



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-THIRD GENERAL ASSEMBLY

101ST LEGISLATIVE DAY

TUESDAY, APRIL 27, 2004

12:15 O'CLOCK P.M.

**SENATE
Daily Journal Index
101st Legislative Day**

Action	Page(s)
Introduction of Senate Bill No. 3376	7
Joint Action Motions Filed	4
Legislative Measures Filed	3
Presentation of Senate Resolution No. 509	4
Presentation of Senate Resolution No. 72	8
Report from Rules Committee	8

Bill Number	Legislative Action	Page(s)
SJR 0072	Committee on Rules	8

The Senate met pursuant to adjournment.
 Honorable Emil Jones, Jr., President of the Senate, presiding.
 Prayer by Pastor Ed Ingram, Western Oaks Baptist Church, Springfield, Illinois.
 Senator Link led the Senate in the Pledge of Allegiance.

The Journal of Thursday, April 22, 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 Committee amendments to the House Bills listed below have been filed with the Secretary and referred to the Committee on Rules:

Senate Committee Amendment No. 1 to House Bill 486
 Senate Committee Amendment No. 2 to House Bill 486
 Senate Committee Amendment No. 1 to House Bill 934
 Senate Committee Amendment No. 1 to House Bill 1659
 Senate Committee Amendment No. 1 to House Bill 1875
 Senate Committee Amendment No. 1 to House Bill 2028
 Senate Committee Amendment No. 1 to House Bill 2981
 Senate Committee Amendment No. 1 to House Bill 4135
 Senate Committee Amendment No. 1 to House Bill 4197
 Senate Committee Amendment No. 1 to House Bill 4200
 Senate Committee Amendment No. 1 to House Bill 4225
 Senate Committee Amendment No. 1 to House Bill 4232
 Senate Committee Amendment No. 2 to House Bill 4241
 Senate Committee Amendment No. 1 to House Bill 4280
 Senate Committee Amendment No. 1 to House Bill 4283
 Senate Committee Amendment No. 1 to House Bill 4403
 Senate Committee Amendment No. 1 to House Bill 4444
 Senate Committee Amendment No. 2 to House Bill 4444
 Senate Committee Amendment No. 3 to House Bill 4444
 Senate Committee Amendment No. 1 to House Bill 4475
 Senate Committee Amendment No. 1 to House Bill 4522
 Senate Committee Amendment No. 2 to House Bill 4522
 Senate Committee Amendment No. 1 to House Bill 4612
 Senate Committee Amendment No. 1 to House Bill 4744
 Senate Committee Amendment No. 1 to House Bill 4837
 Senate Committee Amendment No. 1 to House Bill 4960
 Senate Committee Amendment No. 2 to House Bill 5017
 Senate Committee Amendment No. 3 to House Bill 5017
 Senate Committee Amendment No. 1 to House Bill 5057
 Senate Committee Amendment No. 2 to House Bill 5094
 Senate Committee Amendment No. 1 to House Bill 5415
 Senate Committee Amendment No. 1 to House Bill 6654
 Senate Committee Amendment No. 2 to House Bill 6654

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

Senate Floor Amendment No. 1 to House Bill 649
 Senate Floor Amendment No. 1 to House Bill 679
 Senate Floor Amendment No. 1 to House Bill 3589
 Senate Floor Amendment No. 1 to House Bill 4027
 Senate Floor Amendment No. 1 to House Bill 4489
 Senate Floor Amendment No. 2 to House Bill 7057

[April 27, 2004]

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. 2 to Senate Bill 1731
Senate Floor Amendment No. 4 to Senate Bill 2800

The following Floor amendment to the House Joint Resolution listed below has been filed with the Secretary, and referred to the Committee on Rules:

Senate Floor Amendment No. 1 to House Joint Resolution 3

REPORTS RECEIVED

The Secretary placed before the Senate the following reports:

Report on the Village of Pearl Flood Hazard Mitigation Project, April 2004 submitted by the Illinois Department of Natural Resources.

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

2003 Annual report submitted by the Illinois Criminal Justice Information Authority.

Annual report on the Medical Assistance Program for Fiscal Years 2001, 2002 and 2003 submitted by the Illinois Department of Public Aid pursuant to PA 93-0536.

Audit report for the Office of the Auditor General for the two years ended June 30, 2003 submitted by the Legislative Audit Commission.

2003 Annual Report submitted by the Legislative Audit Commission pursuant to 25 ILCS 150/0.01-0.06.

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

JOINT ACTION MOTION FILED

The following Joint Action Motion to the Senate Bill listed below has been filed with the Secretary and referred to the Committee on Rules:

Motion to Concur in House Amendment 2 to Senate Bill 1271

PRESENTATION OF RESOLUTION

SENATE RESOLUTION 509

Offered by Senator Geo-Karis and all Senators:
Mourns the death of Marine PFC Geoffrey S. Morris of Gurnee.

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

MESSAGE 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 passage of a bill of the following title, to-wit:
SENATE BILL NO. 1271

A bill for AN ACT making appropriations.

[April 27, 2004]

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 2 to SENATE BILL NO. 1271
 Passed the House, as amended, April 22, 2004.

MARK MAHONEY, Clerk of the House

AMENDMENT 2 TO SENATE BILL 1271

AMENDMENT NO. 2. Senate Bill 1271 by replacing everything after the enacting clause with the following:

"Section 5. "An Act making appropriations", Public Act 93-115, as vetoed, reduced, and restored, is amended by changing Section 20 of Article 1 as follows:
 (P.A. 93-115, Article 1, Section 20)

Sec. 20. The following amounts, or so much of those amounts as may be necessary, respectively, for the objects and purposes named, are appropriated from State funds to the Illinois State Board of Education for the fiscal year beginning July 1, 2003:

From the Charter Schools Revolving Loan Fund:	
For Charter Schools Loans	\$2,000,000
From the Teacher Certificate Fee Revolving Fund:	
For all costs associated with the issuing of teachers' certificates	\$1,500,000
teachers' certificates	\$375,000
From the Private Business and Vocational Schools Fund:	
For all costs associated with the Private Business and Vocational Schools Act	\$0
From the School Technology Revolving Fund:	
For the Statewide Educational Network	\$125,000
From the State Board of Education Fund:	
For all expenses as provided in Section 2-3.126 of the School Code	\$0
From the State Board of Education Special Purpose Trust Fund:	
For all expenses as provided in Section 2-3.127 of the School Code	\$0
From the School Infrastructure Fund:	
For administrative costs associated with the Capital Assistance Program	\$200,000
From the ISBE Teacher Certificate Institute Fund:	
For all costs associated with teacher certificates as provided in Sections 3-12 and 2-3.105 of the School Code	\$125,000
From the ISBE GED Testing Fund:	
For all costs associated with the GED Testing Program as provided in Sections 3-15.12 and 2-3.105 of the School Code	\$1,000,000
From the ISBE School Bus Driver Permit Fund:	
For all costs associated with the School Bus Driver Permit Program as provided in Section 3-14.23 of the	

School Code	\$12,000
Total, Section 20	\$8,162,000

(Source: P.A. 93-115, as vetoed, reduced, and restored.)

Section 10. "AN ACT making appropriations", Public Act 93-62, as vetoed, reduced, and restored, is amended by changing Section 2 of Article 6 as follows:

(P.A. 93-62, Art. 6, Sec. 2)

Sec. 2. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Rights for the objects and purposes hereinafter enumerated:

DIVISION OF CHARGE PROCESSING

Payable from General Revenue Fund:

For Personal Services	3,916,500
For Personal Services	3,423,200
For Employee Retirement Contributions	
Paid by Employer	136,800
For State Contributions to State	
Employees' Retirement System	516,000
Employees' Retirement System	460,000
For State Contributions to	
Social Security	284,200
Social Security	261,800
For Contractual Services.....	33,400
For Travel.....	22,800
For Commodities	6,800
For Printing	1,300
For Equipment	11,900
For Telecommunications Services.....	67,700
Total	\$4,997,400
Total	\$4,425,700

Payable from Special Projects Division Fund:

For Personal Services	1,439,200
For Employee Retirement Contributions	
Paid by Employer	57,600
For State Contributions to State	
Employees' Retirement System	193,500
For State Contributions to	
Social Security	110,200
For Group Insurance	396,000
For Contractual Services.....	106,700
For Travel.....	41,500
For Commodities	13,300
For Printing	9,300
For Equipment	9,600
For Telecommunications Services.....	88,000
Total	\$2,464,900

(Source: P.A. 93-62, as vetoed, reduced, and restored.)

Section 15. "An Act making appropriations", Public Act 93-0091, as vetoed, reduced, and restored, is amended by changing Section 10 of Article 16 as follows:

(P.A. 93-0091, Article 16, Section 10)

Sec. 10. The following named amounts, or so much of those amounts as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named to meet the ordinary and contingent expenses of the Commission on Intergovernmental Cooperation for the Springfield Office:

For Personal Services	\$496,604
For Personal Services	\$500,604
For Employee Retirement Contributions	
Paid by Employer	66,746
For Employee Retirement Contributions	
Paid by Employer	67,276

<u>For State Contributions to State Employees'</u>	
Retirement System.....	19,864
<u>For State Contributions to State Employees'</u>	
Retirement System.....	20,024
<u>For State Contribution to Social</u>	
Security.....	37,986
<u>For State Contribution to Social</u>	
Security.....	38,296
For Contractual Services.....	547,500
For Model Illinois Government Activities.....	3,000
For Travel.....	5,000
For Commodities.....	3,200
For Printing.....	3,500
For Equipment.....	100
For Electronic Data Processing.....	500
For Telecommunications Services.....	9,000
<u>TOTAL.....</u>	<u>\$1,193,000</u>
<u>TOTAL.....</u>	<u>\$1,198,000</u>

(Source: P.A. 93-0091, as vetoed, reduced, and restored.)

Section 20. "An Act making appropriations", Public Act 93-0091, as vetoed, reduced, and restored, is amended by changing Section 30 of Article 16 as follows:

(P.A. 93-0091, Article 16, Section 30)

Section 30. The following named amounts, or so much of those amounts as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named to meet the ordinary and contingent expenses of the Legislative Audit Commission:

For Personal Services.....	\$156,500
<u>For Personal Services.....</u>	<u>\$152,500</u>
<u>For Employee Retirement Contributions</u>	
Paid by Employer.....	6,260
<u>For Employee Retirement Contributions</u>	
Paid by Employer.....	6,100
<u>For State Contributions to State Employees'</u>	
Retirement System.....	21,030
<u>For State Contributions to State Employees'</u>	
Retirement System.....	20,500
<u>For State Contribution to Social</u>	
Security.....	12,010
<u>For State Contribution to Social</u>	
Security.....	11,700
For Contractual Services.....	13,900
For Travel.....	5,500
For Commodities.....	500
For Printing.....	1,000
For Equipment.....	300
For Electronic Data Processing.....	2,100
For Telecommunications Services.....	1,700
<u>TOTAL.....</u>	<u>\$220,800</u>
<u>TOTAL.....</u>	<u>\$215,800</u>

(Source: P.A. 93-0091, as vetoed, reduced, and restored.)

Section 99. Effective date. This Act takes effect upon becoming law."

Under the rules, the foregoing **Senate Bill No. 1271**, with House Amendment No. 2 was referred to the Secretary's Desk.

INTRODUCTION OF BILLS

SENATE BILL NO. 3376. Introduced by Senator D. Sullivan, a bill for AN ACT concerning transportation.

[April 27, 2004]

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

PRESENTATION OF RESOLUTION

Senator D. Sullivan offered the following Senate Joint Resolution, which was referred to the Committee on Rules:

SENATE JOINT RESOLUTION NO. 72

WHEREAS, Viable mass-transit systems are essential to the economic welfare of the State; and

WHEREAS, The use of mass transit reduces noise and air pollution, reduces traffic congestion, and reduces our dependency on foreign energy sources; and

WHEREAS, The General Assembly created the Regional Transportation Authority ("RTA") to ensure financially sound, comprehensive, and coordinated public transportation for northeastern Illinois; and

WHEREAS, It is in the interest of the State of Illinois that the RTA provide the highest-quality mass-transit service possible; 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 there is created the Regional Transportation Authority Task Force consisting of 16 members appointed as follows: 4 members appointed by the President of the Senate, 2 of whom are members of the General Assembly; 4 members appointed by the Minority Leader of the Senate, 2 of whom are members of the General Assembly; 4 members appointed by the Speaker of the House of Representatives, 2 of whom are members of the General Assembly; and 4 members appointed by the Minority Leader of the House of Representatives, 2 of whom are members of the General Assembly; at the time of appointment, each legislative leader must designate one appointee who is a member of the General Assembly to serve as co-chair of the Task Force; and be it further

RESOLVED, That the Regional Transportation Authority Task Force must review the operation of the RTA to determine what, if any, action by the General Assembly is necessary to improve the mass-transit services provided by the RTA; and be it further

RESOLVED, That the Regional Transportation Authority Task Force must meet at least 5 times before October 31, 2004; and be it further

RESOLVED, That members of the Regional Transportation Authority Task Force may be reimbursed for their reasonable expenses for their service to the Task Force from funds appropriated for that purpose; and be it further

RESOLVED, That the Regional Transportation Authority Task Force, upon the concurrence of at least 9 members, must present a bi-partisan report of its findings and recommended legislation to the General Assembly on or before October 31, 2004.

REPORTS FROM RULES COMMITTEE

Senator Viverito, Chairperson of the Committee on Rules, during its April 27, 2004 meeting, reported the following Joint Action Motion has been assigned to the indicated Standing Committee of the Senate:

Appropriations I: **Motion to Concur in House Amendment 2 to Senate Bill 1271**

Senator Viverito, Chairperson of the Committee on Rules, during its April 27, 2004 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

[April 27, 2004]

Education: **Senate Amendments numbered 2 and 3 to House Bill 4444; Senate Amendments numbered 1 and 2 to House Bill 4522; Senate Amendment No. 1 to House Bill 6906.**

Environment & Energy: **Senate Amendment No. 2 to Senate Bill 1731; Senate Amendment No. 1 to House Bill 4099; Senate Amendment No. 1 to House Bill 5094.**

Executive: **Senate Amendment No. 1 to House Bill 6654.**

Health & Human Services: **Senate Amendments numbered 1 and 2 to House Bill 486; Senate Amendment No. 1 to House Bill 1659; Senate Amendment No. 1 to House Bill 4197; Senate Amendment No. 1 to House Bill 4232; Senate Amendment No. 1 to House Bill 4475; Senate Amendment No. 1 to House Bill 4612; Senate Amendment No. 1 to House Bill 4837; Senate Amendment No. 1 to House Bill 5057; Senate Amendments numbered 1 and 2 to House Bill 5058.**

Judiciary: **Senate Amendment No. 4 to Senate Bill 2800; Senate Amendment No. 1 to House Bill 4135; Senate Amendment No. 1 to House Bill 4403; Senate Amendment No. 1 to House Bill 5415.**

Labor & Commerce: **Senate Amendment No. 2 to House Bill 4241.**

Licensed Activities: **Senate Amendment No. 1 to House Bill 2028; Senate Amendment No. 1 to House Bill 4200; Senate Amendment No. 1 to House Bill 4283; Senate Amendment No. 1 to House Bill 4960.**

Local Government: **Senate Amendment No. 1 to House Bill 4280; Senate Amendments numbered 2 and 3 to House Bill 5017**

State Government: **Senate Amendment No. 1 to House Bill 3918.**

Senator Viverito, Chairperson of the Committee on Rules, to which was referred **House Bill No. 649** on April 27, 2004, pursuant to Rule 3-9(b), reported that the Committee recommends that the bill be approved for consideration and returned to the calendar in its former position.

The report of the Committee was concurred in.

And **House Bill No. 649** was returned to the order of third reading.

Senator Viverito, Chairperson of the Committee on Rules, during its April 27, 2004 meeting, reported the following Legislative Measure has been assigned to the indicated Standing Committee of the Senate:

Executive: **Senate Amendment No. 1 to House Bill 649.**

At the hour of 12:41 o'clock p.m., the Chair announced that the Senate stand adjourned until Wednesday, April 28, 2004, at 12:00 o'clock noon.