



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-THIRD GENERAL ASSEMBLY

7TH LEGISLATIVE DAY

THURSDAY, FEBRUARY 6, 2003

9:10 O'CLOCK A.M.

NO. 7

[February 6, 2003]

SENATE
Daily Journal Index
7th Legislative Day

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Bill Number	Legislative Action	Page(s)
SB 0019	Third Reading	8
SJR 0005	Adopted	13
HB 0175	Third Reading	10

The Senate met pursuant to adjournment.
Senator Debbie DeFrancesco Halvorson, Crete, Illinois, presiding.
Prayer by Reverend Margaret Siemer, First United Methodist Church, Springfield, Illinois.
Senator Link led the Senate in the Pledge of Allegiance.

Senator Woolard moved that reading and approval of the Journals of Wednesday, January 29, 2003, Tuesday, February 4, 2003 and Wednesday, February 5, 2003 be postponed pending arrival of the printed Journals.

The motion prevailed.

LEGISLATIVE MEASURE FILED

The following Committee amendment to the Senate Bill listed below has been filed with the Secretary, and referred to the Committee on Rules:

Committee Amendment No. 1 to Senate Bill 83.

MESSAGE FROM THE GOVERNOR

Message for the Governor by Joseph B. Handley
Deputy Chief of Staff for Legislative Affairs

February 6, 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
Ninety-Third 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.

CENTRAL MANAGEMENT SERVICES, DEPARTMENT OF

To be Director of the Department of Central Management Services for a term commencing January 21, 2003, and ending January 17, 2005:

Michael M. Rumman of Chicago
Salaried

COMMERCE AND ECONOMIC OPPORTUNITY, DEPARTMENT OF

To be Director of the Department of Commerce and Economic Opportunity for a term commencing February 3, 2003, and ending January 17, 2005:

John P. "Jack" Lavin of Chicago
Salaried

ENVIRONMENTAL PROTECTION AGENCY

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

Renee Cipriano of Chicago
Salaried

HUMAN SERVICES, DEPARTMENT OF

To be Secretary of the Department of Human Services for a term commencing February 10, 2003, and ending January 17, 2005:

Carol L. Adams of Chicago
Salaried

ILLINOIS COMMERCE COMMISSION

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

Lula Mae Ford of Chicago
Salaried

LABOR, DEPARTMENT OF

To be Director of the Department of Labor for a term commencing February 3, 2003, and ending January 17, 2005:

Michael J. Fenger of Roscoe
Salaried

TRANSPORTATION, DEPARTMENT OF

To be Secretary of the Department of Transportation for a term commencing February 3, 2003, and ending January 17, 2005:

Timothy W. Martin of Chicago
Salaried

Rod Blagojevich
GOVERNOR

Under the rules, the foregoing Message was referred to the Committee on Executive Appointments.

INTRODUCTION OF BILLS

SENATE BILL NO. 314. Introduced by Senator Klemm, a bill for AN ACT in relation to municipalities.

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

SENATE BILL NO. 315. Introduced by Senator Viverito, a bill for AN ACT in relation to the Metropolitan Water Reclamation District.

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

SENATE BILL NO. 316. Introduced by Senator Haine, a bill for AN ACT concerning civil procedure.

[February 6, 2003]

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

SENATE BILL NO. 317. Introduced by Senator Haine, a bill for AN ACT concerning schools.

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

SENATE BILL NO. 318. Introduced by Senators Shadid - Sieben, 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. 319. Introduced by Senator Schoenberg, a bill for AN ACT concerning abuse and neglect.

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

SENATE BILL NO. 320. Introduced by Senator Schoenberg, a bill for AN ACT in relation to the Metropolitan Water Reclamation District.

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

SENATE BILL NO. 321. Introduced by Senator Schoenberg, a bill for AN ACT in relation to taxation.

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

SENATE BILL NO. 322. Introduced by Senator Schoenberg, 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. 323. Introduced by Senator Schoenberg, a bill for AN ACT concerning State agencies.

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

SENATE BILL NO. 324. Introduced by Senator Schoenberg, a bill for AN ACT in relation to State procurement.

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

SENATE BILL NO. 325. Introduced by Senator Schoenberg, a bill for AN ACT in relation to State procurement.

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

SENATE BILL NO. 326. Introduced by Senator Righter, a bill for AN ACT in relation to highways.

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

SENATE BILL NO. 327. Introduced by Senator Link, a bill for AN ACT concerning child care.

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

SENATE BILL NO. 328. Introduced by Senator Link, a bill for AN ACT concerning gambling.

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

SENATE BILL NO. 329. Introduced by Senator Link, a bill for AN ACT concerning business practices.

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

SENATE BILL NO. 330. Introduced by Senator Link, a bill for AN ACT in relation to vehicles. The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 331. Introduced by Senator Lightford, a bill for AN ACT in relation to townships.

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

SENATE BILL NO. 332. Introduced by Senator DeLeo, a bill for AN ACT in relation to the regulation of professions.

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

SENATE BILL NO. 333. Introduced by Senator Clayborne, a bill for AN ACT in relation to 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. 334. Introduced by Senator Clayborne, a bill for AN ACT concerning taxes.

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

SENATE BILL NO. 335. Introduced by Senator Walsh, a bill for AN ACT concerning agriculture.

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

SENATE BILL NO. 336. Introduced by Senator Wojcik, a bill for AN ACT in relation to alcoholic liquor.

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

SENATE BILL NO. 337. Introduced by Senator Wojcik, 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. 338. Introduced by Senator Wojcik, a bill for AN ACT in relation to vehicles.

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

SENATE BILL NO. 339. Introduced by Senator Woolard, a bill for AN ACT concerning higher education.

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

SENATE BILL NO. 340. Introduced by Senator Woolard, a bill for AN ACT respecting education.

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

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SENATE BILL NO. 341. Introduced by Senator Jacobs, a bill for AN ACT in relation to counties.

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

SENATE BILL NO. 342. Introduced by Senator Jacobs, a bill for AN ACT concerning fireworks.

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

SENATE BILL NO. 343. Introduced by Senator Luechtefeld, a bill for AN ACT concerning higher education.

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

SENATE BILL NO. 344. Introduced by Senator Cronin, 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. 345. Introduced by Senator Cronin, a bill for AN ACT regarding education.

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

SENATE BILL NO. 346. Introduced by Senator Cronin, 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. 347. Introduced by Senator Cronin, a bill for AN ACT concerning a community scholarship foundation program.

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

SENATE BILL NO. 348. Introduced by Senator Silverstein, a bill for AN ACT in relation to civil procedure.

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

SENATE BILL NO. 349. Introduced by Senator J. Jones, a bill for AN ACT in relation to vehicles.

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

SENATE BILL NO. 350. Introduced by Senators Watson - Rauschenberger - Radogno - Syverson, a bill for AN ACT concerning the budget emergency.

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

SENATE BILL NO. 351. Introduced by Senator D. Sullivan, a bill for AN ACT in relation to public health.

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

EXCUSED FROM ATTENDANCE

[February 6, 2003]

On motion of Senator Welch, Senator Lightford was excused from attendance due to an emergency in her family.

REPORT FROM RULES COMMITTEE

Senator Demuzio, Chairperson of the Committee on Rules, during its February 6, 2003 meeting, reported the following Senate Bills have been assigned to the indicated Standing Committees of the Senate:

Agriculture and Conservation: **Senate Bills Numbered 93, 142, 174, 175, 176, 177 and 178.**
 Appropriations I: **Senate Bill No. 231.**
 Appropriations II: **Senate Bills Numbered 249 and 264.**
 Education: **Senate Bills Numbered 84, 85, 86, 87, 88, 137, 138, 139, 191, 192, 201, 202, 203, 204, 205, 206, 207, 230, 233 and 307.**
 Environment and Energy: **Senate Bills Numbered 134, 143, 221, 222, 223, 224, 234 and 268.**
 Executive: **Senate Bills Numbered 89, 97, 101, 102, 210, 212, 215, 216, 218, 290 and 302.**
 Financial Institutions: **Senate Bills Numbered 214 and 235.**
 Health and Human Services: **Senate Bills Numbered 99, 103, 110, 126, 127, 128, 129, 130, 131, 167, 198, 199, 200, 237, 250, 251, 252, 263, 301, 304, 305 and 309.**
 Insurance and Pensions: **Senate Bills Numbered 92, 111, 112, 187, 193, 194 and 195.**
 Judiciary: **Senate Bills Numbered 95, 108, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 125, 140, 141, 144, 145, 146, 147, 148, 149, 180, 209, 211, 239, 240, 241, 242, 243, 244, 246, 256, 265, 274 and 291.**
 Labor and Commerce: **Senate Bills Numbered 90, 159, 160, 161, 162, 163, 164 and 228.**
 Licensed Activities: **Senate Bills Numbered 105, 124, 186, 253, 254, 255 and 308.**
 Local Government: **Senate Bills Numbered 91, 106, 132, 152, 157, 169, 171, 196, 267, 299, 300 and 303.**
 Revenue: **Senate Bills Numbered 133, 136, 153, 154, 170, 179, 227, 289 and 293.**
 State Government: **Senate Bills Numbered 94, 151, 155, 185, 208, 229 and 232.**
 Transportation: **Senate Bills Numbered 96, 98, 113, 150, 184, 213, 245, 272, 281, 292, 310 and 311.**

Senator Demuzio, Chairperson of the Committee on Rules, during its February 6, 2003 meeting, reported the following Senate Resolution has been assigned to the indicated Standing Committee of the Senate:

Executive: **Senate Joint Resolution No. 4.**

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator E. Jones, **Senate Bill No. 19**, having been transcribed and type and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

Yeas 55; Nays None.

The following voted in the affirmative:

Bomke	Haine	Obama	Silverstein
Brady	Halvorson	Peterson	Sullivan, D.
Burzynski	Harmon	Petka	Sullivan, J.
Clayborne	Hendon	Radogno	Syverson
Collins	Hunter	Rauschenberger	Trotter
Cronin	Jacobs	Righter	Viverito
Crotty	Jones, J.	Risinger	Walsh
Cullerton	Jones, W.	Ronen	Watson
del Valle	Klemm	Roskam	Welch

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DeLeo	Link	Rutherford	Winkel
Demuzio	Luechtefeld	Sandoval	Wojcik
Dillard	Maloney	Schoenberg	Woolard
Garrett	Martinez	Shadid	Mr. President
Geo-Karis	Meeks	Sieben	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

INTRODUCTION OF BILLS

SENATE BILL NO. 352. Introduced by Senator Shadid, a bill for AN ACT in relation to vehicles.

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

SENATE BILL NO. 353. Introduced by Senator Dillard, a bill for AN ACT concerning vehicles.

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

SENATE BILL NO. 354. Introduced by Senator Peterson, 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. 355. Introduced by Senator Cronin, a bill for AN ACT in relation to insurance fraud.

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

SENATE BILL NO. 356. Introduced by Senator Dillard, a bill for AN ACT in relation to 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. 357. Introduced by Senator Dillard, a bill for AN ACT in relation to firearms.

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

SENATE BILL NO. 358. Introduced by Senator Dillard, a bill for AN ACT concerning license plates.

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

SENATE BILL NO. 359. Introduced by Senator Dillard, a bill for AN ACT concerning health facilities.

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

SENATE BILL NO. 360. Introduced by Senator Dillard, a bill for AN ACT in relation to gambling.

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

READING A BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Demuzio, **House Bill No. 175**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

Yeas 54; Nays None.

The following voted in the affirmative:

Bomke	Haine	Peterson	Sullivan, D.
Brady	Halvorson	Petka	Sullivan, J.
Burzynski	Harmon	Radogno	Syverson
Clayborne	Hendon	Rauschenberger	Trotter
Collins	Hunter	Righter	Viverito
Cronin	Jacobs	Risinger	Walsh
Crotty	Jones, J.	Ronen	Watson
Cullerton	Jones, W.	Roskam	Welch
del Valle	Klemm	Rutherford	Winkel
DeLeo	Link	Sandoval	Wojcik
Demuzio	Maloney	Schoenberg	Woolard
Dillard	Martinez	Shadid	Mr. President
Garrett	Meeks	Sieben	
Geo-Karis	Obama	Silverstein	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

PRESENTATION OF RESOLUTION

SENATE RESOLUTION NO. 34

Offered by Senator Link and all Senators:
Mourns the death of Venetia Pappanduros of Skokie.

By unanimous consent, the foregoing resolution was referred to the Resolutions Consent Calendar.

INTRODUCTION OF BILLS

SENATE BILL NO. 361. Introduced by Senator Link, a bill for AN ACT concerning environmental safety.

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

SENATE BILL NO. 362. Introduced by Senator Clayborne, a bill for AN ACT concerning taxes.

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

SENATE BILL NO. 363. Introduced by Senators Roskam - Silverstein, a bill for AN ACT concerning family law.

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

SENATE BILL NO. 364. Introduced by Senator Righter, a bill for AN ACT in relation to business organizations.

[February 6, 2003]

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

SENATE BILL NO. 365. Introduced by Senator Righter, a bill for AN ACT in relation to environmental safety.

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

SENATE BILL NO. 366. Introduced by Senator Righter, 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. 367. Introduced by Senator Righter, a bill for AN ACT concerning environmental safety.

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

Senator Burzynski announced that there will be a Republican caucus immediately upon adjournment..

RESOLUTIONS CONSENT CALENDAR

SENATE RESOLUTION NO. 9

Offered by Senator Shadid and all Senators:
Mourns the death of Marian Y. Schmitt of Peoria.

SENATE RESOLUTION NO. 10

Offered by Senator Lightford and all Senators:
Mourns the death of Aritha Mallory.

SENATE RESOLUTION NO. 11

Offered by Senator Lauzen and all Senators:
Mourns the death of Salvatore "Ted" Spella of Algonquin.

SENATE RESOLUTION NO. 12

Offered by Senator Lauzen and all Senators:
Mourns the death of Loraine G. Heriaud of Naperville.

SENATE RESOLUTION NO. 13

Offered by Senator Lauzen and all Senators:
Mourns the death of Lucille A. Bertels of Aurora.

SENATE RESOLUTION NO. 14

Offered by Senator Lauzen and all Senators:
Mourns the death of Arthur Louis Ardelean of Plano.

SENATE RESOLUTION NO. 15

Offered by Senator Maloney and all Senators:
Mourns the death of Ann Moore, formerly of Evergreen Park.

SENATE RESOLUTION NO. 22

Offered by Senator Link and all Senators:
Mourns the death of Catherine Lewis Collins of North Chicago.

SENATE RESOLUTION NO. 23

Offered by Senator Link and all Senators:
Mourns the death of Richard W. Glogovosky of Green Oaks.

SENATE RESOLUTION NO. 24

Offered by Senator Lightford and all Senators:
Mourns the death of Melvin Edward Davis.

SENATE RESOLUTION NO. 25

Offered by Senator Lightford and all Senators:
Mourns the death of Anthony "Bubba" Johnson of Plainfield.

SENATE RESOLUTION NO. 26

Offered by Senator Geo-Karis and all Senators:
Mourns the death of George M. Winters, Jr. of Gurnee.

SENATE RESOLUTION NO. 27

Offered by Senator Geo-Karis and all Senators:
Mourns the death of Reverend Doctor James W. Dorsey.

SENATE RESOLUTION NO. 30

Offered by Senators Demuzio – E. Jones and all Senators:
Mourns the death of Charliene M. Napier of Litchfield.

SENATE RESOLUTION NO. 31

Offered by Senators Demuzio – E. Jones and all Senators:
Mourns the death of Mary Louise Rhoads of Carlinville.

SENATE RESOLUTION NO. 32

Offered by Senators Demuzio – E. Jones and all Senators:
Mourns the death of William Taylor of Springfield.

SENATE RESOLUTION NO. 33

Offered by Senator Dillard and all Senators:
Mourns the death of Gerald Owen Sweeney Sr., of Hinsdale

SENATE RESOLUTION NO. 34

Offered by Senator Link and all Senators:
Mourns the death of Venetia Pappanduros of Skokie.

Senator Halvorson moved the adoption of the foregoing resolutions.
The motion prevailed.
And the resolutions were adopted.

PRESENTATION OF RESOLUTION

[February 6, 2003]

Senator Demuzio offered the following Senate Joint Resolution and, having asked and obtained unanimous consent to suspend the rules for its immediate consideration, moved its adoption:

SENATE JOINT RESOLUTION NO. 5

RESOLVED, BY THE SENATE OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that when the two Houses adjourn on Thursday, February 6, 2003, the Senate stands adjourned until Tuesday, February 18, 2003 at 12:00 o'clock noon.; and the House of Representatives stands adjourned until Monday, February 10, 2003, in perfunctory session; and when it adjourns on that day, it stands adjourned until Thursday, February 13, 2003, in perfunctory session; and when it adjourns on that day, it stands adjourned until Tuesday, February 18, 2003, in perfunctory session; and when it adjourns on that day, it stands adjourned until Wednesday, February 19, 2003 at 1:00 o'clock p.m.

The motion prevailed.

And the resolution was adopted.

Ordered that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

LEGISLATIVE MEASURE FILED

The following Committee amendment to the Senate Bill listed below has been filed with the Secretary, and referred to the Committee on Rules:

Committee Amendment No. 1 to Senate Bill 125.

At the hour of 10:09 o'clock a.m., on motion of Senator Demuzio, and pursuant to Senate Joint Resolution No. 5, the Senate stood adjourned until Tuesday, February 18, 2003, at 12:00 o'clock noon.