



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-THIRD GENERAL ASSEMBLY

68TH LEGISLATIVE DAY

Perfunctory Session

TUESDAY, JANUARY 6, 2004

12:00 O'CLOCK NOON

NO. 68

[January 6, 2004]

SENATE
Daily Journal Index
68th 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:

Management Audit Report of the Expenditures from the Grade Crossing Protection Fund for the Illinois Commerce Commission and the Illinois Department of Transportation submitted by the Illinois Auditor General.

Bi-Annual Report on Chicago Public Schools submitted by the Public Building Commission pursuant to 50 ILCS 10/1.

Report on the FY 2003 Medical Expenditures submitted by the Illinois Department of Public Aid pursuant to 30 ILCS 105/25, as amended.

Financial Statements for the three months ended September 30, 2003 submitted by the Metropolitan Pier and Exposition Authority Act pursuant to 70 ILCS 210/1.

Fiscal Year 2003 reports on the Financial Operations of the Build Illinois Capital Revolving Loan Fund, Illinois Equity Fund and Large Business Attraction Fund submitted by the Illinois Department of Commerce and Economic Opportunity pursuant to PA 84-109.

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

Report on the Capital Litigation Trust Fund submitted by State's Attorneys Appellate Prosecutor required by 725 ILCS 124/19 and pursuant to 25 ILCS 5/3.1.

Report detailing various provisions of the TANF program submitted by the Illinois Department of Human Services pursuant to PA 093-0611

Report for FY 2003 submitted by the Illinois Education Facilities Authority pursuant to 110 ILCS 1015/18.

Capital Crime Litigation Trust Fund Act Report submitted by the County of Cook, Office of the State's Attorney as mandated under 725 ILCS 124/19.

Report on Energy Costs and Energy Efficiency at Illinois' Public Universities submitted by the Illinois Department of Commerce and Economic Opportunity pursuant to House Resolution 222 of the Ninety-Third General Assembly.

Report of Services for Mentally Disabled Children submitted by the Illinois Department of Public Aid pursuant to Public Act 93-0599.

Management Audit of the Regulation of Grain Dealers and Warehousemen and Administration of the Grain Insurance Fund report submitted by the Office of the Auditor General pursuant to Section 3-14 of the Illinois State Auditing Act.

Annual Report on State Employee Child Care Centers submitted by the Illinois Department of Central Management Services.

Report on the Mental Health Task Force submitted by the Illinois Department of Corrections pursuant to 730 ILCS 5/3-15-3.

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Annual Report of the Supported Employment Program submitted by the Illinois Department of Central Management Services.

Report on the efficacy of the Sexual Assault Nurse Examiner Pilot Program submitted by the Illinois Criminal Justice Information Authority pursuant to Public Act 91-0529.

Annual Report submitted by the Illinois Delegation to the National Conference of Commissioners on Uniform State Laws.

Annual Tuition and Fee Waiver Report submitted by the Illinois Board of Higher Education pursuant to Public Act 92-0051.

Annual Report on Public University Revenue and Expenditures for Fiscal Year 2003 submitted by the Illinois Board of Higher Education pursuant to Public Act 93-0229.

Fiscal Year 2004 Economic and Revenue Update submitted by the Illinois Economic and Fiscal Commission.

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

INTRODUCTION OF BILLS

SENATE BILL NO. 2134. Introduced by Senators Cullerton - Petka, a bill for AN ACT in relation to criminal law.

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

SENATE BILL NO. 2135. Introduced by Senator Garrett, a bill for AN ACT relating to schools. The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 2136. Introduced by Senator DeLeo, a bill for An ACT concerning legal document preparers.

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

SENATE BILL NO. 2137. Introduced by Senator Dillard, a bill for AN ACT concerning elections.

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

SENATE BILL NO. 2138. Introduced by Senator Peterson, a bill for AN ACT concerning municipalities.

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

SENATE BILL NO. 2139. Introduced by Senator Geo-Karis, a bill for AN ACT regarding educational labor relations.

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

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION 339

Offered by Senator Risinger and all Senators:

Mourns the death of James "Jim" Cruse of Kewanee.

SENATE RESOLUTION 340

Offered by Senator Geo-Karis and all Senators:
Mourns the death of Virginia S. "Susy" Hubbard of Grayslake.

SENATE RESOLUTION 341

Offered by Senator Lightford and all Senators:
Mourns the death of Delia B. Lightford of Chicago.

SENATE RESOLUTION 342

Offered by Senator Bomke and all Senators:
Mourns the death of Denny Best of Winter Haven, Florida.

SENATE RESOLUTION 343

Offered by Senator Lightford and all Senators:
Mourns the death of Robert Williams, Sr.

SENATE RESOLUTION 344

Offered by Senator E. Jones and all Senators:
Mourns the death of U. S. Senator Paul Simon of Makanda.

SENATE RESOLUTION 345

Offered by Senator Hunter and all Senators:
Mourns the death of Robert T. Sublewski of Chicago

SENATE RESOLUTION 346

Offered by Senator Shadid and all Senators:
Mourns the death of David W. Meister, Jr. of Peoria.

SENATE RESOLUTION 347

Offered by Senator Maloney and all Senators:
Mourns the death of Maureen Elizabeth McDonald of Chicago.

SENATE RESOLUTION 348

Offered by Senator E. Jones and all Senators:
Mourns the death of Lillian Dooley Mudzonga of Zimbabwe.

SENATE RESOLUTION 349

Offered by Senator J. Sullivan and all Senators:
Mourns the death of Todd W. "Bubba" Dicks of Warsaw.

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

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

SENATE JOINT RESOLUTION NO. 43

WHEREAS, A displaced homemaker is an individual who has been providing unpaid services to family members in the home, has been dependent on the income of another family member but is no longer supported by that income, and is currently unemployed or underemployed and experiencing difficulty in obtaining or upgrading employment; and

WHEREAS, Displaced homemakers are often disproportionately poor when compared to the rest of the population; and

WHEREAS, Displaced homemakers must enter the workforce to support themselves and their families, but may face significant barriers to economic self-sufficiency due to a limited education, a lack of work experience, and age discrimination in the hiring process and the workplace; and

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WHEREAS, Displaced homemakers may face severe housing problems because they are suddenly left with little or no income and have difficulty finding adequate employment, and because those who are awarded their homes in divorce settlements often cannot afford to maintain the mortgage payments and property taxes; and

WHEREAS, In fiscal year 2002, 1,758 displaced homemakers were enrolled in the Illinois Displaced Homemaker Program, administered by the Illinois Department of Labor, and 75% of these individuals were considered the sole financial support for children under the age of 18; and

WHEREAS, As states respond to federal welfare reform and workforce development legislation, it is likely that Illinois will experience changes in the types of services they currently provide; and

WHEREAS, It is important to continue responding to the needs of displaced homemakers and to expand services to reach more displaced homemakers by moving them out of poverty and beyond reliance on State welfare support and into gainful employment so they may become more active participants in the Illinois economy; 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 a Task Force on Displaced Homemakers, comprised of members of the General Assembly, representatives of the Governor, and concerned members of the public, be created to investigate the services currently offered to displaced homemakers in Illinois and to make recommendations for improvements to those services; and be it further

RESOLVED, That 2 members who are elected members of the House of Representatives or the Senate be appointed by each of the following elected officials: the Speaker of the House, the Minority Leader of the House, the President of the Senate, and the Minority Leader of the Senate; and be it further

RESOLVED, That 2 members be appointed by the Governor to represent State agencies currently offering services and assistance to the displaced homemaker population in Illinois; and be it further

RESOLVED, That the members of the General Assembly appointed to the Task Force appoint 2 chairpersons, who shall be members of the Task Force who are members of the General Assembly; and be it further

RESOLVED, That meetings of the Task Force be held at the call of the chairpersons and that the chairpersons appoint 4 members of the public who have adequate expertise on the issue of displaced homemakers and the services and assistance provided to them; and be it further

RESOLVED, That all appointed members of the Task Force shall be considered to be members with voting rights, that a quorum of the Task Force shall consist of a simple majority of the members of the Task Force, and that all actions and recommendations of the Task Force be approved by a simple majority of the members of the Task Force; and be it further

RESOLVED, That members appointed to the Task Force shall be compensated only for costs that arise out of their official duties with the Task Force and that compensation shall come from an appropriate fund; and be it further

RESOLVED, That a suitable copy of this resolution be delivered to the Governor.

MESSAGES FROM THE HOUSE

A message from the House by

Mr. Bolin, Assistant 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. 3828

[January 6, 2004]

A bill for AN ACT regarding environmental safety.
Passed the House, November 21, 2003 by a three-fifths vote.

BRADLEY S. BOLIN, Assistant Clerk of the House

The foregoing **House Bill No. 3828** was taken up, ordered printed and placed on first reading.

A message from the House by
Mr. Bolin, Assistant 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 648

A bill for AN ACT in relation to animals.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 648

Concurred in by the House, November 21, 2003 by a three-fifths vote.

BRADLEY S. BOLIN, Assistant Clerk of the House

A message from the House by
Mr. Bolin, Assistant 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 701

A bill for AN ACT in relation to public aid.

Which amendment is as follows:

Senate Amendment No. 3 to HOUSE BILL NO. 701

Concurred in by the House, November 21, 2003 by a three-fifths vote.

BRADLEY S. BOLIN, Assistant Clerk of the House

A message from the House by
Mr. Bolin, Assistant 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 810

A bill for AN ACT in relation to unemployment insurance.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 810

Concurred in by the House, November 21, 2003 by a three-fifths vote.

BRADLEY S. BOLIN, Assistant Clerk of the House

A message from the House by
Mr. Bolin, Assistant 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 2654

A bill for AN ACT in relation to budget implementation.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 2654

Concurred in by the House, November 21, 2003 by a three-fifths vote.

BRADLEY S. BOLIN, Assistant Clerk of the House

A message from the House by
Mr. Bolin, Assistant 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 2657

A bill for AN ACT in relation to budget implementation.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 2657

[January 6, 2004]

Concurred in by the House, November 21, 2003 by a three-fifths vote.

BRADLEY S. BOLIN, Assistant Clerk of the House

A message from the House by

Mr. Bolin, Assistant 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 2659

A bill for AN ACT concerning bonds.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 2659

Concurred in by the House, November 21, 2003 by a three-fifths vote.

BRADLEY S. BOLIN, Assistant Clerk of the House

A message from the House by

Mr. Bolin, Assistant 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 2745

A bill for AN ACT making appropriations.

Which amendment is as follows:

Senate Amendment No. 2 to HOUSE BILL NO. 2745

Concurred in by the House, November 21, 2003 by a three-fifths vote.

BRADLEY S. BOLIN, Assistant Clerk of the House

A message from the House by

Mr. Bolin, Assistant Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the acceptance of the Governor's specific recommendations for change, which is attached, to a bill of the following title, to-wit:

SENATE BILL 150

A bill for AN ACT in relation to vehicles.

Concurred in by the House, November 20, 2003.

BRADLEY S. BOLIN, Assistant Clerk of the House

MOTION

I move to accept the specific recommendations of the Governor as to Senate Bill 150 in manner and form as follows:

AMENDMENT TO SENATE BILL 150

IN ACCEPTANCE OF GOVERNOR'S RECOMMENDATIONS

Amend Senate Bill 150 on page 1, line 5, by deleting "and changing Section 29-15"; and by deleting line 26 on page 2 through line 13 on page 3.

Date: _____, 2003 _____

A message from the House by

Mr. Bolin, Assistant Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the acceptance of the Governor's specific recommendations for change, which is attached, to a bill of the following title, to-wit:

SENATE BILL 180

A bill for AN ACT concerning records.

Concurred in by the House, November 20, 2003.

BRADLEY S. BOLIN, Assistant Clerk of the House

MOTION

I move to accept the specific recommendations of the Governor as to Senate Bill 180 in manner and form as follows:

[January 6, 2004]

AMENDMENT TO SENATE BILL 180
IN ACCEPTANCE OF GOVERNOR'S RECOMMENDATIONS

Amend Senate Bill 180 on page 1, line 21 by deleting "who was adopted under the"; and on page 1, by deleting lines 22 and 23; and on page 1, line 24, by deleting "and"; and on page 1, line 26, after "Act", by inserting the following: "and who was adopted under the laws of a jurisdiction or country other than the United States by an adopting parent who is a resident of this State".
Date: _____, 2003 _____

A message from the House by
Mr. Bolin, Assistant Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the acceptance of the Governor's specific recommendations for change, which is attached, to a bill of the following title, to-wit:

SENATE BILL 196

A bill for AN ACT in relation to taxes.
Concurred in by the House, November 21, 2003 by a three-fifths vote.

BRADLEY S. BOLIN, Assistant Clerk of the House

MOTION

I move to accept the specific recommendations of the Governor as to Senate Bill 196 in manner and form as follows:

AMENDMENT TO SENATE BILL 196
IN ACCEPTANCE OF GOVERNOR'S RECOMMENDATIONS

Amend Senate Bill 196 on page 1, line 30, after "increase", by inserting "property"; and on page 2, line 1, by replacing "tax rate" with "property tax levy"; and on page 2, line 2, after "more", by inserting "of the park district's"; and on page 2, line 6, after "increase", by inserting "either"; and on page 2, line 6 after "exceed", by inserting "or result in a reduction to".
Date: _____, 2003 _____

A message from the House by
Mr. Bolin, Assistant Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the acceptance of the Governor's specific recommendations for change, which is attached, to a bill of the following title, to-wit:

SENATE BILL 640

A bill for AN ACT in relation to real property.
Concurred in by the House, November 21, 2003 by a three-fifths vote.

BRADLEY S. BOLIN, Assistant Clerk of the House

MOTION

I move to accept the specific recommendations of the Governor as to Senate Bill 640 in manner and form as follows:

AMENDMENT TO SENATE BILL 640
IN ACCEPTANCE OF GOVERNOR'S RECOMMENDATIONS

Amend Senate Bill 640 on page 1, line 6, by deleting "7-103.106"; and by deleting page 3, line 24 through page 8, line 22.
Date: _____, 2003 _____

A message from the House by
Mr. Bolin, Assistant Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the acceptance of the Governor's specific recommendations for change, which is attached, to a bill of the following title, to-wit:

SENATE BILL 1523

A bill for AN ACT concerning the Deaf and Hard of Hearing Commission.

[January 6, 2004]

Concurred in by the House, November 20, 2003.

BRADLEY S. BOLIN, Assistant Clerk of the House

MOTION

I move to accept the specific recommendations of the Governor as to Senate Bill 1523 in manner and form as follows:

AMENDMENT TO SENATE BILL 1523
IN ACCEPTANCE OF GOVERNOR'S RECOMMENDATIONS

Amend Senate Bill 1523 on page 3, deleting line 33; and on page 3, line 34, by deleting "assure"; and on page 4, by replacing lines 7 through 14 with the following:

"(5) Monitor State funded programs delivering services to persons who are deaf or hard of hearing to determine the extent that promised and mandated services are delivered."; and

on page 4, by replacing lines 25 through 33 with the following:

"(7) Promote cooperation among State and local agencies providing educational programs for deaf and hard of hearing individuals.".

Date: _____, 2003 _____

A message from the House by
Mr. Bolin, Assistant Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the restoration of the item, reduced by the Governor, which is attached, in a bill of the following title, to-wit:

SENATE BILL NO. 1239

A bill for AN ACT making appropriations.

Concurred in by the House, November 20, 2003.

BRADLEY S. BOLIN, Assistant Clerk of the House

Item Reduced by the Governor in Senate Bill 1239 which was restored:

Page(s)	Line(s)
226	23

A message from the House by
Mr. Bolin, Assistant 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. 39

Concurred in by the House, November 21, 2003.

BRADLEY S. BOLIN, Assistant Clerk of the House

A message from the House by
Mr. Bolin, Assistant 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. 40

Concurred in by the House, November 21, 2003.

BRADLEY S. BOLIN, Assistant Clerk of the House

A message from the House by
Mr. Bolin, Assistant 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. 42

Concurred in by the House, November 21, 2003.

[January 6, 2004]

BRADLEY S. BOLIN, Assistant Clerk of the House

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 3828, sponsored by Senator J. Sullivan, was taken up, read by title a first time and referred to the Committee on Rules.

At the hour of 12:05 o'clock p.m., pursuant to **Senate Joint Resolution No. 42**, the Chair announced the Senate stand adjourned until Wednesday, January 14, 2004, at 12:00 o'clock noon.

[January 6, 2004]