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NINETY-FOURTH GENERAL ASSEMBLY

114TH LEGISLATIVE DAY

TUESDAY, NOVEMBER 28, 2006

1:34 O'CLOCK P.M.

NO. 114

[November 28, 2006]

**SENATE
Daily Journal Index
114th Legislative Day**

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The Senate met pursuant to adjournment.
 Honorable Emil Jones, Jr., President of the Senate, 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 Thursday, November 16, 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.

The Journal of Tuesday, November 21, 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:

2006 Bonded Indebtedness Report of the State of Illinois, submitted by the Commission on Government Forecasting and Accountability.

FY 2007 Economic and Revenue Update, submitted by the Commission on Government Forecasting and Accountability.

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

LEGISLATIVE MEASURES FILED

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

Senate Committee Amendment No. 1 to Senate Resolution 877

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

Senate Committee Amendment No. 1 to House Joint Resolution 107
 Senate Committee Amendment No. 1 to House Joint Resolution 139

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

Senate Floor Amendment No. 3 to House Bill 2708

JOINT ACTION MOTIONS FILED

The following Joint Action Motions to the Senate Bills listed below have been filed with the Secretary and referred to the Committee on Rules:

Motion to Concur in House Amendment 1 to Senate Bill 318
 Motion to Concur in House Amendment 1 to Senate Bill 2340

MESSAGES FROM THE PRESIDENT

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

EMIL JONES, JR.
SENATE PRESIDENT

327 STATE CAPITOL
Springfield, Illinois 62706

November 28, 2006

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

Dear Madam Secretary:

Pursuant to Rule 3-5(c), I hereby appoint Senator Debbie Halvorson to replace Senator Rickey Hendon as a member of the Rules Committee. This appointment is effective immediately.

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

cc: Senate Minority Leader Frank Watson

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

EMIL JONES, JR.
SENATE PRESIDENT

327 STATE CAPITOL
Springfield, Illinois 62706

November 28, 2006

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

Dear Madam Secretary:

Pursuant to the provisions of Senate Rule 2-10, I hereby establish January 9, 2007 as the Third Reading deadline for House Bill 5830.

Sincerely,
s/Emil Jones, Jr.
Senate President

cc: Senate Minority Leader Frank Watson

REPORTS FROM RULES COMMITTEE

Senator Viverito, Chairperson of the Committee on Rules, during its November 28, 2006 meeting, reported the following Joint Action Motions have been assigned to the indicated Standing Committees of the Senate:

Insurance: **Motion to Concur in House Amendment 1 to Senate Bill 2917**

Judiciary: **Motion to Concur in House Amendment 1 to Senate Bill 2427**

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Licensed Activities: **Motion to Concur in House Amendment 1 to Senate Bill 205**

Local Government: **Motion to Concur in House Amendment 1 to Senate Bill 318**
Motion to Concur in House Amendment 1 to Senate Bill 2340

Senator Viverito, Chairperson of the Committee on Rules, during its November 28, 2006 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate

Local Government: **HOUSE BILL 5830.**

State Government: **Senate Committee Amendment No. 1 to House Joint Resolution 107; Senate Committee Amendment No. 1 to House Joint Resolution 139; Senate Committee Amendment No. 1 to Senate Resolution 877.**

Senator Viverito, Chairperson of the Committee on Rules, to which was referred **House Bill Numbered 2708** and **4977** on June 4, 2006, pursuant to Rule 3-9(b), reported that the Committee recommends that the bill be approved for consideration and returned to the calendar in its former position.

The report of the Committee was concurred in.

And **House Bills Numbered 2708** and **4977** was returned to the order of third reading.

Senator Viverito, Chairperson of the Committee on Rules, during its November 28, 2006 meeting, reported the following Joint Action Motion has been assigned to the indicated Standing Committee of the Senate:

Environment & Energy: **Motion to Recede from Senate Amendment 1 to House Bill 4977**

Senator Viverito, Chairperson of the Committee on Rules, during its November 28, 2006 meeting, reported the following Legislative Measure has been assigned to the indicated Standing Committee of the Senate:

Financial Institutions: **Senate Floor Amendment No. 3 to House Bill 2708**

COMMITTEE MEETING ANNOUNCEMENTS

Senator Haine, Chairperson of the Committee on Insurance, announced that the Insurance Committee will meet today in Room 400, at 2:45 o'clock p.m.

Senator Crotty, Chairperson of the Committee on Local Government, announced that the Local Government Committee will meet today in Room A-1 Stratton Building, at 2:45 o'clock p.m.

Senator Munoz, Chairperson of the Committee on Transportation, announced that the Transportation Committee will meet today in Room 400, at 3:00 o'clock p.m.

Senator Cullerton, Co-Chairperson of the Committee on Judiciary, announced that the Judiciary Committee will meet today in Room 212, at 3:00 o'clock p.m.

Senator Link, Vice-Chairperson of the Committee on Revenue, announced that the Revenue Committee will meet today in Room 400, at 3:45 o'clock p.m.

Senator Clayborne, Chairperson of the Committee on Environment & Energy, announced that the Environment & Energy Committee will meet today in Room 212, at 3:30 o'clock p.m.

[November 28, 2006]

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 4:15 o'clock p.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 3:45 o'clock p.m.

Senator Collins, Chairperson of the Committee on Financial Institutions, announced that the Financial Institutions Committee will meet today in Room 400, at 4:45 o'clock p.m.

Senator del Valle, Vice-Chairperson of the Committee on Education, announced that the Education Committee will meet today in Room 212, at 2:30 o'clock p.m.

EXCUSED FROM ATTENDANCE

On motion of Senator Link, Senator Forby was excused from attendance due to illness in the family..

On motion of Senator Burzynski, Senator Dahl was excused from attendance due to a death in the family.

Senator Burzynski announced a Republican Caucus to begin immediately upon recess.

At the hour of 1:45 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 5:43 o'clock p.m., the Senate resumed consideration of business.
Senator Halvorson, presiding.

REPORTS FROM STANDING COMMITTEES

Senator Lightford, Chairperson of the Committee on Education, to which was referred **Senate Joint Resolution No. 94**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Joint Resolution No. 94** was placed on the Secretary's Desk.

Senator Haine, Chairperson of the Committee on Insurance, to which was referred the Motion to Concur with House Amendment to the following Senate Bill, reported that the Committee recommends do adopt:

Motion to Concur in House Amendment 1 to Senate Bill 2917

Under the rules, the foregoing motion is eligible for consideration by the Senate.

Senator Crotty, Chairperson of the Committee on Local Government, to which was referred the Motions to Concur with House Amendments to the following Senate Bills, reported that the Committee recommends do adopt:

Motion to Concur in House Amendment 1 to Senate Bill 318; Motion to Concur in House Amendment 1 to Senate Bill 2340

[November 28, 2006]

Under the rules, the foregoing motions are eligible for consideration by the Senate.

Senator Cullerton and Senator Dillard, Co-Chairpersons of the Committee on Judiciary, to which was referred the Motion to Concur with House Amendment to the following Senate Bill, reported that the Committee recommends do adopt:

Motion to Concur in House Amendment 1 to Senate Bill 2427

Under the rules, the foregoing motion is eligible for consideration by the Senate.

Senator Munoz, Chairperson of the Committee on Transportation, to which was referred **House Bill No. 4344**, reported the same back with the recommendation that the bill 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 **House Bill No. 2197**, reported the same back with the recommendation that the bill 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 the Motion to Recede from Senate Amendment to the following House Bill, reported that the Committee recommends do adopt:

Motion to Recede from Senate Amendment 1 to House Bill 4977

Under the rules, the foregoing motion is eligible for consideration by the Senate.

Senator Harmon, Chairperson of the Committee on Revenue, to which was referred **House Bills Numbered 4895 and 5475**, 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 **House Bills Numbered 1896 and 4804**, 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 Joint Resolution No. 95**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Joint Resolution No. 95** was placed on the Secretary's Desk.

Senator Garrett, Chairperson of the Committee on State Government, to which was referred **Senate Resolutions numbered 748 and 878**, reported the same back with the recommendation that the resolutions be adopted.

Under the rules, **Senate Resolutions numbered 748 and 878** were placed on the Secretary's Desk.

Senator Garrett, Chairperson of the Committee on State Government, to which was referred **Senate Resolution No. 877**, reported the same back with amendments having been adopted thereto, with the recommendation that the resolution, as amended, be adopted.

Under the rules, **Senate Resolution No. 877** was placed on the Secretary's Desk.

Senator Garrett, Chairperson of the Committee on State Government, to which was referred **House Joint Resolutions numbered 129, 141 and 142**, reported the same back with the recommendation that the resolutions be adopted.

[November 28, 2006]

Under the rules, **House Joint Resolutions numbered 129, 141 and 142** were placed on the Secretary's Desk.

Senator Garrett, Chairperson of the Committee on State Government, to which was referred **House Joint Resolutions numbered 107 and 139**, reported the same back with amendments having been adopted thereto, with the recommendation that the resolutions, as amended, be adopted.

Under the rules, **House Joint Resolutions numbered 107 and 139** were placed on the Secretary's Desk.

Senator Demuzio, Chairperson of the Committee on Licensed Activities, to which was referred the Motion to Concur with House Amendment to the following Senate Bill, reported that the Committee recommends do adopt:

Motion to Concur in House Amendment No. 1 to Senate Bill 205

Under the rules, the foregoing floor amendment is eligible for consideration on second reading.

Senator Collins, Chairperson of the Committee on Financial Institutions, to which was referred the following Senate floor amendment, reported that the Committee recommends that it be adopted:

Senate Amendment No. 3 to House Bill 2708

Under the rules, the foregoing floor amendment is eligible for consideration on second reading.

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 a bill of the following title, the veto of the Governor notwithstanding, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL 5377

A bill for AN ACT concerning property.

I am further instructed to deliver to you the objections of the Governor which are contained in the attached copy of his letter to the House of Representatives:

Passed the House, November 14, 2006, by a three-fifths vote.

MARK MAHONEY, Clerk of the House

May 8, 2006

To the Honorable Members of the
Illinois House of Representatives
94th General Assembly

Pursuant to Article IV, Section 9(b) of the Illinois Constitution of 1970, I hereby veto House Bill 5377, entitled "AN ACT concerning property." While I recognize and appreciate the hard work of all the sponsors in passing this legislation, the bill would apply to only 3 of the approximately 900 Illinois mobile home parks. Legislation addressing mobile home park leasing policies should apply uniformly to all Illinois mobile home parks.

For this reason, I hereby veto and return House Bill 5377.

Sincerely,
ROD R. BLAGOJEVICH
Governor

[November 28, 2006]

By direction of the President, the bill reported on the foregoing veto message was placed on the Senate Calendar for November 29, 2006.

At the hour of 5:46 o'clock p.m., the Chair announced that the Senate stand adjourned until Wednesday, November 29, 2006, at 11:00 o'clock a.m.