



# **SENATE JOURNAL**

**STATE OF ILLINOIS**

**NINETY-THIRD GENERAL ASSEMBLY**

**93RD LEGISLATIVE DAY**

**TUESDAY, MARCH 30, 2004**

**12:10 O'CLOCK P.M.**

**SENATE**  
**Daily Journal Index**  
**93rd Legislative Day**

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The Senate met pursuant to adjournment.  
Honorable Emil Jones, Jr., President of the Senate, presiding.  
Prayer by Pastor G. E. Livingston, New Dimensions Christian Center, Decatur, Illinois.  
Senator Link led the Senate in the Pledge of Allegiance.

The Journal of Friday, March 26, 2004, was being read when on motion of Senator Maloney, 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.

#### **EXCUSED FROM ATTENDANCE**

On motion of Senator Welch, Senator Silverstein was excused from attendance due to legislative business.

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

#### **LEGISLATIVE MEASURES FILED**

The following Committee amendments to the Senate Resolutions listed below have been filed with the Secretary, and referred to the Committee on Rules:

Senate Committee Amendment No. 1 to Senate Joint Resolution 53  
Senate Committee Amendment No. 1 to Senate Resolution 164  
Senate Committee Amendment No. 1 to Senate Resolution 441

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. 2 to Senate Bill 3000  
Senate Committee Amendment No. 1 to Senate Bill 3001  
Senate Committee Amendment No. 1 to Senate Bill 3349

The following Committee amendment to the House Bill listed below has been filed with the Secretary and referred to the Committee on Rules:

Senate Committee Amendment No. 1 to House Bill 7057

#### **PRESENTATION OF RESOLUTIONS**

##### **SENATE RESOLUTION 477**

Offered by Senator Martinez and all Senators:  
Mourns the death of Carmelo Mercaode of Chicago.

##### **SENATE RESOLUTION 478**

Offered by Senator Lauzen and all Senators:  
Mourns the death of L. Earl Youtzy of Aurora.

##### **SENATE RESOLUTION 479**

Offered by Senator Lauzen and all Senators:  
Mourns the death of Maria Teresa Alvarado Avila of St. Petersburg's Beach Florida.

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

**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. 4351  
A bill for AN ACT concerning taxes.
- HOUSE BILL NO. 4476  
A bill for AN ACT concerning public health.
- HOUSE BILL NO. 4894  
A bill for AN ACT concerning public health.
- HOUSE BILL NO. 4944  
A bill for AN ACT relating to schools.
- HOUSE BILL NO. 5014  
A bill for AN ACT concerning taxes.
- HOUSE BILL NO. 5057  
A bill for AN ACT concerning seniors.
- HOUSE BILL NO. 5067  
A bill for AN ACT concerning counties.
- HOUSE BILL NO. 5129  
A bill for AN ACT concerning environmental safety.

Passed the House, March 26, 2004.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 4351, 4476, 4894, 4944, 5014, 5057, 5067 and 5129** 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. 3890  
A bill for AN ACT concerning local government.
- HOUSE BILL NO. 3954  
A bill for AN ACT concerning Civil Procedure.
- HOUSE BILL NO. 3980  
A bill for AN ACT concerning human rights.
- HOUSE BILL NO. 4180  
A bill for AN ACT concerning State employee group insurance.
- HOUSE BILL NO. 4505  
A bill for AN ACT concerning criminal law.
- HOUSE BILL NO. 4575  
A bill for AN ACT in relation to public employee benefits.
- HOUSE BILL NO. 4735  
A bill for AN ACT concerning nursing facilities.
- HOUSE BILL NO. 4840  
A bill for AN ACT concerning fire safety.
- HOUSE BILL NO. 4851  
A bill for AN ACT in relation to employment.
- HOUSE BILL NO. 4962  
A bill for AN ACT concerning surrogacy.
- HOUSE BILL NO. 5215  
A bill for AN ACT concerning schools.
- HOUSE BILL NO. 5732

[March 30, 2004]

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

Passed the House, March 29, 2004.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 3890, 3954, 3980, 4180, 4505, 4575, 4735, 4840, 4851, 4962, 5215 and 5732** 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. 4567

A bill for AN ACT concerning environmental protection.

HOUSE BILL NO. 5095

A bill for AN ACT concerning environmental protection.

HOUSE BILL NO. 5891

A bill for AN ACT concerning professional regulation.

HOUSE BILL NO. 6706

A bill for AN ACT in relation to aging.

Passed the House, March 29, 2004.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 4567, 5095, 5891 and 6706** 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 concurred with the Senate in the adoption of the following joint resolution, to-wit:

SENATE JOINT RESOLUTION NO. 68

Concurred in by the House, March 26, 2004.

MARK MAHONEY, Clerk of the House

#### REPORT FROM RULES COMMITTEE

Senator Demuzio, Chairperson of the Committee on Rules, during its March 30, 2004 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Agriculture and Conservation: **Senate Committee Amendment No. 1 to Senate Resolution 164.**

Executive: **Senate Floor Amendment No. 2 to Senate Bill 2147; Senate Floor Amendment No. 2 to Senate Bill 2349; Senate Floor Amendment No. 3 to Senate Bill 2409.**

Judiciary: **Senate Committee Amendment No. 1 to Senate Joint Resolution 53; Senate Floor Amendment No. 2 to Senate Bill 948; Senate Floor Amendment No. 2 to Senate Bill 2287; Senate Floor Amendment No. 3 to Senate Bill 2791; Senate Floor Amendment No. 2 to Senate Bill 2800; Senate Floor Amendment No. 1 to Senate Bill 2907; Senate Committee Amendment No. 1 to House Bill 7057.**

[March 30, 2004]

Transportation: **Senate Committee Amendment No. 1 to Senate Resolution 441.**

Senator Demuzio, Chairperson of the Committee on Rules, to which was referred **House Bills Numbered 742, 958 and 999** on July 1, 2003, pursuant to Rule 3-9(b), reported that the Committee recommends that the bills be approved for consideration and returned to the calendar in their former position.

The report of the Committee was concurred in.

And **House Bills Numbered 742, 958 and 999** were returned to the order of third reading.

#### **READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME**

**House Bill No. 3980**, sponsored by Senator Walsh, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4132**, sponsored by Senator Risinger, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4180**, sponsored by Senator Righter, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4218**, sponsored by Senator Radogno, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4263**, sponsored by Senator Shadid, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4318**, sponsored by Senator Cullerton, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4351**, sponsored by Senator Peterson, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4400**, sponsored by Senator Bomke, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4410**, sponsored by Senator Haine, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4502**, sponsored by Senator DeLeo, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4660**, sponsored by Senator Shadid, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4720**, sponsored by Senator Risinger, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4739**, sponsored by Senator Radogno, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4840**, sponsored by Senator Martinez, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4914**, sponsored by Senator Clayborne, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 5057**, sponsored by Senator Harmon, was taken up, read by title a first time and referred to the Committee on Rules.

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**House Bill No. 5067**, sponsored by Senator Risinger, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 5095**, sponsored by Senator Ronen, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 5129**, sponsored by Senator Sieben, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 5732**, sponsored by Senator J. Jones, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 6706**, sponsored by Senator Hunter, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 6753**, sponsored by Senator Munoz, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4567**, sponsored by Senator Cullerton, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4962**, sponsored by Senator Cullerton, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4575**, sponsored by Senator Jacobs, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4847**, sponsored by Senator Jacobs, was taken up, read by title a first time and referred to the Committee on Rules.

At the hour of 12:37 o'clock p.m., the Chair announced that the Senate stand adjourned until Wednesday, March 31, 2004, at 12:00 o'clock noon.