



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-THIRD GENERAL ASSEMBLY

16TH LEGISLATIVE DAY

THURSDAY, MARCH 6, 2003

12:30 O'CLOCK P.M.

NO. 16

[March 6, 2003]

SENATE
Daily Journal Index
16th Legislative Day

Action	Page(s)
Introduction of Senate Bill No. 2011	4
Legislative Measures Filed.....	3, 12
Parliamentary Inquiry.....	7
Presentation of Senate Resolutions No'd. 75-77	3
Report from Rules Committee	5
Resolutions Consent Calendar.....	3, 10

Bill Number	Legislative Action	Page(s)
SB 0041	Third Reading.....	6
SB 0064	Third Reading.....	6
SB 0066	Third Reading.....	7
SB 0081	Third Reading.....	8
SB 0083	Third Reading.....	9
SB 0110	Third Reading.....	11
SJR 0025	Adopted.....	11
HB 0060	First Reading.....	4
HB 0275	First Reading.....	4
HB 0469	First Reading.....	4

The Senate met pursuant to adjournment.
 Honorable Emil Jones Jr., President of the Senate, presiding.
 Prayer by Reverend Dave Hultberg, Sherman United Methodist Church, Sherman, Illinois.
 Senator Link led the Senate in the Pledge of Allegiance.

Senator Woolard moved that reading and approval of the Journals of Thursday, February 27, 2003 , Friday, February 28, 2003 , Tuesday, March 4, 2003 and Wednesday, March 5, 2003 be postponed pending arrival of the printed Journals.

The motion prevailed.

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 58
 Senate Floor Amendment No. 1 to Senate Bill 406.

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

Senate Committee Amendment No. 1 to Senate Bill 109
 Senate Committee Amendment No. 1 to Senate Bill 247
 Senate Committee Amendment No. 1 to Senate Bill 275
 Senate Committee Amendment No. 2 to Senate Bill 306
 Senate Committee Amendment No. 1 to Senate Bill 641
 Senate Committee Amendment No. 1 to Senate Bill 809
 Senate Committee Amendment No. 1 to Senate Bill 974
 Senate Committee Amendment No. 1 to Senate Bill 1073
 Senate Committee Amendment No. 1 to Senate Bill 1134
 Senate Committee Amendment No. 1 to Senate Bill 1516
 Senate Committee Amendment No. 1 to Senate Bill 1856

MESSAGE FROM THE HOUSE

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 NO. 60

A bill for AN ACT concerning higher education.

Passed the House, March 5, 2003.

ANTHONY D. ROSSI, Clerk of the House

The foregoing **House Bill No. 60** was taken up, ordered printed and placed on first reading.

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION 75

Offered by Senators Demuzio, E. Jones and all Senators:
 Mourns the death of Glen E. Yard of Springfield.

SENATE RESOLUTION 76

Offered by Senator Harmon and all Senators:

[March 6, 2003]

Mourns the death of Daniem Riley of Chicago..

SENATE RESOLUTION 77

Offered by Senator Harmon and all Senators:

Mourns the death of Charles Lard of Chicago.

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

INTRODUCTION OF A BILL

SENATE BILL NO. 2011. Introduced by Senator Cronin, a bill for AN ACT concerning children.

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

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 60, sponsored by Senator Munoz was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 275, sponsored by Senator Martinez was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 469, sponsored by Senator Cullerton was taken up, read by title a first time and referred to the Committee on Rules.

REPORTS FROM STANDING COMMITTEES

Senator Silverstein, Chairperson of the Committee on Executive to which was referred **Senate Bills numbered 1, 67, 324, 383, 405, 520, 521, 611, 620, 629, 875, 1047, 1415, 1477, 1789, 1865, 1872 and 1873** reported the same back with the recommendation that the bills do pass.

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

Senator Silverstein, Chairperson of the Committee on Executive to which was referred **Senate Bills numbered 75, 100, 218, 409, 565, 619, 1416 and 1586** reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

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

Senator Lightford, Chairperson of the Committee on Financial Institutions to which was referred **Senate Bills numbered 683 and 1116** reported the same back with the recommendation that the bills do pass.

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

Senator Lightford, Chairperson of the Committee on Financial Institutions to which was referred **Senate Bills numbered 235 and 1500** reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

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

Senator Obama, Chairperson of the Committee on Health and Human Services to which was referred **Senate Bills numbered 99, 130, 200, 319, 880 and 1067** reported the same back with the recommendation that the bills do pass.

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

Senator Obama, Chairperson of the Committee on Health and Human Services to which was referred **Senate Bills numbered 59, 61 and 252** reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

[March 6, 2003]

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

Senator Ronen, Chairperson of the Committee on Labor and Commerce to which was referred **Senate Bills numbered 461, 1212, 1360 and 1855** reported the same back with the recommendation that the bills do pass.

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

Senator Ronen, Chairperson of the Committee on Labor and Commerce to which was referred **Senate Bills numbered 73 and 248** reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

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

Senator Munoz, Chairperson of the Committee on Licensed Activities to which was referred **Senate Bills numbered 186, 190, 1110 and 1749** reported the same back with the recommendation that the bills do pass.

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

Senator Link, Chairperson of the Committee on Revenue to which was referred **Senate Bills numbered 315, 392, 529, 615, 881, 1044, 1101, 1102, 1126, 1401, 1498 and 1864** reported the same back with the recommendation that the bills do pass.

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

Senator Link, Chairperson of the Committee on Revenue to which was referred **Senate Bills numbered 179, 466, 606, 1373 and 1765** reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

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

Senator Woolard, Chairperson of the Committee on State Government to which was referred **Senate Bills numbered 185, 680, 812, 915, 1069 and 1075** reported the same back with the recommendation that the bills do pass.

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

REPORTS FROM RULES COMMITTEE

Senator Demuzio, Chairperson of the Committee on Rules, reported that the Committee recommends that **Senate Bill No. 1001** be re-referred from the Committee on Executive to the Committee on Rules.

Senator Demuzio, Chairperson of the Committee on Rules, reported that the Committee recommends that **Committee Amendment No. 1 to Senate Bill 307** be re-referred from the Committee on Health and Human Services to the Committee on Rules.

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

Education: **Senate Committee Amendment No. 1 to Senate Bill 307.**

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

Appropriations II: **Senate Bill No. 1215.**

Environment and Energy: **Senate Bills Numbered 608, 1001, 1066, 1324 and 1595.**

Executive: **Senate Bills Numbered 20, 31, 32, 33, 34, 35, 36, 39, 42, 399, 539, 627, 973, 1456, 1462 and 1760.**

Health and Human Services: **Senate Bills Numbered 882, 1026, 1202, 1331, 1398, 1502 and 1649.**

[March 6, 2003]

Insurance and Pensions: **Senate Bill No. 333.**

Licensed Activities: **Senate Bills Numbered 1750 and 1787.**

Revenue: **Senate Bills Numbered 631 and 1791.**

State Government: **Senate Bills Numbered 1404, 1405, 1406 and 1862.**

EXCUSED FROM ATTENDANCE

On motion of Senator Demuzio, Senator Clayborne was excused from attendance due to business.

READING OF BILLS OF THE SENATE A THIRD TIME

On motion of Senator Silverstein, **Senate Bill No. 41**, 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 34; Nays 17; Present 3.

The following voted in the affirmative:

Bomke	Halvorson	Meeks	Sullivan, D.
Collins	Harmon	Petka	Sullivan, J.
Crotty	Hendon	Radogno	Syverson
Cullerton	Hunter	Rauschenberger	Trotter
del Valle	Jacobs	Ronen	Viverito
DeLeo	Lightford	Sandoval	Walsh
Dillard	Link	Schoenberg	Mr. President
Garrett	Maloney	Sieben	
Haine	Martinez	Silverstein	

The following voted in the negative:

Brady	Jones, J.	Roskam	Winkel
Burzynski	Laufen	Rutherford	Wojcik
Cronin	Luechtefeld	Shadid	
Demuzio	Righter	Watson	
Geo-Karis	Risinger	Welch	

The following voted present:

Obama
Peterson
Woolard

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.

On motion of Senator del Valle, **Senate Bill No. 64**, 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 54; Nays None.

The following voted in the affirmative:

Bomke	Halvorson	Peterson	Sullivan, D.
Brady	Harmon	Petka	Sullivan, J.

[March 6, 2003]

Burzynski	Hendon	Radogno	Syverson
Collins	Hunter	Rauschenberger	Trotter
Cronin	Jacobs	Righter	Viverito
Crotty	Jones, J.	Risinger	Walsh
Cullerton	Lauzen	Ronen	Watson
del Valle	Lightford	Roskam	Welch
DeLeo	Link	Rutherford	Winkel
Demuzio	Maloney	Sandoval	Wojcik
Dillard	Martinez	Schoenberg	Woolard
Garrett	Meeks	Shadid	Mr. President
Geo-Karis	Munoz	Sieben	
Haine	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).

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

On motion of Senator del Valle, **Senate Bill No. 66**, 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 36; Nays 16; Present 3.

The following voted in the affirmative:

Bomke	Halvorson	Munoz	Viverito
Collins	Harmon	Obama	Walsh
Crotty	Hendon	Ronen	Welch
Cullerton	Hunter	Sandoval	Wojcik
del Valle	Jacobs	Schoenberg	Woolard
DeLeo	Lightford	Shadid	Mr. President
Demuzio	Link	Silverstein	
Garrett	Maloney	Sullivan, D.	
Geo-Karis	Martinez	Sullivan, J.	
Haine	Meeks	Trotter	

The following voted in the negative:

Brady	Peterson	Roskam	Winkel
Burzynski	Petka	Rutherford	
Cronin	Rauschenberger	Sieben	
Jones, J.	Righter	Syverson	
Lauzen	Risinger	Watson	

The following voted present:

Dillard
Luechtefeld
Radogno

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.

PARLIAMENTARY INQUIRY

[March 6, 2003]

Senator Roskam stated that he had a parliamentary inquiry as to whether a roll call vote is required on motions to send bills to subcommittee.

The Chair ruled that the Committee Chairperson has the prerogative to send bills to subcommittee based on Senate Rule 3-1c, which provides that the Chairperson has general authority over their Committee, including sending bills to subcommittee.

Senator Roskam appealed the Ruling from the Chair.

Senator Demuzio requested a ruling on the number of votes required to overrule the Chair.

The Chair ruled that thirty-six votes is required to overrule the Chair.

And the question then being, "Shall the Ruling of the Chair be sustained?"

And on that motion, a call of the roll was had resulting as follows:

Yeas 32; Nays 22.

The following voted in the affirmative:

Collins	Harmon	Munoz	Viverito
Crotty	Hendon	Obama	Walsh
Cullerton	Hunter	Ronen	Welch
del Valle	Jacobs	Sandoval	Woolard
DeLeo	Lightford	Schoenberg	Mr. President
Demuzio	Link	Shadid	
Garrett	Maloney	Silverstein	
Haine	Martinez	Sullivan, J.	
Halvorson	Meeks	Trotter	

The following voted in the negative:

Bomke	Laufen	Righter	Syverson
Brady	Luechtefeld	Risinger	Watson
Burzynski	Peterson	Roskam	Winkel
Cronin	Petka	Rutherford	Wojcik
Geo-Karis	Radogno	Sieben	
Jones, J.	Rauschenberger	Sullivan, D.	

The motion prevailed.

And the Ruling of the Chair was sustained.

READING OF BILL OF THE SENATE A THIRD TIME

On motion of Senator Cullerton, **Senate Bill No. 81**, 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 53; Nays 1; Present 1.

The following voted in the affirmative:

Bomke	Halvorson	Obama	Sullivan, J.
Brady	Harmon	Peterson	Syverson
Burzynski	Hendon	Petka	Trotter
Collins	Hunter	Radogno	Viverito
Cronin	Jacobs	Risinger	Walsh
Crotty	Jones, J.	Ronen	Watson
Cullerton	Laufen	Roskam	Welch
del Valle	Lightford	Rutherford	Winkel
DeLeo	Link	Sandoval	Wojcik
Demuzio	Luechtefeld	Schoenberg	Woolard
Dillard	Maloney	Shadid	Mr. President

[March 6, 2003]

Garrett	Martinez	Sieben
Geo-Karis	Meeks	Silverstein
Haine	Munoz	Sullivan, D.

The following voted in the negative:

Rauschenberger

The following voted present:

Righter

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.

Senator Burzynski asked and obtained unanimous consent to recess for the purpose of a Republican caucus.

At the hour of 1:55 o'clock p.m., the Chair announced that the Senate stand at recess until the hour of 2:15 o'clock p.m.

AFTER RECESS

At the hour of 2:15 o'clock p.m., the Senate resumed consideration of business.
Honorable Emil Jones Jr., President of the Senate, presiding.

READING OF BILLS OF THE SENATE A THIRD TIME

On motion of Senator Link, **Senate Bill No. 83**, 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 33; Nays 20; Present 2.

The following voted in the affirmative:

Collins	Halvorson	Meeks	Viverito
Crotty	Harmon	Munoz	Walsh
Cullerton	Hendon	Obama	Welch
del Valle	Hunter	Ronen	Wojcik
DeLeo	Jacobs	Sandoval	Woolard
Demuzio	Lightford	Schoenberg	Mr. President
Dillard	Link	Shadid	
Garrett	Maloney	Silverstein	
Geo-Karis	Martinez	Trotter	

The following voted in the negative:

Bomke	Luechtefeld	Roskam	Watson
Brady	Peterson	Rutherford	Winkel
Burzynski	Petka	Sieben	
Haine	Rauschenberger	Sullivan, D.	
Jones, J.	Righter	Sullivan, J.	
Lauzen	Risinger	Syverson	

The following voted present:

[March 6, 2003]

Cronin
Radogno

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.

RESOLUTIONS CONSENT CALENDAR

SENATE RESOLUTION NO. 61

Offered by Senator Lightford and all Senators:
Mourns the death of Leonard Mitchell, Sr.

SENATE RESOLUTION NO. 62

Offered by Senator Lightford and all Senators:
Mourns the death of Lallie Stoddard.

SENATE RESOLUTION NO. 63

Offered by Senator Link and all Senators:
Mourns the death of Janet M. Cullum of North Chicago.

SENATE RESOLUTION NO. 64

Offered by Senator Lauzen and all Senators:
Mourns the death of Bernard J. Milroy, Sr. of Batavia.

SENATE RESOLUTION NO. 65

Offered by Senator Lauzen and all Senators:
Mourns the death of Richard A. Lage of Aurora..

SENATE RESOLUTION NO. 66

Offered by Senator D. Sullivan and all Senators:
Mourns the death of Helen Walz Healy of Chicago.

SENATE RESOLUTION NO. 67

Offered by Senator D. Sullivan and all Senators:
Mourns the death of Jean T. Bancroft of Park Ridge.

SENATE RESOLUTION NO. 68

Offered by Senator D. Sullivan and all Senators:
Mourns the death of Richard P. Doubek of Palatine.

SENATE RESOLUTION NO. 69

Offered by Senator Lauzen and all Senators:
Mourns the death of Ernie "Coach" Kivisto.

SENATE RESOLUTION NO. 70

Offered by Senators Demuzio - E. Jones and all Senators:
Mourns the death of Bernard Joseph Schroeder of Jerseyville.

SENATE RESOLUTION NO. 71

Offered by Senators Demuzio - E. Jones and all Senators:
Mourns the death of Myron Nathan "Barney" Redfern of Litchfield.

SENATE RESOLUTION NO. 73

Offered by Senator Petka and all Senators:
Mourns the death of Daryl Thompson of Geneva.

[March 6, 2003]

SENATE RESOLUTION NO. 74

Offered by Senator Petka and all Senators:
Mourns the death of Carolyn Spencer of Plainfield.

SENATE RESOLUTION NO. 75

Offered by Senator Demuzio, E. Jones and all Senators:
Mourns the death of Glen E. Yard of Springfield.

SENATE RESOLUTION NO. 76

Offered by Senator Harmon and all Senators:
Mourns the death of Damien Riley of Chicago.

SENATE RESOLUTION NO. 77

Offered by Senator Harmon and all Senators:
Mourns the death of Charles Lard of Chicago.

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

READING OF BILL OF THE SENATE A THIRD TIME

On motion of Senator DeLeo, **Senate Bill No. 110**, 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	Halvorson	Obama	Silverstein
Brady	Harmon	Peterson	Sullivan, D.
Burzynski	Hendon	Petka	Sullivan, J.
Collins	Hunter	Radogno	Syverson
Cronin	Jacobs	Rauschenberger	Trotter
Crotty	Jones, J.	Righter	Viverito
Cullerton	Lauzen	Risinger	Walsh
del Valle	Lightford	Ronen	Watson
DeLeo	Link	Roskam	Welch
Demuzio	Luechtefeld	Rutherford	Winkel
Dillard	Maloney	Sandoval	Wojcik
Garrett	Martinez	Schoenberg	Woolard
Geo-Karis	Meeks	Shadid	Mr. President
Haine	Munoz	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.

PRESENTATION OF RESOLUTION

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. 25

[March 6, 2003]

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, March 6, 2003, they stand adjourned until Tuesday, March 11, 2003, at 12:00 o'clock noon.

The motion prevailed.

And the resolution was adopted.

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

LEGISLATIVE MEASURES FILED

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

Senate Committee Amendment No. 1 to Senate Bill 172
Senate Committee Amendment No. 1 to Senate Bill 228
Senate Committee Amendment No. 1 to Senate Bill 528
Senate Committee Amendment No. 1 to Senate Bill 1134
Senate Committee Amendment No. 1 to Senate Bill 1151
Senate Committee Amendment No. 1 to Senate Bill 1152
Senate Committee Amendment No. 2 to Senate Bill 1577.

At the hour of 2:32 o'clock p.m., pursuant to Senate Joint Resolution No. 25, the Chair announced the Senate stand adjourned until Tuesday, March 11, 2003, at 12:00 o'clock noon.