



# **SENATE JOURNAL**

**STATE OF ILLINOIS**

**NINETY-FOURTH GENERAL ASSEMBLY**

**69TH LEGISLATIVE DAY**

**WEDNESDAY, FEBRUARY 1, 2006**

**12:28 O'CLOCK P.M.**

**SENATE**  
**Daily Journal Index**  
**69th Legislative Day**

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The Senate met pursuant to adjournment.  
 Senator Terry Link, Lake Bluff, Illinois, presiding.  
 Prayer by Reverend Jeff Chitwood, South Side Christian Church, Springfield, Illinois.  
 Senator Maloney led the Senate in the Pledge of Allegiance.

The Journal of Tuesday, January 31, 2006, was being read when on motion of Senator Hunter, 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:

WIA Annual Report on Services to Individuals with Disabilities, submitted by the Department of Commerce and Economic Opportunity.

FY 2005 Intergovernmental Law Enforcement Officers In-Service Training Act – Mobile Team Unit Operations, submitted by the Illinois Law Enforcement Training and Standards Board.

2006 State of Illinois Hispanic Employment Plan, submitted by the Department of Central Management Services.

2005-2006 Annual Report on The Status of Transition Services for Secondary Students with Disabilities in Illinois, submitted by the Department of Human Services and the Illinois State Board of Education

2005 Annual Report, submitted by the Illinois Property Tax Appeal Board.

FY 05 Annual Report, submitted by the Office of the Inspector General of the Department of Human Services.

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

### **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. 2 to Senate Bill 2144  
 Senate Committee Amendment No. 1 to Senate Bill 2305  
 Senate Committee Amendment No. 1 to Senate Bill 2339  
 Senate Committee Amendment No. 2 to Senate Bill 2356  
 Senate Committee Amendment No. 1 to Senate Bill 2391  
 Senate Committee Amendment No. 1 to Senate Bill 2456  
 Senate Committee Amendment No. 1 to Senate Bill 2495  
 Senate Committee Amendment No. 1 to Senate Bill 2592  
 Senate Committee Amendment No. 1 to Senate Bill 2885

### **PRESENTATION OF RESOLUTION**

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

[February 1, 2006]

**SENATE RESOLUTION NO. 595**

WHEREAS, Good health is essential to every citizen of the world and access to the highest standards of health information and services is necessary to improve public health; and

WHEREAS, The World Health Organization (WHO) set forth in the first chapter of its charter the objective of attaining the highest possible level of health for all the people of the world; and

WHEREAS, The Republic of China's achievements in the field of health are substantial, including one of the highest life expectancy levels in Asia, maternal and infant mortality rates comparable to those of western countries, the eradication of such infectious diseases as cholera, smallpox and the plague, and the first to eradicate polio and provide children with hepatitis B vaccinations; and

WHEREAS, There is an emerging disease that threatens a pandemic of unprecedented proportions; avian influenza is the link between a non-traditional threat and security that requires us to place human lives at the center of discourse; and

WHEREAS, In recent years the Republic of China has expressed a willingness to assist financially and technically in international health activities supported by the World Health Organization; and

WHEREAS, Direct, unobstructed participation in international health forums and programs is essential to limit the spread of various infectious diseases and improve world health; and

WHEREAS, Taiwan's participation in the World Health Organization could bring many benefits to the state of health not only in Taiwan, but also regionally and globally; and

WHEREAS, The United States, in the 1994 Taiwan Policy review, declared its intention to support Taiwan's participation in appropriate international organizations; and

WHEREAS, The United States Centers for Disease Control and Prevention and its Taiwanese counterpart have enjoyed close collaboration on a wide range of public health issues; and

WHEREAS, Illinois continues to acknowledge and appreciate its important economic, educational, and cultural ties with Taiwan recognized through the establishment of sister-state relations with Taiwan since 1992; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we support Taiwan's admission as an observer to the World Health Organization and express the belief that the Republic of China (Taiwan) should be permitted to participate in a meaningful and appropriate way in the World Health Organization, especially in light of the emerging threat in Southeast Asia of avian influenza; and be it further

RESOLVED, That a suitable copy of this resolution be sent to World Health Organization.

**MESSAGE FROM THE PRESIDENT****OFFICE OF THE SENATE PRESIDENT  
STATE OF ILLINOIS**

EMIL JONES, JR.  
SENATE PRESIDENT

327 STATE CAPITOL  
Springfield, Illinois 62706

February 1, 2006

Ms. Linda Hawker  
Secretary of the Senate  
Room 403 State House  
Springfield, Illinois 62706

[February 1, 2006]

Dear Madam Secretary:

Pursuant to Rule 3-5(c), I hereby appoint Senator John Cullerton and Senator Rickey Hendon to replace Senator James DeLeo and Senator Terry Link respectively, as members of the Rules Committee. This appointment is effective immediately.

Very truly yours,  
s/Emil Jones, Jr.  
Senate President

cc: Senate Minority Leader Frank Watson

#### 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. 4134

A bill for AN ACT concerning civil liabilities.

HOUSE BILL NO. 4135

A bill for AN ACT concerning regulation.

HOUSE BILL NO. 4147

A bill for AN ACT in relation to economic development.

HOUSE BILL NO. 4202

A bill for AN ACT concerning insurance.

HOUSE BILL NO. 4425

A bill for AN ACT concerning business.

HOUSE BILL NO. 4453

A bill for AN ACT concerning State government.

HOUSE BILL NO. 4462

A bill for AN ACT concerning safety.

HOUSE BILL NO. 4526

A bill for AN ACT concerning State government.

HOUSE BILL NO. 4696

A bill for AN ACT concerning education.

Passed the House, January 31, 2006.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 4134, 4135, 4147, 4202, 4425, 4453, 4462, 4526 and 4696** 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 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 NO. 76

WHEREAS, Members of the House and the Senate are aware of the illegal sale of false forms of identification, such as fraudulent driver's licenses, green cards, State identification cards, social security cards, and matricula cards; and

[February 1, 2006]

WHEREAS, These illegal sales cause major problems for businesses in this State, as well as for federal, State, and local governmental agencies; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the False Identification Task Force is created, to consist of 12 members appointed as follows: one member of the Senate, to serve as co-chair, appointed by the Senate President; one member of the Senate appointed by the Senate Minority Leader; one member of the House, to serve as co-chair, appointed by the Speaker of the House; one member of the House appointed by the House Minority leader; and 8 additional members, of whom one member is to be appointed by each of the following officials: the Governor; the Secretary of State; the Attorney General; the State's Attorney of Cook County; the Director of the U.S. Office of Citizenship and Immigration Services; the U.S. Secretary of Homeland Security; the Commissioner of the Chicago Police Department; and the Director of the Illinois Department of State Police; and be it further

RESOLVED, That the Task Force shall study the problem of the illegal sale of false forms of identification and shall determine the most effective methods for combating these illegal sales; and be it further

RESOLVED, That the Task Force shall report its findings and recommendations to the General Assembly no later than December 31, 2006; and be it further

RESOLVED, That copies of this resolution be delivered to the following officials: the Governor; the Secretary of State; the Attorney General; the State's Attorney of Cook County; the Director of the U.S. Office of Citizenship and Immigration Services; the U.S. Secretary of Homeland Security; the Commissioner of the Chicago Police Department; and the Director of the Illinois Department of State Police.

Adopted by the House, January 26, 2006.

MARK MAHONEY, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 76 was referred to the Committee on Rules.

### REPORTS FROM STANDING COMMITTEES

Senator Lightford, Chairperson of the Committee on Education, to which was referred **Senate Bills numbered 2191, 2202, 2257 and 2336**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Lightford, Chairperson of the Committee on Education, to which was referred **Senate Bill No. 2235**, 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.

Senator Crotty, Chairperson of the Committee on Local Government, to which was referred **Senate Bills numbered 2247, 2348 and 2360**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Crotty, Chairperson of the Committee on Local Government, to which was referred **Senate Bill No. 2397**, 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.

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Senator Cullerton and Senator Dillard, Co-Chairpersons of the Committee on Judiciary, to which was referred **Senate Bills numbered 2272, 2300, 2402 and 2475**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Munoz, Chairperson of the Committee on Transportation, to which was referred **Senate Bills numbered 2130 and 2306**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Munoz, Chairperson of the Committee on Transportation, to which was referred **Senate Bills numbered 2230 and 2489**, 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 J. Sullivan, Chairperson of the Committee on Agriculture & Conservation, to which was referred **Senate Bill No. 2334**, reported the same back with the recommendation that the bill do pass.

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

Senator J. Sullivan, Chairperson of the Committee on Agriculture & Conservation, to which was referred **Senate Bills numbered 2236 and 2271**, 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 Health & Human Services, to which was referred **Senate Bills numbered 2170, 2195, 2199, 2238, 2308 and 2491**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Ronen, Chairperson of the Committee on Health & Human Services, to which was referred **Senate Bill No. 2510**, 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.

Senator Clayborne, Chairperson of the Committee on Environment & Energy, to which was referred **Senate Bills numbered 2285 and 2412**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Clayborne, Chairperson of the Committee on Environment & Energy, to which was referred **Senate Bill No. 2129**, 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.

#### **EXCUSED FROM ATTENDANCE**

On motion of Senator Sieben, Senator Burzynski was excused from attendance due to business in his district, and Senator Peterson was excused from attendance due to personal business.

Senator Sieben announced a Republican Caucus immediately upon adjournment.

#### **EXCUSED FROM ATTENDANCE**

On motion of Senator Halvorson, Senator Forby was excused from attendance due to illness.

## COMMITTEE MEETING ANNOUNCEMENT

Senator Maloney, Vice-Chairperson of the Committee on Labor, announced that the Labor Committee will meet today in Room 400, at 2:30 o'clock p.m.

### REPORT FROM RULES COMMITTEE

Senator Viverito, Chairperson of the Committee on Rules, reported that the Committee recommends that **Senate Bill No. 2487** be re-referred from the Committee on Health & Human Services to the Committee on Rules.

Senator Viverito, Chairperson of the Committee on Rules, during its February 1, 2006 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Agriculture & Conservation: **SENATE BILLS 2810, 2841 and 2887.**

Commerce & Economic Development: **SENATE BILLS 2885 and 3056.**

Education: **SENATE BILLS 2630, 2670, 2762, 2784, 2795, 2796, 2829 and 2882.**

Environment & Energy: **SENATE BILLS 2580, 2594, 2720 and 2807.**

Executive: **SENATE BILLS 2487, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2558, 2587, 2592, 2711, 2748, 2776, 2847, 2978, 2981, 2998, 3053 and 3086.**

Financial Institutions: **Senate Committee Amendment No. 1 to Senate Bill 2305, Senate Committee Amendment No. 1 to Senate Bill 2495; SENATE BILLS 2569, 2611, 2619, 2844 and 3035.**

Health & Human Services: **SENATE BILLS 2559, 2578, 2626, 2654, 2672, 2692, 2728, 2730, 2763, 2770, 2782, 2936, 3010 and 3087.**

Higher Education: **SENATE BILLS 2627 and 2778.**

Housing & Community Affairs: **SENATE BILLS 2697, 2772 and 3036.**

Insurance: **SENATE BILLS 2655, 2705, 2911 and 2917.**

Judiciary: **SENATE BILLS 2562, 2570, 2601, 2616, 2657, 2673, 2676, 2684, 2737, 2739, 2890, 2915, 2954, 2955, 2960, 2962, 2966, 2968, 2971, 2985, 3016, 3018, 3037 and 3076.**

Labor: **SENATE BILLS 2339, 2662 and 2693.**

Licensed Activities: **Senate Committee Amendment No. 2 to Senate Bill 2144; SENATE BILLS 2556, 2608, 2774 and 2909.**

Local Government: **SENATE BILLS 2615, 2621, 2625, 2664, 2713, 2777, 2798, 2871, 2904, 2933 and 3046.**

Pensions & Investments: **SENATE BILLS 2622, 2652, 2653, 2666, 2754 and 2761.**

Revenue: **SENATE BILLS 2691, 2709 and 3088.**

State Government: **Senate Committee Amendment No. 1 to Senate Bill 2456; SENATE BILLS 2639, 2674, 2726, 2830, 2868, 2899, 2921, 2949, 2951, 2952 and 3011.**

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Transportation: **SENATE BILLS 2575, 2650, 2759, 2808, 2834, 2837, 2865 and 2878.**

### INTRODUCTION OF BILL

**SENATE BILL NO. 3094.** Introduced by Senator Schoenberg, a bill for AN ACT concerning appropriations.

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

### COMMITTEE MEETING ANNOUNCEMENTS

Senator Harmon, Chairperson of the Committee on Revenue, announced that the Revenue Committee will meet today in Room 400, at 1:30 o'clock p.m.

Senator Collins, Chairperson of the Committee on Financial Institutions, announced that the Financial Institutions Committee will meet Thursday, February 2, 2006, in Room 400, at 9:00 o'clock a.m.

Senator Garrett, Chairperson of the Committee on State Government, announced that the State Government Committee will meet today in Room A-1 Stratton Building, at 1:00 o'clock p.m.

Senator Demuzio, Chairperson of the Committee on Licensed Activities, announced that the Licensed Activities Committee will meet today in Room A-1 Stratton Building, at 2:30 o'clock p.m.

Senator Meeks, Chairperson of the Committee on Commerce & Economic Development, announced that the Commerce & Economic Development Committee will meet Thursday, February 2, 2006, in Room A-1 Stratton Building, at 9:00 o'clock a.m.

At the hour of 12:59 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 4:15 o'clock p.m., the Senate resumed consideration of business.  
Senator Link, presiding.

### REPORTS FROM STANDING COMMITTEES

Senator Harmon, Chairperson of the Committee on Revenue, to which was referred **Senate Bills numbered 2350 and 2513**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Garrett, Chairperson of the Committee on State Government, to which was referred **Senate Bills numbered 2204, 2330 and 2456**, 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 Maloney, Vice-Chairperson of the Committee on Labor, to which was referred **Senate Bill No. 2399**, reported the same back with the recommendation that the bill do pass.

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

Senator Demuzio, Chairperson of the Committee on Licensed Activities, to which was referred **Senate Bills numbered 2286, 2345 and 2395**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

[February 1, 2006]

**MESSAGE 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. 4137

A bill for AN ACT concerning finance.

HOUSE BILL NO. 4302

A bill for AN ACT concerning aging.

HOUSE BILL NO. 4699

A bill for AN ACT concerning transportation.

Passed the House, February 1, 2006.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 4137, 4302 and 4699** were taken up, ordered printed and placed on first reading.

**PRESENTATION OF RESOLUTIONS****SENATE RESOLUTION 596**

**Offered by Senator Link and all Senators:  
Mourns the death of Sergeant First Class James Scott Ochsner of Waukegan.**

**SENATE RESOLUTION 597**

**Offered by Senator Link and all Senators:  
Mourns the death of the Reverend Frank W. Plotka of Waukegan.**

**SENATE RESOLUTION 598**

**Offered by Senator Link and all Senators:  
Mourns the death of Anton "Tony" Urbancic of Waukegan.**

**SENATE RESOLUTION 599**

**Offered by Senator Link and all Senators:  
Mourns the death of Bernard J. Lachner.**

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

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

**House Bill No. 231**, sponsored by Senator Martinez, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 1744**, sponsored by Senators Raoul - Collins, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 2369**, sponsored by Senator Axley, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4127**, sponsored by Senator Sieben, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4134**, sponsored by Senator Cullerton, was taken up, read by title a first time and referred to the Committee on Rules.

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**House Bill No. 4135**, sponsored by Senator Winkel, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4147**, sponsored by Senator Clayborne, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4172**, sponsored by Senator Hunter, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4179**, sponsored by Senator Peterson, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4202**, sponsored by Senator E. Jones, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4204**, sponsored by Senator Axley, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4217**, sponsored by Senator Viverito, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4308**, sponsored by Senator Sieben, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4317**, sponsored by Senator Peterson, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4349**, sponsored by Senator Demuzio, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4359**, sponsored by Senator Winkel, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4377**, sponsored by Senator Haine, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4425**, sponsored by Senator Trotter, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4526**, sponsored by Senators Collins - Raoul, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4736**, sponsored by Senator Collins, was taken up, read by title a first time and referred to the Committee on Rules.

At the hour of 4:20 o'clock p.m., the Chair announced that the Senate stand adjourned until Thursday, February 2, 2006, at 10:00 o'clock a.m..