



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-THIRD GENERAL ASSEMBLY

89TH LEGISLATIVE DAY

TUESDAY, MARCH 23, 2004

12:05 O'CLOCK P.M.

SENATE
Daily Journal Index
89th Legislative Day

Action	Page(s)
Committee Meeting Announcement	17, 18
Introduction of Senate Bills No'd. 3372-3373	15
Legislative Measures Filed.....	3, 6
Message from the President	7
Message from the Secretary of State.....	8
Message from the Treasurer	9
Presentation of Senate Resolution No. 465.....	11
Presentation of Senate Resolution No. 466.....	12
Presentation of Senate Resolution No. 467.....	13
Presentation of Senate Resolution No. 468.....	13
Presentation of Senate Resolution No. 67.....	14
Presentation of Senate Resolutions No'd 454-464	10
Report from Rules Committee	15

Bill Number	Legislative Action	Page(s)
SJR 0067	Committee on Rules	14
SR 0465	Committee on Rules	11
SR 0466	Committee on Rules.....	12
SR 0467	Committee on Rules.....	13
SR 0468	Committee on Rules.....	13
HB 3857	First Reading.....	15
HB 4071	First Reading.....	15
HB 4531	First Reading.....	15

The Senate met pursuant to adjournment.

Senator James DeLeo, Chicago, Illinois, presiding.

Prayer by Monsignor Kevin Vann, Blessed Sacrament Church, Springfield, Illinois.

Senator Link led the Senate in the Pledge of Allegiance.

The Journal of Wednesday, March 3, 2004, was being read when on motion of Senator Haine, further reading of same was dispensed with and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

The Journal of Thursday, March 4, 2004, was being read when on motion of Senator Haine, further reading of same was dispensed with and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

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 948
 Senate Floor Amendment No. 1 to Senate Bill 983
 Senate Floor Amendment No. 1 to Senate Bill 985
 Senate Floor Amendment No. 1 to Senate Bill 1731
 Senate Floor Amendment No. 2 to Senate Bill 2133
 Senate Floor Amendment No. 1 to Senate Bill 2145
 Senate Floor Amendment No. 1 to Senate Bill 2184
 Senate Floor Amendment No. 1 to Senate Bill 2339
 Senate Floor Amendment No. 1 to Senate Bill 2404
 Senate Floor Amendment No. 2 to Senate Bill 2404
 Senate Floor Amendment No. 2 to Senate Bill 2491
 Senate Floor Amendment No. 3 to Senate Bill 2517
 Senate Floor Amendment No. 4 to Senate Bill 2517
 Senate Floor Amendment No. 1 to Senate Bill 2525
 Senate Floor Amendment No. 2 to Senate Bill 2543
 Senate Floor Amendment No. 1 to Senate Bill 2553
 Senate Floor Amendment No. 1 to Senate Bill 2605
 Senate Floor Amendment No. 2 to Senate Bill 2612
 Senate Floor Amendment No. 2 to Senate Bill 2654
 Senate Floor Amendment No. 1 to Senate Bill 2665
 Senate Floor Amendment No. 1 to Senate Bill 2678
 Senate Floor Amendment No. 2 to Senate Bill 2696
 Senate Floor Amendment No. 1 to Senate Bill 2707
 Senate Floor Amendment No. 1 to Senate Bill 2724
 Senate Floor Amendment No. 1 to Senate Bill 2756
 Senate Floor Amendment No. 1 to Senate Bill 2757
 Senate Floor Amendment No. 1 to Senate Bill 2769
 Senate Floor Amendment No. 2 to Senate Bill 2794
 Senate Floor Amendment No. 1 to Senate Bill 2820
 Senate Floor Amendment No. 1 to Senate Bill 2858
 Senate Floor Amendment No. 2 to Senate Bill 2892
 Senate Floor Amendment No. 1 to Senate Bill 2918
 Senate Floor Amendment No. 3 to Senate Bill 2926
 Senate Floor Amendment No. 1 to Senate Bill 2982
 Senate Floor Amendment No. 2 to Senate Bill 3013
 Senate Floor Amendment No. 1 to Senate Bill 3069
 Senate Floor Amendment No. 1 to Senate Bill 3107
 Senate Floor Amendment No. 2 to Senate Bill 3109
 Senate Floor Amendment No. 2 to Senate Bill 3211

[March 23, 2004]

REPORTS RECEIVED

The Secretary placed before the Senate the following reports:

Comprehensive Annual Financial Report for the Fiscal Year ended June 30, 2003 submitted by the State Employees' Retirement System of Illinois.

Annual Report for July 2002 – July 2003 submitted by the Illinois Department of Human Services, Office of the Inspector General.

A report on Projected Expenditures for the TILE Social Services Block Grant for Fiscal Year 2004 submitted by the Illinois Department of Human Services.

Annual Report Summary submitted by the Illinois Department of Central Management Services pursuant to the Illinois Procurement Code, Section 25-55.

Report on Wood River Drainage and Levee District Grassy Lake Pump Station Project, Madison County submitted by the Illinois Department of Natural Resources pursuant to Section 5 of the Flood Control Act of 1945, 615 ILCS 15/5.

Illinois State University Compliance Audit Report for the year ended June 30, 2003 submitted by Illinois Auditor General in accordance with the Single Audit Act and OMB Circular A-133.

Illinois State University Financial Statements for two years ended June 30, 2003 submitted by Illinois Auditor General.

Illinois Educational Facilities Authority Compliance Audit Report for two years ended June 30, 2003 submitted by Illinois Auditor General.

Illinois Educational Facilities Authority Financial Audit report for two years ended June 30, 2003 submitted by Illinois Auditor General.

Illinois Rural Bond Bank Compliance Audit Report for the year ended June 30, 2003 submitted by Illinois Auditor General.

Illinois Rural Bond Bank Financial Audit report for the year ended June 30, 2003 submitted by Illinois Auditor General.

Illinois Commerce Commission Compliance Audit report for the two years ended June 30, 2003 submitted by the Illinois Auditor General.

Illinois Farm Development Authority Financial and Compliance Audit Report for the year ended June 30, 2003 submitted by the Illinois Auditor General.

2003 Annual Report submitted by the , State Employees Suggestion Award Board pursuant to 20 ILCS 405/405-130b.

State Plan on Aging for Fiscal Year 2003 – 2005 submitted by the Illinois Department of Aging.

Annual Report for the period January 1, 2003 through December 31, 2003 submitted by the , Illinois Farm Development Authority.

FY 2002 Annual Report on Elder Abuse and Neglect Program submitted by the Illinois Department of Aging.

Report on the Effects of the Banking on Illinois Act submitted by the Office of Banks and Real Estate pursuant to Senate Resolution 121.

[March 23, 2004]

Quarterly Report on Adult and Juvenile Facilities submitted by the Illinois Department of Corrections.

Fiscal Year 2003 Adult Education and Family Literacy Annual report submitted by the Illinois Community College System pursuant ILCS 405/2-4.

Annual Report submitted by the Auditor General's Office for the year ended December 31, 2003 pursuant to Section 3-15 of the Illinois State Auditing Act.

2003 Educational Mandates Report submitted by the Illinois State Board of Education pursuant to 105 ILCS 5/2-3.104.

Fiscal Year 2005 Higher Education Budget Recommendations, Operations, Grants and Capital Improvements submitted by the Illinois Board of Higher Education.

Report of all applications for grants under the Illinois AgriFIRST Grant Program submitted by the Illinois Department of Agriculture pursuant to 505 ILCS 19/20.

9-1-1 Implementation Report submitted by the Illinois Telecommunications Association on behalf of all Incumbent Local Exchange Carriers pursuant to Section 13 of Act 750, Emergency Telephone System Act and as described in Administrative Code Part 720.

Annual MBE/WBE Report for 2003 submitted by the Illinois Sports Facilities Authority pursuant to Section 9(5) of the Illinois Sports Facilities Authority Act.

Report covering activities for the fiscal year ended June 30, 2003 submitted by the Illinois Housing Development pursuant to 20 ILCS 3805/5.

Annual report for the year ended June 30, 2003 submitted by the Illinois Sports Facilities Authority.

Annual Report on School Breakfast Incentives submitted by the Illinois State Board of Education pursuant to Public Act 91-0843.

Annual Report summarizing the Department's activities and fiscal operations for last year submitted by the Illinois Department of Insurance.

, 2003 Annual Report of the Office of Consumer Heal Insurance/Uninsured Ombudsman submitted by the Illinois Department of Insurance pursuant to Public Act 91-0617.

2003 Annual Report submitted by the Office of the Illinois State Fire Marshal.
The foregoing reports were ordered received and placed on file in the Secretary's Office.

Construction Progress and Quality Control Reports for the months of September, October and November submitted by the Metropolitan Pier and Exposition Authority pursuant to 70 ILCS 210/1.

Biennial Comprehensive Status and Self-Assessment Report on Illinois Groundwater Protection Program submitted by the Illinois Environmental Protection Agency.

Fiscal Years 2002 and 2003 Annual Joint Report on Home Services Program submitted by the Department of Human Services, Division of Rehabilitation Services.

Illinois Integrated Justice Information System Implementation Board 2004 Annual Report submitted by the Illinois Criminal Justice Information Authority pursuant to Executive Order No. 16 (2003) and 25 ILCS 5/3.1.

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

[March 23, 2004]

REPORT FROM STANDING COMMITTEE

Senator Trotter, Chairperson of the Committee on Appropriations I, to which was referred **Senate Bills numbered 3310, 3311, 3312, 3313, 3314, 3315, 3316, 3317, 3318, 3319, 3320, 3321, 3322, 3323, 3324, 3335, 3336, 3337, 3338, 3339, 3350, 3351, 3352, 3353, 3354, 3355, 3356, 3357, 3358 and 3359**, reported the same back with the recommendation that the bills do pass.

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

MESSAGES FROM THE HOUSE

A message from the House by

Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendments to a bill of the following title, to-wit:

HOUSE BILL 585

A bill for AN ACT in relation to pensions.

Which amendments are as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 585

Senate Amendment No. 2 to HOUSE BILL NO. 585

Concurred in by the House, March 4, 2004.

MARK MAHONEY, Clerk of the House

A message from the House by

Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 2626

A bill for AN ACT concerning bonds.

Which amendment is as follows:

Senate Amendment No. 3 to HOUSE BILL NO. 2626

Concurred in by the House, March 4, 2004.

MARK MAHONEY, Clerk of the House

A message from the House by

Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of the following joint resolution, to-wit:

SENATE JOINT RESOLUTION NO. 66

Concurred in by the House, March 4, 2004.

MARK MAHONEY, Clerk of the House

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 1006

Senate Floor Amendment No. 1 to Senate Bill 1018

Senate Floor Amendment No. 1 to Senate Bill 1550

Senate Floor Amendment No. 3 to Senate Bill 2133

Senate Floor Amendment No. 3 to Senate Bill 2142

Senate Floor Amendment No. 2 to Senate Bill 2173

Senate Floor Amendment No. 3 to Senate Bill 2173

Senate Floor Amendment No. 2 to Senate Bill 2188

[March 23, 2004]

Senate Floor Amendment No. 2 to Senate Bill 2198
 Senate Floor Amendment No. 1 to Senate Bill 2287
 Senate Floor Amendment No. 2 to Senate Bill 2287
 Senate Floor Amendment No. 2 to Senate Bill 2350
 Senate Floor Amendment No. 1 to Senate Bill 2367
 Senate Floor Amendment No. 2 to Senate Bill 2367
 Senate Floor Amendment No. 3 to Senate Bill 2404
 Senate Floor Amendment No. 2 to Senate Bill 2409
 Senate Floor Amendment No. 2 to Senate Bill 2411
 Senate Floor Amendment No. 1 to Senate Bill 2471
 Senate Floor Amendment No. 3 to Senate Bill 2491
 Senate Floor Amendment No. 5 to Senate Bill 2517
 Senate Floor Amendment No. 1 to Senate Bill 2551
 Senate Floor Amendment No. 1 to Senate Bill 2579
 Senate Floor Amendment No. 2 to Senate Bill 2605
 Senate Floor Amendment No. 1 to Senate Bill 2635
 Senate Floor Amendment No. 2 to Senate Bill 2678
 Senate Floor Amendment No. 2 to Senate Bill 2710
 Senate Floor Amendment No. 1 to Senate Bill 2731
 Senate Floor Amendment No. 2 to Senate Bill 2878
 Senate Floor Amendment No. 1 to Senate Bill 2887
 Senate Floor Amendment No. 1 to Senate Bill 2901
 Senate Floor Amendment No. 1 to Senate Bill 2932
 Senate Floor Amendment No. 1 to Senate Bill 2974
 Senate Floor Amendment No. 1 to Senate Bill 2981
 Senate Floor Amendment No. 2 to Senate Bill 2981
 Senate Floor Amendment No. 1 to Senate Bill 2988
 Senate Floor Amendment No. 1 to Senate Bill 3007
 Senate Floor Amendment No. 1 to Senate Bill 3014
 Senate Floor Amendment No. 1 to Senate Bill 3021
 Senate Floor Amendment No. 2 to Senate Bill 3027
 Senate Floor Amendment No. 1 to Senate Bill 3077
 Senate Floor Amendment No. 2 to Senate Bill 3130
 Senate Floor Amendment No. 1 to Senate Bill 3150
 Senate Floor Amendment No. 3 to Senate Bill 3211
 Senate Floor Amendment No. 4 to Senate Bill 3211

**OFFICE OF THE SENATE PRESIDENT
 STATE OF ILLINOIS**

EMIL JONES, JR.
 SENATE PRESIDENT

327 STATE CAPITOL
 Springfield, Illinois 62706

March 23, 2004

The Honorable Linda Hawker
 Secretary of the Senate
 Room 403, State Capitol
 Springfield, Illinois 62706

Dear Madam Secretary:

Pursuant to Rule 3-5(c), I hereby appoint Senator Rickey Hendon to replace Senator Vince Demuzio as a member of the Rules Committee. This appointment is effective immediately.

Very truly yours,
 Emil Jones Jr.
 Senate President

[March 23, 2004]

cc: Senate Minority Leader Frank Watson
House Speaker Michael J. Madigan
House Republican Leader Tom Cross

MESSAGES FROM THE SECRETARY OF STATE

March 15, 2004

Honorable Members
Illinois State Senate
93rd General Assembly
Springfield, IL 62706

Dear Members:

I am nominating Jim Burns to be the Inspector General for the Secretary of State's office.

I respectfully ask concurrence in and confirmation of this appointment by your Honorable Body:

INSPECTOR GENERAL FOR THE OFFICE OF SECRETARY OF STATE

To be Inspector General for the Office of the Secretary of State for a term ending January 1, 2009.

Jim Burns
(Salaried)

If you have any questions please contact Dale Swinford, Director of Legislative Affairs. Thank you for your consideration.

Sincerely,
Jesse White
Secretary of State

March 15, 2004

Honorable Members
Illinois State Senate
93rd General Assembly
Springfield, IL 62706

Dear Members:

I am nominating Judith A. Myers for Appointment to the Secretary of State's Merit Commission. This appointment is to replace Frank Cortese who resigned from the Commission.

I respectfully ask concurrence in and confirmation of this appointment by your Honorable Body:

COMMISSIONER OF THE MERIT COMMISSION FOR THE OFFICE OF THE SECRETARY OF STATE

To be Commissioner of the Merit Commission for the Office of the Secretary of State for a term ending November 7, 2007.

Judith A. Myers
(Salaried)

[March 23, 2004]

If you have any questions please contact Dale Swinford, Director of Legislative Affairs. Thank you for your consideration.

Sincerely,
Jesse White
Secretary of State

March 15, 2004

Honorable Members
Illinois State Senate
93rd General Assembly
Springfield, IL 62706

Dear Members:

I am nominating Duane Noland for Appointment to the Secretary of State's Merit Commission. This appointment is to replace Larry Hoffman who resigned from the Commission.

I respectfully ask concurrence in and confirmation of this appointment by your Honorable Body:

COMMISSIONER OF THE MERIT COMMISSION FOR THE OFFICE OF THE SECRETARY OF STATE

To be Commissioner of the Merit Commission for the Office of the Secretary of State for a term ending November 7, 2007.

Duane Noland
(Salaried)

If you have any questions please contact Dale Swinford, Director of Legislative Affairs. Thank you for your consideration.

Sincerely,
Jesse White
Secretary of State

Under the rules, the foregoing messages were referred to the Committee on Executive Appointments.

MESSAGES FROM THE TREASURER

March 22, 2004

Honorable Members
Illinois State Senate
93rd General Assembly
Springfield, IL 62706

Dear Members:

I am nominating Frederick J. Hess to the Executive Ethics Commission.

I respectfully ask concurrence in and confirmation of this appointment by your Honorable Body:

EXECUTIVE ETHICS COMMISSION MEMBER

To be a member of the Executive Ethics Commission for a term ending June 30, 2008.

[March 23, 2004]

Frederick J. Hess
(Salaried)

If you have any questions please contact Matt Overaker, Director of Legislative Affairs. Thank you for your consideration.

Sincerely,
Judy Baar Topinka
Illinois State Treasurer

March 22, 2004

Honorable Members
Illinois State Senate
93rd General Assembly
Springfield, IL 62706

Dear Members:

I am nominating David L. Wells to the Executive Inspector General for the Office of the State Treasurer.

I respectfully ask concurrence in and confirmation of this appointment by your Honorable Body:

EXECUTIVE INSPECTOR GENERAL FOR THE OFFICE OF THE STATE TREASURER

To be Executive Inspector General for the Office of the State Treasurer for a term ending June 20, 2008.

David L. Wells
(Salaried)

If you have any questions please contact Matt Overaker, Director of Legislative Affairs. Thank you for your consideration.

Sincerely,
Judy Baar Topinka
Illinois State Treasurer

Under the rules, the foregoing messages were referred to the Committee on Executive Appointments.

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION 454

Offered by Senator Sandoval and all Senators:
Mourns the death of Ann M. Mackovitch formerly of Gage Park.

SENATE RESOLUTION 455

Offered by Senator E. Jones and all Senators:
Mourns the death of Henry David W. Thompson of Danville.

SENATE RESOLUTION 456

Offered by Senator Sandoval and all Senators:
Mourns the death of Noel Hoyt of Evanston.

SENATE RESOLUTION 457

Offered by Senator Haine and all Senators:
Mourns the death of Army Spc. William D. Dusenbery of Fairview Heights.

[March 23, 2004]

SENATE RESOLUTION 458

Offered by Senator Hunter and all Senators:
Mourns the death of Kevin Lamont Troupe.

SENATE RESOLUTION 459

Offered by Senator Clayborne and all Senators:
Mourns the death of Lillie Maud Mason of East St. Louis.

SENATE RESOLUTION 460

Offered by Senator Clayborne and all Senators:
Mourns the death of Jack Burgess Sr. of Caseyville.

SENATE RESOLUTION 461

Offered by Senator Link and all Senators:
Mourns the death of Eugene H. "Gene" Rawhoof of Zion.

SENATE RESOLUTION 462

Offered by Senator E. Jones and all Senators:
Mourns the death of Reverend James Solomon Benn III of Springfield.

SENATE RESOLUTION 463

Offered by Senator Jacobs and all Senators:
Mourns the death of Marylee Carpenter of East Moline.

SENATE RESOLUTION 464

Offered by Senator Dillard and all Senators:
Mourns the death of Jennifer Lee Dierdorff of Naperville.

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

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

SENATE RESOLUTION NO. 465

WHEREAS, On May 4, 2000, the Governor of the State of Illinois issued Executive Order No. 4 that created the Governor's Commission On Capital Punishment; and

WHEREAS, The duties of the Commission were: (1) to study and review the administration of the capital punishment process in Illinois to determine why that process has failed in the past, resulting in the imposition of death sentences upon innocent people; (2) to examine ways of providing safeguards and making improvements in the way law enforcement and the criminal justice system carry out their responsibilities in the death penalty process from investigation through trial, judicial appeal, and executive review; (3) to consider, among other things, the ultimate findings and final recommendations of the House Death Penalty Task Force and the Special Supreme Court Committee on Capital Cases and determine the effect these recommendations may have on the capital punishment process; and (4) to make any recommendations and proposals designed to further ensure that the application and administration of the death penalty in Illinois is just, fair, and accurate; and

WHEREAS, In April 2002, the Commission issued its recommendations; and

WHEREAS, Recommendation No. 45 was among the Commission's recommendations and provided that the Illinois Supreme Court should consider providing all prosecutors and defense lawyers who are members of the Capital Trial Bar and who are trying capital cases with periodic training in the following areas: (1) the risks of false testimony by in-custody informants ("jailhouse snitches"); (2) the risks of false testimony by accomplice witnesses; (3) the dangers of tunnel vision or confirmatory bias; (4) the risks of wrongful convictions in homicide cases; (5) police investigative and interrogation methods; (6)

[March 23, 2004]

police investigating and reporting of exculpatory evidence; (7) forensic evidence; and (8) the risks of false confessions; and

WHEREAS, Section 16 of Article VI of the Illinois Constitution vests general administrative and supervisory authority over all courts in the Supreme Court of Illinois; and

WHEREAS, In accordance with this authority, the Illinois Supreme Court has adopted rules governing trial procedures in criminal cases; and

WHEREAS, The adoption of Commission Recommendation No. 45 by the Illinois Supreme Court would serve the best interests of the Illinois criminal justice system; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the Illinois Supreme Court to adopt Recommendation No. 45 of the Governor's Commission On Capital Punishment; and be it further

RESOLVED, That a suitable copy of this Resolution be presented to the Honorable Mary Ann G. McMorrow, Chief Justice of the Illinois Supreme Court.

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

SENATE RESOLUTION NO. 466

WHEREAS, On May 4, 2000, the Governor of the State of Illinois issued Executive Order No. 4 that created the Governor's Commission On Capital Punishment; and

WHEREAS, The duties of the Commission were: (1) to study and review the administration of the capital punishment process in Illinois to determine why that process has failed in the past, resulting in the imposition of death sentences upon innocent people; (2) to examine ways of providing safeguards and making improvements in the way law enforcement and the criminal justice system carry out their responsibilities in the death penalty process from investigation through trial, judicial appeal, and executive review; (3) to consider, among other things, the ultimate findings and final recommendations of the House Death Penalty Task Force and the Special Supreme Court Committee on Capital Cases and determine the effect these recommendations may have on the capital punishment process; and (4) to make any recommendations and proposals designed to further ensure that the application and administration of the death penalty in Illinois is just, fair, and accurate; and

WHEREAS, In April 2002, the Commission issued its recommendations; and

WHEREAS, Recommendation No. 47 was among the Commission's recommendations, supported the adoption of Illinois Supreme Court Rule 416(f), and provided that the Illinois Supreme Court should consider amending Rule 416(f) to require an additional final case management conference in capital cases and to ensure that there has been compliance with the newly mandated rules, that all required disclosures are complete, and that the case is fully prepared for trial; and

WHEREAS, Section 16 of Article VI of the Illinois Constitution vests general administrative and supervisory authority over all courts in the Supreme Court of Illinois; and

WHEREAS, In accordance with this authority, the Illinois Supreme Court has adopted rules governing trial procedures in criminal cases; and

WHEREAS, The adoption of Commission Recommendation No. 47 by the Illinois Supreme Court would serve the best interests of the Illinois criminal justice system; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the Illinois Supreme Court to adopt Recommendation No. 47 of the Governor's Commission On Capital Punishment; and be it further

[March 23, 2004]

RESOLVED, That a suitable copy of this Resolution be presented to the Honorable Mary Ann G. McMorrow, Chief Justice of the Illinois Supreme Court.

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

SENATE RESOLUTION NO. 467

WHEREAS, On May 4, 2000, the Governor of the State of Illinois issued Executive Order No. 4 that created the Governor's Commission On Capital Punishment; and

WHEREAS, The duties of the Commission were: (1) to study and review the administration of the capital punishment process in Illinois to determine why that process has failed in the past, resulting in the imposition of death sentences upon innocent people; (2) to examine ways of providing safeguards and making improvements in the way law enforcement and the criminal justice system carry out their responsibilities in the death penalty process from investigation through trial, judicial appeal, and executive review; (3) to consider, among other things, the ultimate findings and final recommendations of the House Death Penalty Task Force and the Special Supreme Court Committee on Capital Cases and determine the effect these recommendations may have on the capital punishment process; and (4) to make any recommendations and proposals designed to further ensure that the application and administration of the death penalty in Illinois is just, fair, and accurate; and

WHEREAS, In April 2002, the Commission issued its recommendations; and

WHEREAS, Recommendation No. 53 was among the Commission's recommendations and provided that the Illinois Supreme Court should consider directing trial courts to closely scrutinize any tactic that misleads suspects as to the strength of the evidence against them or the likelihood of their guilt, in order to determine whether this tactic would be likely to induce an involuntary or untrustworthy confession; and

WHEREAS, Section 16 of Article VI of the Illinois Constitution vests general administrative and supervisory authority over all courts in the Supreme Court of Illinois; and

WHEREAS, In accordance with this authority, the Illinois Supreme Court has adopted rules governing trial procedures in criminal cases; and

WHEREAS, The adoption of Commission Recommendation No. 53 by the Illinois Supreme Court would serve the best interests of the Illinois criminal justice system; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that that we urge the Illinois Supreme Court to adopt Recommendation No. 53 of the Governor's Commission On Capital Punishment; and be it further

RESOLVED, That a suitable copy of this Resolution be presented to the Honorable Mary Ann G. McMorrow, Chief Justice of the Illinois Supreme Court.

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

SENATE RESOLUTION NO. 468

WHEREAS, On May 4, 2000, the Governor of the State of Illinois issued Executive Order No. 4 that created the Governor's Commission On Capital Punishment; and

WHEREAS, The duties of the Commission were: (1) to study and review the administration of the capital punishment process in Illinois to determine why that process has failed in the past, resulting in the imposition of death sentences upon innocent people; (2) to examine ways of providing safeguards and making improvements in the way law enforcement and the criminal justice system carry out their responsibilities in the death penalty process from investigation through trial, judicial appeal, and

[March 23, 2004]

executive review; (3) to consider, among other things, the ultimate findings and final recommendations of the House Death Penalty Task Force and the Special Supreme Court Committee on Capital Cases and determine the effect these recommendations may have on the capital punishment process; and (4) to make any recommendations and proposals designed to further ensure that the application and administration of the death penalty in Illinois is just, fair, and accurate; and

WHEREAS, In April 2002, the Commission issued its recommendations; and

WHEREAS, Recommendation No. 83 was among the Commission's recommendations and provided that the Illinois Supreme Court should consider ways to broaden the application of many of the recommendations made by the Commission to improve the criminal justice system as a whole; and

WHEREAS, Section 16 of Article VI of the Illinois Constitution vests general administrative and supervisory authority over all courts in the Supreme Court of Illinois; and

WHEREAS, In accordance with this authority, the Illinois Supreme Court has adopted rules governing trial procedures in criminal cases; and

WHEREAS, The adoption of Commission Recommendation No. 83 by the Illinois Supreme Court would serve the best interests of the Illinois criminal justice system; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the Illinois Supreme Court to adopt Recommendation No. 83 of the Governor's Commission On Capital Punishment; and be it further

RESOLVED, That a suitable copy of this Resolution be presented to the Honorable Mary Ann G. McMorrow, Chief Justice of the Illinois Supreme Court.

Senators Lightford, Harmon and Jacobs offered the following Senate Joint Resolution, which was referred to the Committee on Rules:

SENATE JOINT RESOLUTION NO. 67

WHEREAS, The General Assembly takes pride in recognizing the accomplishments and contributions of Illinois officials and citizens; and

WHEREAS, The General Assembly, as an august body, exercises discerning judgment in resolutions to cite the noted achievements of a select few individuals, especially when bestowing one of the highest methods of recognition by the State; and

WHEREAS, In recognition of the lasting contributions that Patricia Thompson Madden made on the issue of mental health at the John J. Madden Mental Health Center at Chicago, and across the State of Illinois, the General Assembly would like to recognize Ms. Madden, who served as the Center's Administrator for ten years, by naming the Center's Administrative Pavilion after her; and

WHEREAS, Patricia Thompson Madden was a woman who dedicated her life to persons with mental illness; she died on August 31, 2003; she is survived by her son, Robert Baren, and daughter-in-law Alice; her father, Robert Thompson; her sister, Elizabeth, and brother-in-law Stanley Hewins; her brother, Lawrence Robert Thompson, and sister-in-law Rhonda; her aunt, Nancy Tobar; her nephews, Jason and his wife Olivia Herrick, Christopher, Shawn and his wife Daniele, Eric, and Shaden Thompson; and her nieces Carrie and Shaelynn Thompson; and

WHEREAS, Patricia Thompson Madden was born in Peoria and moved frequently as a child, living in Chicago; Muncie, Indiana; Kansas City, Missouri; and Villa Park; she was a member of the first graduating class of Willowbrook High School in Villa Park; after graduating from the University of Illinois with a bachelor's degree in nursing, she received her master's degree in community mental health nursing from Arizona State University; and

WHEREAS, Patricia Thompson Madden went to work after college at the U.S. Army Hospital in

[March 23, 2004]

Montgomery, Alabama, where as a firsthand witness of the civil rights movement, she became an advocate of equal rights for all; and

WHEREAS, Patricia Thompson Madden went on to work with psychiatric patients at the Veterans Administration Hospital in Waco, Texas, where she witnessed the toll the Vietnam War took on returning veterans, and in the late 1960s, she served as a psychiatric nurse at Denver General Hospital; she also spent several years teaching at California State University in Sacramento; and

WHEREAS, Patricia Thompson Madden returned to the Chicago area in 1986 and began working for the State of Illinois, first as the Associate Director for Administration of the Illinois State Psychiatric Institute and then as the Hospital Administrator of the John J. Madden Mental Health Center for ten years; and

WHEREAS, Patricia Thompson Madden was very involved in the Oak Park community, where she was a sixteen year resident, serving as chairperson of the Barrie Park Citizens Advisory Committee from its inception in 1999 and as a member of the First United Church of Oak Park, where she served as chairperson of the Christian Education Committee, as a member of the Church Council, and as an ordained Elder in the Presbyterian Church; therefore be it

RESOLVED, BY THE SENATE OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that the Administrative Pavilion at the John J. Madden Mental Health Center at Chicago is named the Patricia Thompson Madden Administrative Pavilion in honor of Patricia Thompson Madden; and be it further

RESOLVED, That suitable copies of resolution be presented to the family of Patricia Thompson Madden; and be it further

RESOLVED, That copies of this resolution be presented to the Director of Central Management Services, the Secretary of Human Services, and other operating authorities for the cited building.

EXCUSED FROM ATTENDANCE

On motion of Senator Welch, Senator Demuzio was excused from attendance due to illness.

INTRODUCTION OF BILLS

SENATE BILL NO. 3372. Introduced by Senator Harmon, a bill for AN ACT concerning appropriations.

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

SENATE BILL NO. 3373. Introduced by Senator Harmon, a bill for AN ACT making appropriations.

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. 3857, sponsored by Senator Cullerton, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4071, sponsored by Senator Obama, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4531, sponsored by Senator Hunter, was taken up, read by title a first time and referred to the Committee on Rules.

[March 23, 2004]

REPORT FROM RULES COMMITTEE

Senator Viverito, Chairperson of the Committee on Rules, during its March 23, 2004 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Agriculture & Conservation: Senate Floor Amendment No. 2 to Senate Bill 2457; Senate Floor Amendment No. 2 to Senate Bill 2696.

Appropriations II: Senate Floor Amendment No. 2 to Senate Bill 2543.

Education: Senate Floor Amendment No. 1 to Senate Bill 1018; Senate Floor Amendment No. 1 to Senate Bill 1550; Senate Floor Amendment No. 1 to Senate Bill 2769; Senate Floor Amendment No. 1 to Senate Bill 2918; Senate Floor Amendment No. 1 to Senate Bill 3107; Senate Floor Amendment No. 2 to Senate Bill 3109.

Environment & Energy: Senate Floor Amendment No. 1 to Senate Bill 1006; Senate Floor Amendment No. 1 to Senate Bill 1731; Senate Floor Amendment No. 1 to Senate Bill 2145; Senate Floor Amendment No. 2 to Senate Bill 2350; Senate Floor Amendment No. 1 to Senate Bill 2525; Senate Floor Amendment No. 1 to Senate Bill 2731.

Executive: Senate Floor Amendment No. 1 to Senate Bill 2147; Senate Floor Amendment No. 1 to Senate Bill 2329; Senate Floor Amendment No. 2 to Senate Bill 2678; Senate Floor Amendment No. 1 to Senate Bill 2724; Senate Floor Amendment No. 1 to Senate Bill 3150.

Financial Institutions: Senate Floor Amendment No. 1 to Senate Bill 2553; Senate Floor Amendment No. 1 to Senate Bill 2707.

Health & Human Services: Senate Floor Amendment No. 1 to Senate Bill 2335; Senate Floor Amendment No. 1 to Senate Bill 2367; Senate Floor Amendment No. 2 to Senate Bill 2530; Senate Floor Amendment No. 1 to Senate Bill 2551; Senate Floor Amendment No. 1 to Senate Bill 2579; Senate Floor Amendment No. 2 to Senate Bill 2726; Senate Floor Amendment No. 5 to Senate Bill 2768; Senate Floor Amendment No. 2 to Senate Bill 2794; Senate Floor Amendment No. 2 to Senate Bill 2880; Senate Floor Amendment No. 3 to Senate Bill 2926; Senate Floor Amendment No. 2 to Senate Bill 2944; Senate Floor Amendment No. 2 to Senate Bill 3013; Senate Floor Amendment No. 3 to Senate Bill 3112; Senate Floor Amendments numbered 2, 3 and 4 to Senate Bill 3211.

Insurance & Pensions: Senate Floor Amendments numbered 1, 2 and 3 to Senate Bill 2173; Senate Floor Amendment No. 1 to Senate Bill 2339; Senate Floor Amendments numbered 1 and 2 to Senate Bill 2404; Senate Floor Amendment No. 3 to Senate Bill 2491; Senate Floor Amendment No. 2 to Senate Bill 2545; Senate Floor Amendment No. 2 to Senate Bill 2581.

Judiciary: Senate Floor Amendment No. 1 to Senate Bill 948; Senate Floor Amendment No. 1 to Senate Bill 2164; Senate Floor Amendment No. 1 to Senate Bill 2201; Senate Floor Amendment No. 1 to Senate Bill 2287; Senate Floor Amendment No. 2 to Senate Bill 2386; Senate Floor Amendment No. 1 to Senate Bill 2471; Senate Floor Amendment No. 3 to Senate Bill 2578; Senate Floor Amendment No. 2 to Senate Bill 2654; Senate Floor Amendment No. 1 to Senate Bill 2757; Senate Floor Amendment No. 1 to Senate Bill 2799; Senate Floor Amendment No. 2 to Senate Bill 2878; Senate Floor Amendment No. 1 to Senate Bill 2982; Senate Floor Amendment No. 1 to Senate Bill 2988; Senate Floor Amendment No. 1 to Senate Bill 3007; Senate Floor Amendment No. 1 to Senate Bill 3014; Senate Floor Amendment No. 2 to Senate Bill 3130.

Labor & Commerce: Senate Floor Amendment No. 1 to Senate Bill 983; Senate Floor Amendment No. 1 to Senate Bill 985; Senate Floor Amendment No. 1 to Senate Bill 2665; Senate Floor Amendment No. 1 to Senate Bill 2901; Senate Floor Amendment No. 1 to Senate Bill 3069.

[March 23, 2004]

Licensed Activities: **Senate Floor Amendment No. 1 to Senate Bill 2290; Senate Floor Amendment No. 2 to Senate Bill 2293; Senate Floor Amendment No. 1 to Senate Bill 2381; Senate Floor Amendment No. 1 to Senate Bill 2435; Senate Floor Amendment No. 2 to Senate Bill 2605; Senate Floor Amendment No. 1 to Senate Bill 2756; Senate Floor Amendment No. 1 to Senate Bill 2887; Senate Floor Amendment No. 1 to Senate Bill 3108.**

Local Government: **Senate Floor Amendment No. 1 to Senate Bill 1576; Senate Floor Amendment No. 3 to Senate Bill 2133; Senate Floor Amendment No. 2 to Senate Bill 2196; Senate Floor Amendment No. 1 to Senate Bill 2503; Senate Floor Amendment No. 1 to Senate Bill 2933.**

Revenue: **Senate Floor Amendment No. 2 to Senate Bill 2112; Senate Floor Amendment No. 2 to Senate Bill 2140; Senate Floor Amendment No. 2 to Senate Bill 2411; Senate Floor Amendment No. 1 to Senate Bill 2635; Senate Floor Amendment No. 2 to Senate Bill 2892.**

State Government: **Senate Floor Amendment No. 1 to Senate Bill 2247; Senate Floor Amendment No. 5 to Senate Bill 2517; Senate Floor Amendment No. 1 to Senate Bill 2626; Senate Floor Amendment No. 1 to Senate Bill 2820.**

Transportation: **Senate Floor Amendment No. 1 to Senate Bill 2401; Senate Floor Amendment No. 1 to Senate Bill 3085.**

Senator Viverito, Chairperson of the Committee on Rules, reported that the following Legislative Measures have been approved for consideration:

**Senate Floor Amendment No. 2 to Senate Bill 2124
Senate Floor Amendment No. 1 to Senate Bill 2495
Senate Floor Amendment No. 1 to Senate Bill 2974**

The foregoing floor amendments were placed on the Secretary's Desk.

COMMITTEE MEETING ANNOUNCEMENTS

Senator Crotty, Vice-Chairperson of the Committee on Licensed Activities, announced that the Licensed Activities Committee will meet Wednesday, March 24, 2004, in Room A-1 Stratton Building, at 10:30 o'clock a.m.

Senator Trotter, Chairperson of the Committee on Appropriations I, announced that the Appropriations I Committee will meet today in Room 212 Capitol Building, at 3:30 o'clock p.m.

Senator Lightford, Chairperson of the Committee on Financial Institutions, announced that the Financial Institutions Committee will meet Wednesday, March 24, 2004, in Room 400 Capitol Building, at 11:30 o'clock a.m.

Senator Hunter, Vice-Chairperson of the Committee on Health & Human Services, announced that the Health & Human Services Committee will meet Wednesday, March 24, 2004, in Room 400 Capitol Building, at 9:00 o'clock a.m.

Senator Schoenberg, Chairperson of the Committee on State Government, announced that the State Government Committee will meet Wednesday, March 24, 2004 in Room A-1 Stratton Building, at 1:00 o'clock p.m.

Senator Welch, Chairperson of the Committee on Appropriations II, announced that the Appropriations II Committee will meet Wednesday, March 24, 2004 in Room 212 Capitol Building, at 1:00 o'clock p.m.

Senator Cullerton, Chairperson of the Committee on Judiciary, announced that the Judiciary Committee will meet today in Room 400 Capitol Building, at 3:30 o'clock p.m.

[March 23, 2004]

Senator Link, Chairperson of the Committee on Revenue, announced that the Revenue Committee will meet Wednesday, March 24, 2004 in Room 400 Capitol Building, at 1:00 o'clock p.m.

Senator Clayborne, Chairperson of the Committee on Environment & Energy, announced that the Environment & Energy Committee will meet Wednesday, March 24, 2004 in Room 212 Capitol Building, at 9:00 o'clock a.m.

Senator Ronen, Chairperson of the Committee on Labor & Commerce, announced that the Labor & Commerce Committee will meet Wednesday, March 24, 2004, in Room 400 Capitol Building, at 10:30 o'clock a.m.

Senator Shadid, Chairperson of the Committee on Transportation, announced that the Transportation Committee will meet today in Room A-1 Stratton Building, at 3:30 o'clock p.m.

Senator Haine, Chairperson of the Committee on Local Government, announced that the Local Government Committee will meet today in Room A-1 Stratton Building, at 1:30 o'clock p.m.

Senator Silverstein, Chairperson of the Committee on Executive, announced that the Executive Committee will meet Wednesday, March 24, 2004, in Room 212 Capitol Building, at 1:00 o'clock p.m.

Senator Jacobs, Chairperson of the Committee on Insurance & Pensions, announced that the Insurance & Pensions Committee will meet today in Room 400 Capitol Building, at 1:30 o'clock p.m.

Senator del Valle, Chairperson of the Committee on Education, announced that the Education Committee will meet today in Room 212 Capitol Building, at 1:30 o'clock p.m.

Senator Walsh, Chairperson of the Committee on Agriculture & Conservation, announced that the Agriculture & Conservation Committee will meet Wednesday, March 24, 2004, in Room A-1 Stratton Building, at 9:00 o'clock a.m.

At the hour of 1:33 o'clock p.m., the Chair announced that the Senate stand adjourned until Wednesday, March 24, 2004, at 8:30 o'clock a.m.