



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-THIRD GENERAL ASSEMBLY

96TH LEGISLATIVE DAY

Perfunctory Session

TUESDAY, APRIL 6, 2004

12:04 O'CLOCK P.M.

SENATE
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96th Legislative Day

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The Senate met pursuant to adjournment.
Pursuant to the Senate Rule 2-5(c)2, the Secretary of the Senate conducted the perfunctory session.
Silent prayer was observed.

REPORTS RECEIVED

The Secretary placed before the Senate the following reports:

Fiscal Year 2004 Second Quarter Procurement Activity Report submitted by the Metropolitan Pier and Exposition Authority pursuant to 70 ILCS 210/1.

School Finance Authority Annual Reports for Round Lake Area Schools, District 116 and Hazel Crest School District 152.5 submitted by the Illinois State Board of Education.

Revised School Finance Authority Annual Report for Round Lake Area Schools – District 116 submitted by the Illinois State Board of Education.

2002 Annual Report submitted by the State Rehabilitation Council of Illinois.

2004 Directory of Higher Education submitted by the State of Illinois Board of Higher Education.

2003 Annual Report submitted by the Illinois Motor Vehicle Theft Prevention Council.

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

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 passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

- HOUSE BILL NO. 3830
A bill for AN ACT concerning State finance.
- HOUSE BILL NO. 3883
A bill for AN ACT concerning accounting.
- HOUSE BILL NO. 3918
A bill for AN ACT in relation to veterans.
- HOUSE BILL NO. 3975
A bill for AN ACT concerning public aid.
- HOUSE BILL NO. 4200
A bill for AN ACT concerning professional regulation.
- HOUSE BILL NO. 4426
A bill for AN ACT in relation to arson.
- HOUSE BILL NO. 4532
A bill for AN ACT creating the Southern Illinois Economic Development Authority.
- HOUSE BILL NO. 5094
A bill for AN ACT concerning environmental protection.
- HOUSE BILL NO. 5734
A bill for AN ACT in relation to tax increment financing.
- HOUSE BILL NO. 5928
A bill for AN ACT concerning insurance.
- HOUSE BILL NO. 6229
A bill for AN ACT in relation to transportation.
- HOUSE BILL NO. 6654
A bill for AN ACT concerning alcoholic liquor.
- HOUSE BILL NO. 6760
A bill for AN ACT concerning taxes.

[April 6, 2004]

HOUSE BILL NO. 7030

A bill for AN ACT concerning education.

Passed the House, April 1, 2004.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 3830, 3883, 3918, 3975, 4200, 4426, 4532, 5094, 5734, 5928, 6229, 6654, 6760 and 7030** were taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mahoney, Clerk:

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

HOUSE BILL NO. 4055

A bill for AN ACT in relation to alcoholic liquor.

HOUSE BILL NO. 4108

A bill for AN ACT concerning local government.

HOUSE BILL NO. 4337

A bill for AN ACT concerning vehicles.

HOUSE BILL NO. 4432

A bill for AN ACT concerning telephone solicitation.

HOUSE BILL NO. 4594

A bill for AN ACT concerning trusts.

HOUSE BILL NO. 4652

A bill for AN ACT concerning electronic fund transfer terminals.

HOUSE BILL NO. 4977

A bill for AN ACT concerning taxpayers.

HOUSE BILL NO. 6552

A bill for AN ACT concerning loan repayment assistance for physicians.

HOUSE BILL NO. 6750

A bill for AN ACT concerning hospice programs.

HOUSE BILL NO. 6806

A bill for AN ACT concerning taxes.

HOUSE BILL NO. 6951

A bill for AN ACT concerning children.

HOUSE BILL NO. 6992

A bill for AN ACT concerning finance.

Passed the House, April 1, 2004.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 4055, 4108, 4337, 4432, 4594, 4652, 4977, 6552, 6750, 6806, 6951 and 6992** were taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mahoney, Clerk:

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

HOUSE BILL NO. 4225

A bill for AN ACT concerning education.

HOUSE BILL NO. 4723

A bill for AN ACT concerning children and families.

HOUSE BILL NO. 4744

A bill for AN ACT concerning higher education student assistance.

HOUSE BILL NO. 4877

[April 6, 2004]

A bill for AN ACT concerning public employee benefits.

HOUSE BILL NO. 5345

A bill for AN ACT concerning child care.

Passed the House, April 1, 2004.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 4225, 4723, 4744, 4877 and 5345** were taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mahoney, Clerk:

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

HOUSE BILL NO. 4265

A bill for AN ACT concerning education.

HOUSE BILL NO. 4510

A bill for AN ACT concerning boards.

HOUSE BILL NO. 4827

A bill for AN ACT concerning mental health.

HOUSE BILL NO. 4850

A bill for AN ACT concerning sewage disposal.

HOUSE BILL NO. 4958

A bill for AN ACT concerning fire protection.

HOUSE BILL NO. 5320

A bill for AN ACT concerning vehicles.

HOUSE BILL NO. 5340

A bill for AN ACT in relation to transportation.

HOUSE BILL NO. 5415

A bill for AN ACT in relation to criminal law.

HOUSE BILL NO. 5735

A bill for AN ACT in relation to tax increment financing.

HOUSE BILL NO. 5884

A bill for AN ACT concerning stormwater management.

HOUSE BILL NO. 6583

A bill for AN ACT concerning counties.

HOUSE BILL NO. 7015

A bill for AN ACT concerning transportation.

Passed the House, April 1, 2004.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 4265, 4510, 4827, 4850, 4958, 5320, 5340, 5415, 5735, 5884, 6583 and 7015** were taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mahoney, Clerk:

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

HOUSE BILL NO. 1269

A bill for AN ACT in relation to public employee benefits.

HOUSE BILL NO. 4197

A bill for AN ACT concerning education.

HOUSE BILL NO. 4302

A bill for AN ACT in relation to tobacco products.

[April 6, 2004]

HOUSE BILL NO. 4436
 A bill for AN ACT concerning hospital workers.
 HOUSE BILL NO. 4481
 A bill for AN ACT concerning public health.
 HOUSE BILL NO. 4635
 A bill for AN ACT concerning local government.
 HOUSE BILL NO. 4640
 A bill for AN ACT concerning community revitalization.
 HOUSE BILL NO. 5023
 A bill for AN ACT concerning economic development.
 HOUSE BILL NO. 5130
 A bill for AN ACT concerning fees.
 HOUSE BILL NO. 6632
 A bill for AN ACT regarding schools.
 HOUSE BILL NO. 6983
 A bill for AN ACT concerning procurement.
 Passed the House, April 2, 2004.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 1269, 4197, 4302, 4436, 4481, 4635, 4640, 5023, 5130, 6632 and 6983** were taken up, ordered printed and placed on first reading.

A message from the House by
 Mr. Mahoney, Clerk:

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

HOUSE BILL NO. 2380
 A bill for AN ACT in relation to gaming.
 HOUSE BILL NO. 2633
 A bill for AN ACT in relation to municipalities.
 HOUSE BILL NO. 4703
 A bill for AN ACT concerning vehicles.
 HOUSE BILL NO. 5056
 A bill for AN ACT concerning financial regulation.
 HOUSE BILL NO. 5875
 A bill for AN ACT in relation to business transactions.
 HOUSE BILL NO. 6496
 A bill for AN ACT concerning bonds.
 HOUSE BILL NO. 6499
 A bill for AN ACT concerning bonds.
 HOUSE BILL NO. 7169
 A bill for AN ACT concerning bonds.
 HOUSE BILL NO. 7170
 A bill for AN ACT concerning bonds.
 HOUSE BILL NO. 7173
 A bill for AN ACT concerning bonds.
 HOUSE BILL NO. 7174
 A bill for AN ACT concerning bonds.
 HOUSE BILL NO. 7177
 A bill for AN ACT in relation to budget implementation.
 HOUSE BILL NO. 7178
 A bill for AN ACT in relation to budget implementation.
 HOUSE BILL NO. 7179
 A bill for AN ACT in relation to budget implementation.
 HOUSE BILL NO. 7180
 A bill for AN ACT in relation to budget implementation.

[April 6, 2004]

HOUSE BILL NO. 7181

A bill for AN ACT in relation to budget implementation.

Passed the House, April 2, 2004.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 2380, 2633, 4703, 5056, 5875, 6496, 6499, 7169, 7170, 7173, 7174, 7177, 7178, 7179, 7180 and 7181** were taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mahoney, Clerk:

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

HOUSE BILL NO. 3850

A bill for AN ACT in relation to vehicles.

HOUSE BILL NO. 4099

A bill for AN ACT in relation to energy conservation.

HOUSE BILL NO. 4211

A bill for AN ACT in relation to criminal law.

HOUSE BILL NO. 4285

A bill for AN ACT concerning economic development.

HOUSE BILL NO. 4374

A bill for AN ACT concerning labor relations.

HOUSE BILL NO. 4837

A bill for AN ACT concerning the Department on Aging.

HOUSE BILL NO. 4949

A bill for AN ACT concerning criminal law.

HOUSE BILL NO. 5164

A bill for AN ACT concerning public health.

HOUSE BILL NO. 5445

A bill for AN ACT concerning labor.

HOUSE BILL NO. 5823

A bill for AN ACT concerning environmental protection.

HOUSE BILL NO. 6138

A bill for AN ACT regarding schools.

HOUSE BILL NO. 6769

A bill for AN ACT concerning health facilities.

Passed the House, April 2, 2004.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 3850, 4099, 4211, 4285, 4374, 4837, 4949, 5164, 5445, 5823, 6138 and 6769** were taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mahoney, 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. 4428

A bill for AN ACT concerning labor.

Passed the House, April 2, 2004, by a three-fifths vote.

MARK MAHONEY, Clerk of the House

[April 6, 2004]

The foregoing **House Bill No. 4428** was taken up, ordered printed and placed on first reading.

MESSAGE FROM THE COMPTROLLER

**DANIEL W. HYNES
COMPTROLLER**

April 1, 2004

To the Honorable
Members of the State Senate
Ninety-Third General Assembly

Please be advised that I have nominated and appointed the following named persons to the following positions enumerated below pursuant to Public Act 93-617:

- As Inspector General, Office of the State Comptroller, **Mr. Michael J. Drake** for a term running through June 30, 2008.. (Salaried)
- As Commissioner on the Executive Ethics Commission, **Mr. James J. Faught** for a term running through June 30, 2008. (Salaried)

I respectfully ask for concurrence in the confirmation of these appointments by your honorable body.

Sincerely,
s/Daniel W. Hynes
Comptroller

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

MESSAGE FROM THE GOVERNOR

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

April 1, 2004

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.

FINANCE AUTHORITY, ILLINOIS

To be a Member of the Illinois Finance Authority for a term commencing March 29, 2004 and ending July 17, 2006:

[April 6, 2004]

Natalia Delgado of Chicago
Non-Salaried

To be a Member of the Illinois Finance Authority for a term commencing March 29, 2004 and ending July 18, 2005:

Demetris Giannoulis of Chicago
Non-Salaried

To be a Member of the Illinois Finance Authority for a term commencing March 29, 2004 and ending July 18, 2005:

Terrence O'Brien of Glenview
Non-Salaried

To be a Member of the Illinois Finance Authority for a term commencing March 29, 2004 and ending July 18, 2005:

Martin H. Nesbitt of Chicago
Non-Salaried

STATE POLICE MERIT BOARD

To be a Member of the State Police Merit Board for a term commencing March 29, 2004 and ending March 15, 2010:

Richard D. Joutras of Northfield
Non-Salaried

Rod Blagojevich
GOVERNOR

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

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 1269, sponsored by Senator Cullerton, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 2380, sponsored by Senator Collins, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 3821, sponsored by Senator Althoff, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 3830, sponsored by Senator DeLeo, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 3850, sponsored by Senator Watson, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 3890, sponsored by Senator Althoff, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 3978, sponsored by Senator Righter, was taken up, read by title a first time and referred to the Committee on Rules.

[April 6, 2004]

House Bill No. 4012, sponsored by Senator Munoz, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4055, sponsored by Senator Winkel, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4057, sponsored by Senator Munoz, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4092, sponsored by Senator Crotty, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4108, sponsored by Senator Harmon, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4200, sponsored by Senator Silverstein, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4225, sponsored by Senator W. Jones, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4265, sponsored by Senator Link, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4285, sponsored by Senator Halvorson, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4302, sponsored by Senator Meeks, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4374, sponsored by Senator Ronen, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4432, sponsored by Senator Harmon, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4436, sponsored by Senator Trotter, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4450, sponsored by Senator Clayborne, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4481, sponsored by Senator Clayborne, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4558, sponsored by Senator Ronen, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4652, sponsored by Senator Link, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4744, sponsored by Senator Walsh, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4837, sponsored by Senator Forby, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4944, sponsored by Senator Demuzio, was taken up, read by title a first time and referred to the Committee on Rules.

[April 6, 2004]

House Bill No. 4949, sponsored by Senator Munoz, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4977, sponsored by Senator Roskam, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 5014, sponsored by Senator Trotter, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 5094, sponsored by Senator Haine, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 5175, sponsored by Senator Martinez, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 5197, sponsored by Senator Shadid, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 5320, sponsored by Senator Maloney, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 5340, sponsored by Senator Halvorson, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 5345, sponsored by Senator Ronen, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 5415, sponsored by Senator DeLeo, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 5734, sponsored by Senator Winkel, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 5735, sponsored by Senator Winkel, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 5875, sponsored by Senator Halvorson, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 5884, sponsored by Senator Garrett, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 5928, sponsored by Senator Peterson, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 6552, sponsored by Senator Clayborne, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 6574, sponsored by Senator Winkel, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 6616, sponsored by Senator Forby, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 6683, sponsored by Senator Winkel, was taken up, read by title a first time and referred to the Committee on Rules.

[April 6, 2004]

House Bill No. 6750, sponsored by Senator Althoff, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 6760, sponsored by Senator Roskam, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 6769, sponsored by Senator Ronen, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 6806, sponsored by Senator Welch, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 6902, sponsored by Senator Righter, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 6983, sponsored by Senator Link, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 7015, sponsored by Senator Jacobs, was taken up, read by title a first time and referred to the Committee on Rules.

PRESENTATION OF RESOLUTION

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

SENATE RESOLUTION NO. 488

WHEREAS, Executive Order 6 of 2004 proposes to reorganize agencies by the transfer of functions of the Department of Financial Institutions, the Department of Insurance, the Department of Professional Regulation, and the Office of Banks and Real Estate into a newly proposed Department of Financial and Professional Regulation; and

WHEREAS, Executive Order 6 of 2004 was delivered to the General Assembly on April 1, 2004; and

WHEREAS, Section 11 of Article V of the Constitution of the State of Illinois provides that if the General Assembly is in annual session and an Executive Order proposing agency reorganization is delivered on or before April 1, then the Executive Order shall be considered by the General Assembly at that annual session; and

WHEREAS, Section 11 of Article V of the Constitution of the State of Illinois also provides that an Executive Order shall not become effective if, within 60 calendar days after its delivery to the General Assembly, either house disapproves the Executive Order by a record vote of a majority of members elected; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that it be recorded that the Senate disapproves Executive Order 6 of 2004 in whole; and be it further

RESOLVED, That copies of this resolution certified by the President of the Senate be delivered to the Governor of the State of Illinois and the Secretary of State.

At the hour of 12:16 o'clock p.m., pursuant to **Senate Joint Resolution No. 71**, the Chair announced the Senate stand adjourned until Thursday, April 15, 2004.

[April 6, 2004]