



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-THIRD GENERAL ASSEMBLY

13TH LEGISLATIVE DAY

FRIDAY, FEBRUARY 28, 2003

10:30 O'CLOCK A.M.

SENATE
Daily Journal Index
13th Legislative Day

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Bill Number	Legislative Action	Page(s)
SJR 0023	Adopted	7
SJR 0024	Committee on Rules	11
HB 0345	First Reading	4

The Senate met pursuant to adjournment.
 Honorable Emil Jones Jr., President of the Senate, presiding.
 Prayer by Pastor John Hamilton, Laurel United Methodist Church, Springfield, Illinois.
 Senator Link led the Senate in the Pledge of Allegiance.

Senator Woolard moved that reading and approval of the Journals of Tuesday, February 18, 2003 , Wednesday, February 19, 2003 , Thursday, February 20, 2003 , Wednesday, February 26, 2003 and Thursday, February 27, 2003 be postponed pending arrival of the printed Journals.

The motion prevailed.

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 22
 Senate Committee Amendment No. 1 to Senate Bill 75
 Senate Committee Amendment No. 1 to Senate Bill 95
 Senate Committee Amendment No. 1 to Senate Bill 100
 Senate Committee Amendment No. 1 to Senate Bill 132
 Senate Committee Amendment No. 1 to Senate Bill 201
 Senate Committee Amendment No. 2 to Senate Bill 218
 Senate Committee Amendment No. 1 to Senate Bill 242
 Senate Committee Amendment No. 1 to Senate Bill 252
 Senate Committee Amendment No. 1 to Senate Bill 407
 Senate Committee Amendment No. 1 to Senate Bill 469
 Senate Committee Amendment No. 1 to Senate Bill 470
 Senate Committee Amendment No. 1 to Senate Bill 472
 Senate Committee Amendment No. 1 to Senate Bill 475
 Senate Committee Amendment No. 1 to Senate Bill 552
 Senate Committee Amendment No. 1 to Senate Bill 565
 Senate Committee Amendment No. 1 to Senate Bill 568
 Senate Committee Amendment No. 1 to Senate Bill 684
 Senate Committee Amendment No. 1 to Senate Bill 1156
 Senate Committee Amendment No. 1 to Senate Bill 1359
 Senate Committee Amendment No. 1 to Senate Bill 1397
 Senate Committee Amendment No. 1 to Senate Bill 1578

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 256
 Senate Floor Amendment No. 1 to Senate Bill 265

REPORTS FROM STANDING COMMITTEES

Senator Silverstein, Chairperson of the Committee on Executive to which was referred **Senate Bills numbered 408 and 526** 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 18, 101, 102 and 328** 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.

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Senator Lightford, Chairperson of the Committee on Financial Institutions to which was referred **Senate Bills numbered 24 and 562** 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 Ronen, Chairperson of the Committee on Labor and Commerce to which was referred **Senate Bills numbered 2 and 90** 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 Bill No. 630** reported the same back with the recommendation that the bill do pass.

Under the rules, the bill was ordered to a second reading.

Senator Munoz, Chairperson of the Committee on Licensed Activities to which was referred **Senate Bill No. 78** reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

Under the rules, the bill was ordered to a second reading.

COMMUNICATION

ILLINOIS STATE SENATE
FRANK C. WATSON
STATE SENATOR
51ST-SENATE DISTRICT

February 28, 2003

Ms. Linda Hawker
Secretary of the Senate
401 State House
Springfield, IL 62706

Dear Madam Secretary:

Pursuant to the provisions of Senate Rules 3-1 and 3-2, I hereby appoint Senator Steve Rauschenberger to replace Senator James "Pate" Philip on the Senate Executive Appointments Committee, effective immediately.

Sincerely,
s/Frank Watson
Senate Republican Leader

CC: Senator Rauschenberger
Senator Philip
President Jones
Courtney Nottage

READING BILL FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 345, sponsored by Senator Dillard was taken up, read by title a first time and referred to the Committee on Rules.

MESSAGE FROM THE GOVERNOR

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

[February 28, 2003]

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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.

AGING, DEPARTMENT ON

To be Director of the Department on Aging for a term commencing March 3, 2003, and ending January 17, 2005:

Charles D. Johnson of Frankfort
Salaried

CORRECTIONS, DEPARTMENT OF

To be Director of the Department of Corrections for a term commencing February 24, 2003, and ending January 17, 2005:

Ernesto Velasco of Tinley Park
Salaried

COURT OF CLAIMS

To be a judge on the Court of Claims for a term commencing February 21, 2003, and ending January 19, 2009:

Bob Sprague of Belleville.
Salaried

INDUSTRIAL COMMISSION

To be a commissioner on the Illinois Industrial Commission for a term commencing February 21, 2003, and ending January 15, 2007:

Jacqueline A. Kinnaman of Chicago
Salaried

INDUSTRIAL COMMISSION

To be a commissioner on the Illinois Industrial Commission for a term commencing February 21, 2003, and ending January 15, 2007:

Dennis R. Ruth of Collinsville
Salaried

TRANSPORTATION, DEPARTMENT OF

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To be Assistant Secretary of the Department of Transportation for a term commencing February 21, 2003, and ending January 17, 2005:

David D. Phelps of Eldorado
Salaried

HOUSING DEVELOPMENT AUTHORITY, ILLINOIS

To be a member of the Illinois Housing Development Authority for a term commencing February 21, 2003, and ending January 8, 2007:

Robert J. Barker of Springfield
Non-Salaried

HOUSING DEVELOPMENT AUTHORITY, ILLINOIS

To be a member of the Illinois Housing Development Authority for a term commencing February 21, 2003, and ending January 8, 2007:

Velma Butler of Olympia Fields
Non-Salaried

Rod Blagojevich
GOVERNOR

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

RESOLUTIONS CONSENT CALENDAR

SENATE RESOLUTION NO. 45

Offered by Senator Lightford and all Senators:
Mourns the deaths of Nicole Rainey of Bollingbrook; Teresa Johnson-Gordon of Berwyn; Danielle Green of Broadview and Charita Rhodes of West Chicago.

SENATE RESOLUTION NO. 46

Offered by Senator Dillard and all Senators:
Mourns the death of Walter A. Kistenfeger Jr. of Clarendon Hills.

SENATE RESOLUTION NO. 47

Offered by Senator Shadid and all Senators:
Mourns the death of Edward "Ted" Sheridan Kress of Brinfield.

SENATE RESOLUTION NO. 48

Offered by Senators Link - del Valle and all Senators:
Mourns the death of Joseph Daniel Murphy of Chicago..

SENATE RESOLUTION NO. 49

Offered by Senator Link and all Senators:
Mourns the death of Robert S. Boak of North Chicago.

SENATE RESOLUTION NO. 50

Offered by Senator Haine and all Senators:
Mourns the death of Maud R. Hylton of East Alton.

SENATE RESOLUTION NO. 51

Offered by Senator Dillard and all Senators:
Mourns the death of Leo Leonard Gedvilas of Naperville.

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SENATE RESOLUTION NO. 54

Offered by Senator Haine and all Senators:
Mourns the death of Vincent Charles Guccione of Alton.

SENATE RESOLUTION NO. 55

Offered by Senator Haine and all Senators:
Mourns the death of James T. "Fitz" Fitzgerald of Collinsville.

SENATE RESOLUTION NO. 56

Offered by Senator Haine and all Senators:
Mourns the death of broadcast journalist Nan Wyatt.

SENATE RESOLUTION NO. 57

Offered by Senator Righter and all Senators:
Mourns the death of Ronald G. Ivall, Mayor of Monticello.

SENATE RESOLUTION NO. 58

Offered by Senator E. Jones and all Senators:
Mourns the death of Cynthia L. Blaida of Beecher.

SENATE RESOLUTION NO. 59

Offered by Senators Demuzio - Ronen and all Senators:
Mourns the death of Lester J. Schmitz of Tower Hill.

SENATE RESOLUTION NO. 60

Offered by Senators Demuzio - Ronen and all Senators:
Mourns the death of Margaret Scott Hildebrand of Decatur.

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

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. 23

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 Friday, February 28, 2003, they stand adjourned until Tuesday, March 4, 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.

REPORT FROM STANDING COMMITTEE

Senator Hendon, Co-Chairperson of the Committee on Executive Appointments, moved that the Senate resolve itself into Executive Session to consider the report of that Committee relative to the Governor's appointments.

The motion prevailed.

EXECUTIVE SESSION

[February 28, 2003]

Senators Hendon and Geo-Karis, Co-Chairpersons of the Committee on Executive Appointments, to which was referred the Governor's Message to the Senate of February 6, 2003, reported the same back with the recommendation that the Senate advise and consent to the following appointments:

CENTRAL MANAGEMENT SERVICES, DEPARTMENT OF

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

Michael M. Rumman of Chicago
Salaried

ENVIRONMENTAL PROTECTION AGENCY

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

Renee Cipriano of Chicago
Salaried

HUMAN SERVICES, DEPARTMENT OF

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

Carol L. Adams of Chicago
Salaried

ILLINOIS COMMERCE COMMISSION

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

Lula Mae Ford of Chicago
Salaried

TRANSPORTATION, DEPARTMENT OF

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

Timothy W. Martin of Chicago
Salaried

Senator Hendon moved that the Senate advise and consent to the foregoing appointments.
And on that motion, a call of the roll was had resulting as follows:
Yeas 54; Nays None.

The following voted in the affirmative:

Bomke	Halvorson	Munoz	Sullivan, D.
Brady	Harmon	Obama	Sullivan, J.
Burzynski	Hendon	Peterson	Syverson
Clayborne	Hunter	Petka	Trotter
Collins	Jacobs	Radogno	Viverito
Cronin	Jones, J.	Rauschenberger	Walsh
Crotty	Jones, W.	Righter	Watson

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Cullerton	Lauzen	Risinger	Welch
del Valle	Lightford	Ronen	Winkel
DeLeo	Link	Roskam	Wojeik
Demuzio	Luechtefeld	Rutherford	Woolard
Garrett	Maloney	Sandoval	Mr. President
Geo-Karis	Martinez	Shadid	
Haine	Meeks	Silverstein	

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointments.

Senators Hendon and Geo-Karis, Co-Chairpersons of the Committee on Executive Appointments, to which was referred the Governor's Message to the Senate of February 19, 2003, reported the same back with the recommendation that the Senate advise and consent to the following appointments:

EMPLOYMENT SECURITY, DEPARTMENT OF

To be Director of the Department of Employment Security for a term commencing February 10, 2003, and ending January 17, 2005:

Brenda A. Russell of Chicago
Salaried

HUMAN RIGHTS, DEPARTMENT OF

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

Rocco J. Claps of Villa Park
Salaried

NUCLEAR SAFETY, DEPARTMENT OF

To be Director of the Department of Nuclear Safety for a term commencing February 16, 2003, and ending January 17, 2005:

Gary N. Wright of Springfield
Salaried

PUBLIC AID, DEPARTMENT OF

To be Director of the Department of Public Aid for a term commencing February 26, 2003, and ending January 17, 2005:

Barry S. Maram of Chicago
Salaried

REVENUE, DEPARTMENT OF

To be Director of the Department of Revenue for a term commencing February 19, 2003, and ending January 17, 2005:

Brian A. Hamer of Chicago
Salaried

Senator Hendon moved that the Senate advise and consent to the foregoing appointments.

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

Yeas 54; Nays None.

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The following voted in the affirmative:

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

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointments.

Senator Hunter asked and obtained unanimous consent for the Journal to reflect her affirmative vote on the foregoing Governor's Appointments.

Senators Hendon and Geo-Karis, Co-Chairpersons of the Committee on Executive Appointments, to which was referred the Governor's Message to the Senate of February 19, 2003, reported the same back with the recommendation that the Senate advise and consent to the following appointments:

HOUSING DEVELOPMENT AUTHORITY, ILLINOIS

To be a Member of the Illinois Housing Development Authority for a term commencing February 13, 2003, and ending January 8, 2007:

Terry E. Newman of Chicago
Non-Salaried

UNIVERSITY OF ILLINOIS BOARD OF TRUSTEES

To be a Member of the University of Illinois Board of Trustees for a term commencing February 11, 2003, and ending January 12, 2009:

Niranjan S. Shah of Oak Brook
Non-Salaried

Senator Hendon moved that the Senate advise and consent to the foregoing appointments.

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

Yeas 32; Nays 1; Present 18.

The following voted in the affirmative:

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

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Geo-Karis Maloney Sullivan, J.

The following voted in the negative:

Viverito

The following voted present:

Bomke	Lauzen	Righter	Watson
Brady	Luechtefeld	Risinger	Winkel
Burzynski	Peterson	Roskam	Wojcik
Jones, J.	Petka	Sullivan, D.	
Jones, W.	Radogno	Syversen	

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointments.

Senator Viverito asked and obtained unanimous consent for the Journal to reflect that he inadvertently voted “No” instead of “Yes” on the foregoing Governor’s Appointments.

On motion of Senator Hendon, the Executive Session arose and the Senate resumed consideration of business.

Honorable Emil Jones Jr., President of the Senate, presiding.

PRESENTATION OF RESOLUTION

Senators Watson, Bomke, Brady, Burzynski, Cronin, Dillard, Geo-Karis, J. Jones, W. Jones, Lauzen, Luechtefeld, Peterson, Petka, Philip, Radogno, Rauschenberger, Righter, Risinger, Roskam, Rutherford, Sieben, D. Sullivan, Syversen, Winkel and Wojcik offered the following Senate Joint Resolution, which was referred to the Committee on Rules:

SENATE JOINT RESOLUTION NO. 24

WHEREAS, Today, the mission of the American Red Cross is more relevant than ever as it confronts a changing America full of unique challenges; the heroic efforts of the first responders to the September 11, 2001 terrorist attacks became a source of strength for millions of people around the world struggling to comprehend this terribly tragedy; from their example came a new resolve, to be better prepared in the event of another wide-scale attack anywhere in America; and

WHEREAS, In a collaborative effort with the State of Illinois, the federal government, and other members of the emergency planning community, the Red Cross and its partners are better able to serve the nation; through its bold, new Together We Prepare initiative, the Red Cross is leading the way in empowering individuals and families to protect themselves; with five simple steps, make a plan, build a kit, get trained, volunteer, and give blood, the Red Cross and Americans from coast to coast will help make their communities safer; and

WHEREAS, For more than 121 years, the American Red Cross has honored its mission to provide relief to victims of disasters while helping people prevent, prepare for, and respond to emergencies; last year alone, more than 27,000 silent heroes in Illinois helped their neighbors by volunteering at their local Red Cross chapter, and 500,000 more took the time to learn lifesaving skills such as first aid, CPR, and defibrillator use; thousands of Illinoisans rolled up their sleeves to donate over 100,000 gifts of blood and blood products, the gift of life, through the American Red Cross, and over 31,000 people across Illinois turned to the American Red Cross for disaster education training; and

WHEREAS, All of these services, and many others, are provided through 36 locally governed and supported Red Cross chapters and 5 Blood Services regions; community involvement is critical for programs that prepare individuals, families, and neighborhoods for emergencies; through its presence across the country, the Red Cross is the leader in empowering people in every neighborhood to be ready and prepared for the unexpected; and

WHEREAS, The victims of more than 2,500 disasters, from fires that affected a single structure to large-scale events such as floods that devastated central Illinois, tornadoes that ravaged southern Illinois, and other emergency events across the State, received help from the Red Cross last year; the Red Cross

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also responded to international emergencies by aiding other countries devastated by natural disasters and helping people in other nations get access to safe drinking water and battle malnutrition and life-threatening diseases such as measles; more than 13,000 Illinois military families received direct assistance from the Red Cross, keeping them connected in times of great personal sorrow and joy; and

WHEREAS, Those who need blood, those who are victims of disaster, or those who are the recipients from the broad spectrum of community services rely on the American Red Cross every day; compassionate and caring people who wanted to make a difference in their community and across the nation, at home and abroad, channeled their support through the American Red Cross; and

WHEREAS, The State of Illinois and the American Red Cross have worked strongly together to make our communities safer; the American Red Cross was an original member of the Illinois Terrorism Task Force and makes important contributions to our State efforts for homeland security; the State of Illinois is proud of its relationship with the American Red Cross; 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 we proclaim March 2003 as American Red Cross Month in Illinois and urge all our citizens to become partners in preparedness with their local Red Cross chapters and to become active participants in advancing the noble mission of the Red Cross; and be it further

RESOLVED, That we applaud and recognize the selfless dedication of generations of Red Cross volunteers and staff; and be it further

RESOLVED, That a suitable copy of this resolution be presented to David T. McLaughlin, Chairman of the American Red Cross.

At the hour of 11:02 o'clock a.m., pursuant to Senate Joint Resolution No. 23, the Chair announced the Senate stand adjourned until Tuesday, March 4, 2003, at 12:00 o'clock noon.