

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/30/2004

SB0797	Non-Concurrence	2
SB2880	Concurrence	3
SB3201	Concurrence	4
SB3383	First Reading	7
HJR0080	Resolution Offered	6
SJR0084	Resolution Offered	7
Senate to Order-Senator DeLeo		1
Prayer-The Reverend Dave Hultberg		1
Pledge of Allegiance		1
Journal-Approved		1
Senate Stands in Recess/Reconvenes		6
Messages from the House		6
Adjournment		8

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PRESIDING OFFICER: (SENATOR DeLEO)

The regular Session of the 93rd General Assembly will please come order. Will the Members please be at their desk? Will our guests in the galleries please rise? The invocation today will be given by Reverend Dave Hultberg, the Sherman United Methodist Church, from Sherman, Illinois. Reverend.

THE REVEREND DAVE HULTBERG:

(Prayer by the Reverend Dave Hultberg)

PRESIDING OFFICER: (SENATOR DeLEO)

Please remain standing for the Pledge of Allegiance. Senator Link.

SENATOR LINK:

(Pledge of Allegiance, led by Senator Link)

PRESIDING OFFICER: (SENATOR DeLEO)

Please be seated. Madam Secretary, Reading and Approval of the Journal.

SECRETARY HAWKER:

Senate Journal of Saturday, May 29, 2004.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Maloney, for what purpose do you rise, sir?

SENATOR MALONEY:

Mr. President, I move that the Journal just read by the Secretary be approved, unless some Senator has additions or corrections to offer.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Maloney moves to approve the Journals just read by the Secretary. There being no objection, so ordered. Jack Condy seeks leave to photograph or videotape or record the proceedings. Is there any objection? Leave is granted. Senator Viverito, for what purpose do you rise, sir?

SENATOR VIVERITO:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR VIVERITO:

I think we have a very special guest on the Floor today, a man that's working hard for all of us, the United States Senator, Dick Durbin. How about a warm welcome for Dick Durbin?

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
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120th Legislative Day

5/30/2004

Welcome -- welcome back, Senator. Okay. Ladies and Gentlemen, we're going to Concurrences. Senate Bills, Concurrences. This will be final action. I'd ask all Members within the sound of my voice, please come to the Senate Floor. We're going to be starting Concurrences, Senate Bills, final action. So, please come to the Floor. Charles Osgood of the Chicago Tribune in Chicago, Illinois, seeks leave to photograph the proceedings. Is there any objection? Seeing no objection, leave is granted. Senator Burzynski, for what purpose do you rise, sir?

SENATOR BURZYNSKI:

Thank you, Mr. President. Just to let the Body know that Senator Soden, who has been out in Washington, D.C., at the dedication of the new World War II Memorial, will not be here today. He just arrived home, back in Chicago. So, thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. The record will so -- so reflect his absence. Okay. Ladies and Gentlemen, on the top of page 18 of the Calendar is Concurrences. Senate Bill 797. On the Order of Concurrence is Senate Bill 797. Ladies and Gentlemen, could we have a little attention, please? This is final passage. On the Order of Concurrence is Senate Bill 797. Senator Ronen, do you wish to proceed? She indicates she wishes to proceed. Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to nonconcur with the House in the adoption of their Amendments 1 and 3 to Senate Bill 797.

Motion filed by Senator Ronen.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Ronen, to explain your motion, ma'am.

SENATOR RONEN:

Thank you, Mr. President. I wish to nonconcur in House Amendment 1 and 3. This has to do with processing of information for -- of contractors. I think we still have a ways to go to make this work right. So I would ask that we nonconcur so we can spend some of the coming months in improving this bill.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
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SENATE TRANSCRIPT

120th Legislative Day

5/30/2004

Okay. The lady asks -- Senator Ronen moves to nonconcur in House Amendment No. 1 and 3 to Senate Bill 797. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it. The motion carries, and the Secretary shall inform the House. Ladies and Gentlemen, continuing on Secretary's Desk Concurrence, Senate Bills, we will turn the page and go to page 20 of your Calendar. Page 20 of your Calendar. On the top of page 20 is Senate Bill 2320. Senator Welch. Out of the record. Moving along on page 20 is Senate Bill 2496. Senator Cullerton. Senator John Cullerton. On 2496, sir, do you wish to proceed? He indicates no. Continuing on page 20 of Concurrences is Senate Bill 2880. Senator Martinez, do you wish to proceed? She indicates she wishes to proceed. Madam Secretary, please read the bill -- read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1, 2 and 3 to Senate Bill 2880.

Motion filed by Senator Martinez.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Martinez, to explain the motion, ma'am.

SENATOR MARTINEZ:

Thank you, Mr. President. House Amendment No. 1 establishes the old -- the Older Adult Services Act to be primarily administered by Department of Aging to promote the transformation of Illinois' comprehensive system of older -- older adult services from a facility-based to a home-based and community-based service system and to encompass the provision of housing, health, financial and supportive services that will allow the individual to remain independent in the community for as long as possible.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Senator Righter, for what purpose do you rise, sir?

SENATOR RIGHTER:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR RIGHTER:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/30/2004

Thank you, Mr. President. I rise in support of the bill. This is a large, comprehensive piece of legislation. Many groups have been involved in the -- in the drafting and the negotiations. I appreciate very much the sponsor's hard efforts on this, and I would urge an Aye vote from the Members on our side of the aisle.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Martinez, to close, ma'am.

SENATOR MARTINEZ:

Thank you. Like Senator Righter said, this is a long and very -- a lot of groups involved. We had over forty organizations' input involved in this -- this whole legislation, and we thank them all. And I think this is a good piece of legislation. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Okay. Ladies and Gentlemen, this is final action. The question is, shall Senate concur in House Amendments No. 1, 2 and 3 to Senate Bill 2880. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 57 Ayes, 0 Nays, 0 voting Present. The Senate concurs in House Amendments No. 1, 2 and 3 to Senate Bill 2880. And the bill, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, Randy Squires seeks leave of the Body to photograph -- photograph or videotape the proceedings. Is there any objection? Leave is granted. Continuing on Concurrence, Senate Bills -- we'll move to page 21 of your Calendar -- is Senate Bill 3201. Senator Schoenberg, do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 3201.

Motion filed by Senator Schoenberg.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg, on the motion.

SENATOR SCHOENBERG:

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/30/2004

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move that the Senate concur with House Amendment No. 1 to Senate Bill 3201. This enables us to execute and implement Executive Order No. 12 that merged the Department of Nuclear Safety with the Illinois Emergency Management Agency, and thus, enabling IEMA to assume the powers and duties that were previously vested in DNS. I'd be happy to answer any questions. There's no known opposition to this.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing no -- discussion - this is final action - the question is, shall Senate concur in House Amendment No. 1 to Senate Bill 3201. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 54 Ayes, 3 voting Nay, 0 voting Present. The Senate concurs in House Amendment No. 1 to Senate Bill 3201. And the bill, having received the required constitutional majority, is declared passed. Senator Halvorson, for what purpose do you rise, ma'am?

SENATOR HALVORSON:

Thank you, Mr. President. For purpose of an announcement.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement.

SENATOR HALVORSON:

We are calling for a Democratic Caucus immediately.

PRESIDING OFFICER: (SENATOR DeLEO)

Ladies and Gentlemen, please give the speaker your attention. An announcement is being made. Please repeat your announcement, ma'am.

SENATOR HALVORSON:

Thank you, Mr. President. I'd like to announce a Democratic Caucus immediately in Senator Jones' Office. It should last till about 6:30.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The lady requests -- the Democrats will request a caucus immediately in President Jones' Office, immediately, to the hour of 6:30. Senator Burzynski, for what purpose do you rise, sir?

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/30/2004

SENATOR BURZYNSKI:

Thank you, Mr. President. We would request a Republican Caucus immediately, as well, in Senator Watson's Office though.

PRESIDING OFFICER: (SENATOR DeLEO)

That order is always in order -- that request is always in order, sir. And the gentleman has requested -- the Republicans will caucus immediately in -- in Leader Watson's Office, to the hour of 6:30. The Senate -- Senate will stand at ease to the call of the Chair. The Senate will stand in recess to the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

Senate will come to order. WICS-TV requests permission to videotape. Is there -- hearing any objection? Leave is granted. Madam Secretary, Messages from the House, please.

SECRETARY HAWKER:

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 1626, together with House Amendment 1.
Passed the House, as amended, May 30th, 2004.

A Message from the House by Mr. Mahoney, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to concur with the Senate in the adoption of their amendment to a bill of the following title, to wit:

House Bill 4283, together with Senate Amendments 1 and 3.
Nonconcurrent in by the House, May 30th, 2004.

A Message from the House by Mr. Mahoney, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Joint Resolution 80.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/30/2004

It is substantive.

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 Bills -- Senate Bill 2411, together with House Amendments 1 and 3.

Passed the House, as amended, May 30, 2004.

PRESIDING OFFICER: (SENATOR DeLEO)

Introduction of Bills, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 3383, offered by Senator Cullerton.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, Resolutions, please.

SECRETARY HAWKER:

Senate Joint Resolution 84, offered by Senator Obama.

It is substantive.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Ladies and Gentlemen, there being no further business to be -- come before the Senate, the Senate will stand adjourned until the hour of 9 a.m. on Monday, May 31st, the year 2004. The -- the Senate -- Leader Watson, for what purpose do you rise, sir?

SENATOR WATSON:

Well, I -- I appreciate the fact that -- that maybe some would like to leave and go home, but we've got a lot of pressing business to come before the people of this State, and especially the area of medical malpractice insurance. And -- there's an awful lot of people here that are from my district, from Senator Haine's district, from Senator Clayborne's district, who have traveled to Springfield day after day, just the very same way the Vandalia Correctional Center people have, on being here to -- to -- and they're concerned about what's happening with the exodus of doctors from our region of the State. I just can't imagine how we can't be addressing the issue of medical malpractice. We've got legislation before the Executive Committee. We have...

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/30/2004

PRESIDING OFFICER: (SENATOR DeLEO)

Senator. Senator. Senator. Senator. Senator. Senator,
please. As you know, the Senate is about to adjourn to come in
tomorrow morning. The leaders on that issue are -- meeting all
over this Capitol Building as we speak. The Senate stands
adjourned till the hour of 9 a.m. tomorrow morning.