

SENATE JOURNAL

STATE OF ILLINOIS

NINETY-SECOND GENERAL ASSEMBLY

60TH LEGISLATIVE DAY

WEDNESDAY, JANUARY 9, 2002

1:30 O'CLOCK P.M.

No. 60  
[Jan. 9, 2002]

The Senate met pursuant to adjournment.  
Honorable James "Pate" Philip, Wood Dale, Illinois, presiding.  
Prayer by Father Anthony Nugent, St. Mary's Immaculate Parish,  
Plainfield, Illinois.  
Senator Radogno led the Senate in the Pledge of Allegiance.

The Journal of Wednesday, November 28, 2001, was being read when on motion of Senator Myers 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.

The Journal of Thursday, November 29, 2001, was being read when on motion of Senator Myers 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.

#### REPORTS RECEIVED

The Secretary placed before the Senate the following reports:

The FY 2001 Medical Expenditures for Services Provided in Prior Fiscal Years submitted by the Department of Public Aid as required by the Illinois Compiled Statutes 30 ILCS 105/25, Section (e)(i), as amended.

The report on Unpaid Medical Claims on Hand June 30, 2001, submitted by the Department of Public Aid pursuant to Illinois Compiled Statutes 30 ILCS 105/25, Section (e)(ii), as amended.

A report on the results of efforts to combat fraud and abuse submitted by the Department of Public Aid in accordance with Illinois Compiled Statutes 30 ILCS 105/25, Section (g)(3), as amended.

The report which summarizes the results of the Electronic Funds Transfer Committee submitted by the Department of Public Aid pursuant to Public Act 91-677 (effective January 5, 2000).

A report on the Child Support Administrative Fund Action Plan, November 30, 2001, submitted by the Department of Public Aid as required by Public Act 92-0044.

A report on the Financial Statements for the quarter ending September 30, 2001, submitted by the Metropolitan Pier and Exposition Authority pursuant to the Metropolitan Pier and Exposition Authority Act, as amended (70 ILCS 210/1).

The Annual Report, June 30, 2001, submitted by the Illinois Building Commission.

The 2001 Case Report submitted by the Legislative Reference Bureau as required by Section 5.05 of the Legislative Reference Bureau Act, 25 ILCS 135/5.05.

A status report of pending projects for the construction, renovation or rehabilitation of a school building or related facility submitted by the Public Building Commission in accordance with Senate Bill 265, which amended Section 19.1 of the Public Building

[Jan. 9, 2002]

Commission Act (50 ILCS 20/1 et.seq.).

FY 2001 reports on the financial operations of the Building Illinois Capital Revolving Loan Fund, Illinois Equity Fund, and Large Business Attraction Fund submitted by the Department of Commerce and Community Affairs in compliance with Sections 9-9 and 10-9 of PA 84-109 (30 ILCS 750/).

The Construction Progress Report for period ending September 30, 2001, submitted by the Metropolitan Pier and Exposition Authority pursuant to the Metropolitan Pier and Exposition Authority Act as amended (70 ILCS 210/1).

The 2000 Annual Statistical Report submitted by the State Board of Education as required by Section 2.3-11.

The Fiscal Year 2001 Annual Report submitted by the Department on Aging.

A Report of the Illinois Delegation to the National Conference of Commissioners on Uniform State Laws submitted by the Legislative Reference Bureau.

A report, 2001 Illinois Bond Watcher, submitted by the Illinois Economic and Fiscal Commission.

The Report on Limitation of Administrative Costs (FY 2000 Actual Expenditures/FY 2001 Budgeted Expenditures), submitted by the State Board of Education, pursuant to Section 17-1.5 of the Illinois School Code (105 ILCS 5/17-1.5).

The report regarding Consolidated High School District 230 submitted by the State Board of Education as directed by HR 387.

The FY 2000 Fiscal Responsibility Report Card of Illinois local government finances and individual Data Summaries for counties, municipalities, townships, and special purpose governments submitted by the Office of the Comptroller in compliance with the Fiscal Responsibility Report Card Act (35 ILCS 200/30-30 and 200/30-31).

The Charter Schools Annual Report for School Year 2000-2001 submitted by the State Board of Education in accordance with Section 27A-12 of the Illinois Charter Schools Law (105 ILCS 5/27A-12).

The Supplement to the Affirmative Action Plan for the Metropolitan Pier and Exposition Authority for the year 2002 submitted by the Metropolitan Pier and Exposition Authority pursuant to the Metropolitan Pier and Exposition Authority Act, as amended (70 ILCS 210/1).

Calendar year 2001 report on the Small Business Utility Advocate submitted by the Small Business Utility Advocate in accordance with Public Act 84-686.

The First Quarter Procurement Report for period ending September 30, 2001, submitted by the Metropolitan Pier and Exposition Authority as required by the Metropolitan Pier and Exposition Authority Act as amended (70 ILCS 210/1).

A report on the use of the Used Tire Management Funds submitted

[Jan. 9, 2002]

by the Illinois Pollution Control Board pursuant to Public Act 89-499.

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

MESSAGE FROM THE COMPTROLLER

OFFICE OF THE COMPTROLLER

DANIEL W. HYNES  
Comptroller

January 8, 2002

To the Honorable Members of the Senate  
Ninety-Second General Assembly

I have nominated the following named person to the Merit Commission of the Office of the Comptroller for a term of six years, expiring the third Monday in January, 2008. I respectfully ask concurrence in the confirmation of this appointment by your Honorable body.

Deborah K. Cimarossa  
Non-Salaried

Very truly yours,

s/Daniel W. Hynes  
Comptroller

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

INTRODUCTION OF BILLS

SENATE BILL NO. 1541. Introduced by Senator Peterson, a bill for AN ACT concerning taxes.

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

SENATE BILL NO. 1542. Introduced by Senator Sieben, a bill for AN ACT concerning enterprise zones.

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

SENATE BILL NO. 1543. Introduced by Senator Peterson, a bill for AN ACT concerning taxes.

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

SENATE BILL NO. 1544. Introduced by Senator Mahar, a bill for AN ACT concerning education.

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

[Jan. 9, 2002]

SENATE BILL NO. 1545. Introduced by Senator Mahar, a bill for AN ACT concerning schools.

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

SENATE BILL NO. 1546. Introduced by Senator L. Madigan, a bill for AN ACT concerning business transactions.

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

SENATE BILL NO. 1547. Introduced by Senator DeLeo, a bill for AN ACT in relation to public employee benefits.

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

SENATE BILL NO. 1548. Introduced by Senator T. Walsh, a bill for AN ACT in relation to firearms.

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

SENATE BILL NO. 1549. Introduced by Senator T. Walsh, a bill for AN ACT in relation to Firearm Owner's Identification Cards.

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

SENATE BILL NO. 1550. Introduced by Senator Myers, a bill for AN ACT in relation to vehicles.

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

SENATE BILL NO. 1551. Introduced by Senator Jacobs, a bill for AN ACT concerning municipal fees.

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

SENATE BILL NO. 1552. Introduced by Senator L. Walsh, a bill for AN ACT in relation to vehicles.

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

READING BILL FROM THE HOUSE OF REPRESENTATIVES  
A FIRST TIME

House Bill No. 2742, sponsored by Senator O'Malley was taken up, read by title a first time and referred to the Committee on Rules.

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 274

Offered by Senator Geo-Karis and all Senators:  
Mourns the death of Robert B. Wheelwright of Winthrop Harbor.

SENATE RESOLUTION NO. 275

Offered by Senator O'Malley and all Senators:  
Mourns the death of Frank Passarelli of Palos Heights.

SENATE RESOLUTION NO. 276

Offered by Senator Dillard and all Senators:

[Jan. 9, 2002]

Mourns the death of Roland F. "Ron" Moeller of Downers Grove.

SENATE RESOLUTION NO. 277

Offered by Senator Dillard and all Senators:  
Mourns the death of Chester "Jack" Winter of Downers Grove.

SENATE RESOLUTION NO. 278

Offered by Senators Demuzio - E. Jones and all Senators:  
Mourns the death of Ralph E. Dyer of Petersburg.

SENATE RESOLUTION NO. 279

Offered by Senator Demuzio and all Senators:  
Mourns the death of Rosemary Mack of Carlinville.

SENATE RESOLUTION NO. 280

Offered by Senator Demuzio and all Senators:  
Mourns the death of Virgil A. Imel of Carlinville.

SENATE RESOLUTION NO. 281

Offered by Senator Demuzio and all Senators:  
Mourns the death of Frederick W. "Coach" Brenzel. Jr., of Staunton.

SENATE RESOLUTION NO. 282

Offered by Senator Demuzio and all Senators:  
Mourns the death of Fred H. Steiner of Carlinville.

SENATE RESOLUTION NO. 283

Offered by Senators Demuzio - Shadid and all Senators:  
Mourns the death of Raymond Fred Gallo, Sr., of Benld.

The foregoing resolutions were referred to the Resolutions Consent Calendar.

MOTION IN WRITING

Senator Shaw submitted the following Motion in Writing:

Pursuant to Senate Rule 7-15, having voting on the prevailing side, I move to reconsider the vote by which House Bill 3495 failed.

Date: January 9, 2002

William Shaw  
Senator

And on that motion, a call of the roll was had resulting as follows: Yeas 55; Nays None.

The following voted in the affirmative:

Bomke  
Bowles  
Burzynski  
Clayborne  
Cronin  
Cullerton  
DeLeo  
del Valle  
Demuzio  
Dillard

[Jan. 9, 2002]

Donahue  
Dudycz  
Geo-Karis  
Halvorson  
Hawkinson  
Hendon  
Jacobs  
Jones, E.  
Jones, W.  
Karpel  
Klemm  
Lauzen  
Lightford  
Link  
Madigan  
Mahar  
Maitland  
Molaro  
Munoz  
Myers  
Noland  
Obama  
O'Daniel  
O'Malley  
Parker  
Peterson  
Petka  
Radogno  
Ronen  
Roskam  
Shadid  
Shaw  
Silverstein  
Smith  
Stone  
Sullivan  
Syverson  
Trotter  
Walsh, L.  
Walsh, T.  
Watson  
Weaver  
Welch  
Woolard  
Mr. President

The motion prevailed.

**MESSAGE FROM THE GOVERNOR**

A Message for the Governor by Michael P. Madigan  
Director, Legislative Affairs

January 9, 2002

Mr. President,

The Governor directs me to lay before the Senate the  
Following Message:

[Jan. 9, 2002]

STATE OF ILLINOIS  
EXECUTIVE DEPARTMENT

To The Honorable  
Members of the Senate  
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:

DEPARTMENT OF NATURAL RESOURCES

To be the Assistant Director of the Department of  
Natural Resources for a term ending January 20, 2003:

Andrea S. Moore of Libertyville  
Salaried

ILLINOIS LABOR RELATIONS BOARD; STATE PANEL

To be a member of the Illinois Labor Relations Board; State  
Panel for a term ending January 26, 2004:

Michael G. Breslan of Chicago  
Salaried

CHILDREN AND FAMILY SERVICES ADVISORY COUNCIL

To be a member of the Children and Family Services  
Advisory Council for a term ending January 20, 2003:

Linda Young of Carbondale  
Non-Salaried

To be a member of the Children and Family Services  
Advisory Council for a term ending January 17, 2005:

Susan L. Kelsey of Chicago  
Non-Salaried

GUARDIANSHIP AND ADVOCACY COMMISSION

To be a member of the Guardianship and Advocacy  
Commission for a term ending June 30, 2002:

Saul J. Morse of Springfield  
Non-Salaried

To be members of the Guardianship and Advocacy Commission  
for terms ending June 30, 2004:

Seymour Bryson of Carbondale  
Non-Salaried

Glenn Jackson of Fairfield  
Non-Salaried

Susan B. McMahon of Elmhurst  
Non-Salaried

[Jan. 9, 2002]

KASKASKIA REGIONAL PORT DISTRICT BOARD

To be a member of the Kaskaskia Regional Port District Board for a term ending June 30, 2004:

Virgil J. Becker of Smithton  
Non-Salaried

PUBLIC ADMINISTRATOR AND PUBLIC GUARDIAN

To be the Public Administrator and Public Guardian of Moultrie County for a term ending December 3, 2001:

Gail E. Wolfe of Lovington  
Non-Salaried

To be the Public Administrator and Public Guardian of Moultrie County for a term ending December 5, 2005:

Gail E. Wolfe of Lovington  
Non-Salaried

To be the Public Administrator of Cook County for a term ending December 5, 2005:

Lou Apostol of Glenview  
Non-Salaried

QUALITY CARE BOARD

To be members of the Quality Care Board for terms ending September 18, 2004:

Teresa Ann McFarland of Chicago  
Non-Salaried

Linda L. Virgil of Decatur  
Non-Salaried

GEORGE H. RYAN

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

Senator Karpziel announced that there will be a Republican caucus immediately upon recess.

Senator Smith announced that there will be a Democrat caucus immediately upon recess.

At the hour of 2:05 o'clock p.m., the Chair announced that the Senate stand at recess subject to the call of the Chair.

**AFTER RECESS**

At the hour of 5:50 o'clock p.m., the Senate resumed consideration of business.

Senator Weaver, presiding.

[Jan. 9, 2002]

LEGISLATIVE MEASURE FILED

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

Senate Amendment No. 3 to House Bill 3495

REPORT FROM RULES COMMITTEE

Senator Weaver, Chairperson of the Committee on Rules, during its January 9, 2002 meeting, reported the following Legislative Measure has been assigned to the indicated Standing Committee of the Senate:

Executive: Senate Amendment No. 3 to House Bill 3495.

MESSAGE FROM THE PRESIDENT

OFFICE OF THE SENATE PRESIDENT  
ILLINOIS SENATE

January 9, 2002

Jim Harry  
Secretary of the Senate  
401 State House  
Springfield, IL 62706

Dear Mr. Secretary:

Attached herewith please find the schedule with appropriate deadlines for the Spring 2002 legislative session.

Sincerely,

s/James "Pate" Philip  
Senate President

2002 SENATE SCHEDULE

JANUARY - 2002:

9 - SESSION - 92nd G.A. Reconvenes  
10 - SESSION  
29 - SESSION  
30 - SESSION  
31 - SESSION

FEBRUARY - 2002:

5 - SESSION  
6 - SESSION  
7 - SESSION - DEADLINE  
Introduction of SB's  
20 - SESSION  
STATE OF STATE/BUDGET ADDRESS

[Jan. 9, 2002]

21 - SESSION  
22 - SESSION  
26 - SESSION  
27 - SESSION  
28 - SESSION

MARCH - 2002:

5 - SESSION  
6 - SESSION  
7 - SESSION - DEADLINE - Committees  
to report Senate Bills  
20 - SESSION  
21 - SESSION  
22 - SESSION

APRIL - 2002:

2 - SESSION  
3 - SESSION  
4 - SESSION  
5 - SESSION - DEADLINE - Senate  
Bills Third Reading  
9 - SESSION  
10 - SESSION  
11 - SESSION  
16 - SESSION  
17 - SESSION  
18 - SESSION  
23 - SESSION  
24 - SESSION  
25 - SESSION - DEADLINE - Committees  
to Report House Bills

MAY - 2002:

6 - SESSION  
7 - SESSION  
8 - SESSION  
9 - SESSION - DEADLINE - House  
Bills Third Reading  
13 - SESSION  
14 - SESSION  
15 - SESSION  
16 - SESSION  
17 - SESSION - ADJOURNMENT

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message from the House by  
Mr. Rossi, 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 148  
A bill for AN ACT concerning police officers.

Which amendment is as follows:

[Jan. 9, 2002]

Senate Amendment No. 1 to HOUSE BILL NO. 148.

Concurred in by the House, January 9, 2002.

ANTHONY D. ROSSI, Clerk of the House

At the hour of 5:56 o'clock p.m., the Chair announced that the Senate stand adjourned until Thursday, January 10, 2002 at 9:00 o'clock a.m.

[Jan. 9, 2002]