OFFICER: (SENATOR HENDON)

Senator Shadid, on Floor Amendment No. 1.

SENATOR SHADID:

Thank you -- thank you, Mr. President. This is the American Cancer Society license plates, and this amendment further limits the use of grants of the American Cancer Society from the fund for use in its cancer patient services. It's a technical change. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Shadid moves the adoption of Senate Amendment No. 1 to Senate Bill 292. All those in favor will vote Aye. Opposed, vote Nay. The Ayes have it. The amendment is adopted. Madam Secretary, are there any further amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Senate Bill 293. Senator Radogno. Radogno -- Radogno. Madam -- Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 293.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Senate Bill 311. Senator Sieben. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 311.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Senate Bill 328. Senator Link. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 328.

(Secretary reads title of bill)

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2nd Reading of the bill. The Committee on Executive adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR HENDON)

Have there been any Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Senate Bill 329. Senator Link. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 329.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Senate Bill 348. Senator Silverstein. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 348.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Senate Bill 358. Senator Dillard. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 358.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Senate Bill 368. Senator Shadid. Senate Bill 368. Senator Shadid? Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 368.

(Secretary reads title of bill)

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

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PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading.

SECRETARY HAWKER:

Pardon me -- pardon me, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

Go back.

SECRETARY HAWKER:

The Committee on Education adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR HENDON)

Have there been any Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Senate Bill 387. Senator Haine. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 387.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Senator -- 408. Senator DeLeo. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 408.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Senate Bill 416. Senator Haine. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 416.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HENDON)

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3rd Reading. Senate Bill 417. Senator Haine. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 417.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Senate Bill 474. Senator DeLeo. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 474.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Senate Bill 496. Senator Halvorson. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 496.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Senate Bill 524. Senator Walsh. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 524.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Senate Bill 526. Senator Jacobs. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 526.

(Secretary reads title of bill)

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

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PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Senate Bill 562. Senator Link. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 562.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Financial Institutions adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR HENDON)

Have there been any Floor amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 2, offered by Senator Link.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Link, on Amendment No. 2. Just a moment, please.

SECRETARY HAWKER:

Mr. President, there are no committee -- pardon me, there's just one Committee Amendment, No. 1, which we have now adopted.

PRESIDING OFFICER: (SENATOR HENDON)

Have there been -- been any Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Senate Bill 564. Senator del Valle. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 564.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Senate Bill 566. Senator Demuzio. Senate Bill 566. Senator Demuzio. Senate Bill 630. Senator Crotty. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 630.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Senator Roskam, for what purpose do you rise?

SENATOR ROSKAM:

Thank you, Mr. President. Point of parliamentary inquiry.

PRESIDING OFFICER: (SENATOR HENDON)

State your point.

SENATOR ROSKAM:

Mr. President, it's come to my attention, and -- other Members on this side of the aisle, that there's an unusual approach that's happening in the committee process as it relates to how bills are being referred to subcommittees. It's -- it's happening inconsistently. Over the years, tradition has been -- not only for the previous ten years, but even before that -- that bills were placed in subcommittee based on a roll call -- based on a motion and then supported by a roll call. It's my understanding that some committee chairmen are exercising a prerogative that I don't think they have and that is just to place a bill into subcommittee. And my question to you is, what's the proper procedure?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Roskam, each individual chairman is chairing their -- committees to the best of their abilities and they may have their own way of doing things, but certainly, subcommittees is part of this process and those bills are going to subcommittee. Senator Roskam.

SENATOR ROSKAM:

Mr. President, I agree they're going to subcommittee. The question is, the process by which they go to subcommittee. So if I -- if I wasn't clear in my actual question, my question to you is, what is your understanding and -- can you direct us to the rule that empowers a committee chairman to simply by fiat, simply by declaration, to put a bill into subcommittee? In the past, the tradition has been it's done on a roll call. You've -- you've got, clearly, the roll call to do it. Your own chairmen are being inconsistent of -- of the application in whatever you're trying to move forward. And my question is, what is the proper way to do that?

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PRESIDING OFFICER: (SENATOR HENDON)

Before I respond, Senator Roskam, I'd like to recognize Senator Demuzio, who is Chairman of Rules. Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. Chairman. I -- I was -- Mr. President. I was off the Floor for a moment, but -- and -- can -- can you restate your question? -- just very briefly, and let me respond to it.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Roskam.

SENATOR ROSKAM:

Senator, there's a couple of ways right now that are currently in practice, that we've observed, that the chairmen are putting bills into -- into subcommittee. We don't have a -- really, a complaint that they're going into a subcommittee. I mean, that's going to happen and that's your prerogative as the Majority Party. Our concern is that some chairmen are doing it just by declaration. They're saying, "That bill is going into subcommittee", and there hasn't been a motion. Other chairmen are doing it by motion. It seems like that's the appropriate way to go and that's what I'm urging you -- and I would -- that's -- that's my question.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Demuzio.

SENATOR DEMUZIO:

I guess it's always different depending upon whose got the -- the votes, but its my understanding what has taken place is that in the past, it has been the prerogative of the chairman to determine what bills go to subcommittee after the subcommittee has been -- has -- has been either established at the committee meeting or -- or after. We had this once before, I think, this year, when someone asked for a vote for bills to go to subcommittee. To the best of my knowledge, I don't recall ever voting to put bills in -- in subcommittee. I -- I remember voting to have subcommittees, but not to put bills in them. That's chairman -- the prerogative of the -- the prerogative of the chairman. Under our...

PRESIDING OFFICER: (SENATOR HENDON)

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Senator Roskam. And I -- I hope for the final time, so we can move forward.

SENATOR ROSKAM:

Thanks, Mr. President. You know, we got nothing but time, so... We all get paid by the month. Senator, it -- it -- it is my understanding that this has been a process that hasn't really operated that way, and there have been roll calls. And your own Members, your own chairmen, are -- are approaching this in two different fashions. It would seem to me - and if you could direct me to the point in the Rules that would specifically empower a committee chairman to have this prerogative just by fiat, just by declaration, not even consulting with even their own Members - it seems like a troubling precedent.

PRESIDING OFFICER: (SENATOR HENDON)

I apologize for that last comment. Take all the time you need. Senator Demuzio.

SENATOR DEMUZIO:

I don't have -- I don't have a Rule book in front of me, but they're your Rules. We just adopted them. Just give me a second here, if I might.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Demuzio.

SENATOR DEMUZIO:

Senator, let me refer you to our -- our Rules, Article III, Committees. It's Senate Rule 3-1, paragraph (c): The chairperson of a committee shall have the authority to call the committee to order, designate which legislative measures shall be taken up, order the roll call vote to be taken on each legislative measure called for a vote, preserve order and decorum during the committee meetings. It seems to me that the chairman does have the prerogative to determine which bills are being called, which ones aren't, and which bills go to subcommittee.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Roskam.

SENATOR ROSKAM:

Senator, I would agree that -- that -- that the authority that you're citing is a general authority, but, you know, the -- placing bills into subcommittee simply by fiat, or whim, or by

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declaration, isn't one of the powers that is enumerated in the powers that you just articulated. You know, it's got nothing to do with the preservation of order or decorum and so forth. So should the -- should the President or the Presiding Officer currently adopt your recommendation and your -- your interpretation of the Rules, Senator, I would appeal the ruling of the Chair.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Demuzio.

SENATOR DEMUZIO:

Are you -- are you attempting to try to tell me that in the last ten years, that you would have your Members vote on which bills to send to subcommittee? Now, this didn't happen in any committees that I was on. I do know that in Executive there were -- there were votes for -- to establish subcommittees, but the chairman, at that point, then assigned the bills to the -- to the subcommittee and that was the end of it. Your Members, and our Members neither one of 'em wanted to vote on 'em.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Roskam.

SENATOR ROSKAM:

Senator, I'm told that there were roll calls in Executive. We'd be happy to produce 'em for your inspection. And, in fact, if the production of those roll calls in -- in the course of this debate will persuade you, I'll withdraw my motion - we can bring it back up -- if you're agreed that if we produce the roll calls, that you'll accept our interpretation of the Rule.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Demuzio.

SENATOR DEMUZIO:

Not at all. I -- I stand by the Rules that were -- that -- that I cited. Those are the prerogative of the chairmen, and I would suggest that we perhaps can sit down here and talk about this, but once before this happened. It happened in Exec when -- when your side called for a -- a roll call vote, and to the best of my knowledge that is -- that never occurred in the twenty-nine years that I have been here. Now, that doesn't mean that some other committees have operated in a different fashion. But it's always been the prerogative of our -- of our Chairs, and

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when you're in the Majority, it's always been that -- been that case. We've abided by it, and that's the way it is.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Roskam.

SENATOR ROSKAM:

Well, then in that case, Mr. President, should you, in your ruling, make a determination to accept the advice of the Majority Leader, I renew my motion to appeal the ruling of the Chair.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Demuzio.

SENATOR DEMUZIO:

Well, this is a -- seems to me to be a moot question. I mean, we've adopted the Rules. The Rules are the same as they had been for the previous ten years. It seems to me that -- that the issue -- I don't -- I don't even know what we're appealing. What are -- what are we appealing? The entire Rules, or just one section, or -- or what is -- what -- what -- what is the motion?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Roskam.

SENATOR ROSKAM:

Yeah. This isn't really that complicated. What I'm saying is, that the -- the way that the chairmen are interpreting a rule is ambiguous and they are overstating their stated -- their -- their -- their stated authority pursuant, Senator, to the Rule that you cited. What I tried to do was sort of expedite this process and connect the dots in anticipation that maybe Senator Hendon, in his role as the Presiding Officer, might agree with your interpretation of the rule. And if he did that, then my suggestion was to entertain my motion to overturn his ruling. Then, under normal tradition, we would have a roll call vote. You would win. We would lose, and we'd go to committee.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Demuzio.

SENATOR DEMUZIO:

Mr. President, is there -- is there a written motion before us? I mean, I -- I doubt very seriously if anybody in this Chamber really understands what the motion is, other than the --

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the maker. It seems to me, if we don't have a written motion before us, I -- I think the question is moot. The Rules have been adopted. The fact of the matter is, is we're not even on that order of business.

PRESIDING OFFICER: (SENATOR HENDON)

It is the opinion of... Senator Roskam, if you wish to make that motion please reduce it to writing and submit it accordingly. Senator Roskam.

SENATOR ROSKAM:

Mr. President, is it your interpretation of the Rules that every parliamentary inquiry has to be reduced to writing? It is my understanding that that -- those motions are always in order. And frankly, generally the business of this Body would, I think, greatly slow down if that's the burden that's going to be on the Minority Party.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Roskam, this is not a parliamentary inquiry. This is a discussion on committee procedures. And Senator Demuzio has explained that eloquently to you. Madam Secretary, Committee Reports.

SECRETARY HAWKER:

Senator Clayborne, Chairperson of the Committee on Environment and Energy, reports Senate Bills 222, 223, 224, 361, 476, 478, 480, 481, 609, 1098 and 1330 Do Pass and Senate Bill 1518 Do Pass, as Amended.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Roskam, for what purposes do you, rise?

SENATOR ROSKAM:

Parliamentary inquiry, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

State your point.

SENATOR ROSKAM:

Mr. President, my inquiry is whether Senate Rule 3-1 provides a committee chairman the authority, by declaration, to place a bill in a Senate subcommittee when that is not supported by a motion and subsequent vote of the committee.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Demuzio.

SENATOR DEMUZIO:

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Mr. President, the gentleman's motion seems to me to be out of order. We're not even on the -- we're not even on this order of business. If we're going to run an orderly transaction of business for the public here, it seems to me that his motion could very well be put in writing. We can handle it then with some dispatch at a -- at a -- at a different date. Put it on the Calendar. We always had to have our motions in writing put on the Calendar, and it seems to me that that seems to be the proper place. We're not on that order of business, and it seems to me that the gentleman ought to reduce his motion in writing and have it put on the Calendar.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Roskam, would you please reduce your motion into writing and submit it to the Secretary. Senator Obama.

SENATOR OBAMA:

Thank you, Mr. Chairman. I'm sorry. I -- I -- I just want to make a brief statement because, you know, I am the committee chairman in which this issue was raised. Couple points I want to make sure are on the record. First of all, the -- this is not something that we did on a partisan basis. As I stated during committee, we had done the exact same thing to a Democratic sponsor of a bill last week, in which the sponsor had requested that the bill be called. Our assessment was, at that time that the bill needed more work. And I specifically stated to the Democratic sponsor of the bill that this bill should be sent to subcommittee, and the sponsor was initially resistant to it. He ended up going along with it because our ruling was, in fact, that the chairman had plenary power to put bills into subcommittee. Now, I -- I acknowledge, because I see Senator Righter rising, so I just want to make the statement, we did not have a specific request from one of the committee members to have a roll call vote. But I just want to -- I'm making the point, simply to say, that we were treating our own Members in the precise same fashion as Members on the other side. This is not a situation where we're playing politics. This was an extremely complexed issue. I went out of my way to speak to the Minority Leader, who was sponsoring the bill, on this issue, to make it clear to him that, in fact, there were probably not sufficient votes to pass the bill out of committee, but because

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it was an important issue, this was one that we felt should be addressed in subcommittee. The second point I just want to make, and then I will close, is that I read the provisions contained in the Rules while we were in committee. I read them out loud. We had a significant debate about it. My reading of the Rules, essentially, was that we had plenary power as committee chairmen to assign these rules {sic} to subcommittee. We obtained a different viewpoint from Minority Spokesperson Righter and your sides Parliamentarian. We vetted this thoroughly during committee. And the -- the objections were duly noted on the record in committee. So I just want to make clear that this is not something where it was not discussed in committee. We actually got the Rules, looked at the specific provisions. You know, Senator Roskam, you and I are both attorneys, and we could probably look at that language and argue either side, depending on who we were representing. But my suggestion, I guess, would be that ultimately this is an interpretation that is well within the language of the Rules as they have been voted on and we probably should not spend too much more time on this. Thank you very much, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President. For the record, yesterday in Insurance, Chairman Jacobs did ask for a motion and a second, and it was voted on to put both bills in subcommittee, and we have always done that. When I was Chairman of the Revenue Committee, we did the same thing. I think we should have some -- uniformity of the way we handle the subcommittee votes, so -- it would be nice. Maybe we can do this off the Floor, but I think there should be some uniformity on how we handle this.

PRESIDING OFFICER: (SENATOR HENDON)

It is the direction of the Chair that this motion should be reduced to writing, and we will come to that order of business at that time. Committee Announcements. Committee announcements? Senator Jones moves to adjourn. Senator Jones moves that the Senate stand adjourned until the hour of noon on Thursday, March 6th. The Senate stands adjourned.