



# **SENATE JOURNAL**

**STATE OF ILLINOIS**

**NINETY-FIFTH GENERAL ASSEMBLY**

**121ST LEGISLATIVE DAY**

**THURSDAY, JANUARY 17, 2008**

**2:19 O'CLOCK P.M.**

**SENATE  
Daily Journal Index  
121st Legislative Day**

<b>Action</b>	<b>Page(s)</b>
Motion in Writing .....	6
Report from Rules Committee .....	7
Report Received .....	3

<b>Bill Number</b>	<b>Legislative Action</b>	<b>Page(s)</b>
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The Senate met pursuant to adjournment.  
 Senator James A. DeLeo, Chicago, Illinois, presiding.  
 Prayer by Pastor John Wentz, South Side Christian Church, Springfield, Illinois.  
 Senator Maloney led the Senate in the Pledge of Allegiance.

The Journal of Thursday, January 10, 2008, 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 Wednesday, January 16, 2008, 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:

FY 2007 Career and Technical Education Report, submitted by the Illinois State Board of Education.

Re-enrolling Students Who Dropped out of School – Final Report, submitted by the Illinois State Board of Education.

Private Business and Vocational Schools School Visitation and Complaint Report, submitted by the Illinois State Board of Education.

Illinois State Board of Education Annual Report 2007, submitted by the Illinois State Board of Education.

Report of the number of lead poisoning cases referred to the Attorney General's Office by the Department of Public Health for a period of January 1, 2007 through December 31, 2007, submitted by the Office of the Attorney General.

Morgan County State's Attorney report on number of cases regarding lead paint remediation, submitted by the Morgan County State's Attorney.

Bilingual Needs and Bilingual Pay Survey of State Agencies for FY 2007, submitted by the Department of Central Management Services.

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

### **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 accepted the Governor's specific recommendations for change, which are attached, to a bill of the following title, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL 656

A bill for AN ACT concerning transportation.

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:

Adopted by the House, January 17, 2008.

MARK MAHONEY, Clerk of the House

[January 17, 2008]

HB0656AVM001

## MOTION

I move to accept the specific recommendations of the Governor as to House Bill 656 in manner and form as follows:

**AMENDMENT TO HOUSE BILL 656  
IN ACCEPTANCE OF GOVERNOR'S RECOMMENDATIONS**

Amend House Bill 656 on page 14, line 16, after "2-15", by inserting "and by adding Section 2-15.2"; and

on page 30, below line 16, by inserting the following:

"(30 ILCS 740/2-15.2 new)

Sec. 2-15.2. Notwithstanding any law to the contrary, no later than 60 days following the effective date of this amendatory Act of the 95th General Assembly, any fixed route public transportation services provided by, or under grant or purchase of service contracts of, every participant, as defined in Section 2-2.02 (1)(a), shall be provided without charge to all senior citizen residents of the participant aged 65 and older, under such conditions as shall be prescribed by the participant."; and

on page 60, line 3, by replacing "12c and 50" with "12c, 50, and 51"; and

on page 80, below line 3, by inserting the following:

"(70 ILCS 3605/51 new)

Sec. 51. Notwithstanding any law to the contrary, no later than 60 days following the effective date of this amendatory Act of the 95th General Assembly, any fixed route public transportation services provided by, or under grant or purchase of service contracts of, the Board shall be provided without charge to all senior citizens of the Metropolitan Region (as such term is defined in 70 ILCS 3615/1.03) aged 65 and older, under such conditions as shall be prescribed by the Board.

Section 16. The Local Mass Transit District Act is amended by adding Section 8.6 as follows:

(70 ILCS 3610/8.6 new)

Sec. 8.6. Notwithstanding any law to the contrary, no later than 60 days following the effective date of this amendatory Act of the 95th General Assembly, any fixed route public transportation services provided by, or under grant or purchase of service contracts of, every District shall be provided without charge to all senior citizens of the District aged 65 and older, under such conditions as shall be prescribed by the District."; and

on page 80, line 10, after "2.31," by inserting "3A.15, 3B.14,"; and

on page 128, below line 11, by inserting the following:

"(70 ILCS 3615/3A.15 new)

Sec. 3A.15. Notwithstanding any law to the contrary, no later than 60 days following the effective date of this amendatory Act of the 95th General Assembly, any fixed route public transportation services provided by, or under grant or purchase of service contracts of, the Suburban Bus Board shall be provided without charge to all senior citizens of the Metropolitan Region aged 65 and older, under such conditions as shall be prescribed by the Suburban Bus Board."; and

on page 148, below line 12, by inserting the following:

"(70 ILCS 3615/3B.14 new)

Sec. 3B.14. Notwithstanding any law to the contrary, no later than 60 days following the effective date of this amendatory Act of the 95th General Assembly, any fixed route public transportation services provided by, or under grant or purchase of service contracts of, the Commuter Rail Board shall be provided without charge to all senior citizens of the Metropolitan Region aged 65 and older, under such conditions as shall be prescribed by the Commuter Rail Board."

Date: \_\_\_\_\_, 2008 \_\_\_\_\_

January 11, 2008  
To the Honorable Members of the  
Illinois House of Representatives  
95th General Assembly

[January 17, 2008]

Pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return House Bill 656, entitled "AN ACT concerning transportation.", with the following specific recommendations for change:

on page 14, line 16, after "2-15", by inserting "and by adding 2-15.2"; and

on page 30, below line 16, by inserting the following:

"(30 ILCS 740/2-15.2 new)

Sec. 2-15.2. Notwithstanding any law to the contrary, no later than 60 days following the effective date of this amendatory Act of the 95<sup>th</sup> General Assembly, any fixed route public transportation services provided by, or under grant or purchase of service contracts of, every participant, as defined in Section 2-2.02 (1)(a), shall be provided without charge to all senior citizen residents of the participant aged 65 and older, under such conditions as shall be prescribed by the participant"; and

on page 60, line 3, by replacing "12c and 50" with "12c, 50, and 51"; and

on page 80, below line 3, by inserting the following:

"(70 ILCS 3605/51 new)

Sec. 51. Notwithstanding any law to the contrary, no later than 60 days following the effective date of this amendatory Act of the 95<sup>th</sup> General Assembly, any fixed route public transportation services provided by, or under grant or purchase of service contracts of, the Board shall be provided without charge to all senior citizens of the Metropolitan Region (as such term is defined in 70 ILCS 3615/1.03) aged 65 and older, under such conditions as shall be prescribed by the Board.

Section 16. The Local Mass Transit District Act is amended by adding Section 8.6 as follows:

(70 ILCS 3610/8.6 new)

Sec. 8.6. Notwithstanding any law to the contrary, no later than 60 days following the effective date of this amendatory Act of the 95<sup>th</sup> General Assembly, any fixed route public transportation services provided by, or under grant or purchase of service contracts of, every District shall be provided without charge to all senior citizens of the District aged 65 and older, under such conditions as shall be prescribed by the District"; and

on page 80, line 10, after "2.31," by inserting "3A.15, 3B.14,"; and

on page 128, below line 11, by inserting the following:

"(70 ILCS 3615/3A.15 new)

Sec. 3A.15. Notwithstanding any law to the contrary, no later than 60 days following the effective date of this amendatory Act of the 95<sup>th</sup> General Assembly, any fixed route public transportation services provided by, or under grant or purchase of service contracts of, the Suburban Bus Board shall be provided without charge to all senior citizens of the Metropolitan Region aged 65 and older, under such conditions as shall be prescribed by the Suburban Bus Board."; and

on page 148, below line 12, by inserting the following:

"(70 ILCS 3615/3B.14 new)

Sec. 3B.14. Notwithstanding any law to the contrary, no later than 60 days following the effective date of this amendatory Act of the 95<sup>th</sup> General Assembly, any fixed route public transportation services provided by, or under grant or purchase of service contracts of, the Commuter Rail Board shall be provided without charge to all senior citizens of the Metropolitan Region aged 65 and older, under such conditions as shall be prescribed by the Commuter Rail Board.".

With these changes, House Bill 656 will have my approval. I respectfully request your concurrence.

Sincerely,

ROD R. BLAGOJEVICH  
Governor

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

[January 17, 2008]

**MOTION IN WRITING**

Senator Hendon submitted the following Motion in Writing:

HB0656AVM001

MOTION

I move to accept the specific recommendations of the Governor as to House Bill 656 in manner and form as follows:

**AMENDMENT TO HOUSE BILL 656  
IN ACCEPTANCE OF GOVERNOR'S RECOMMENDATIONS**

Amend House Bill 656 on page 14, line 16, after "2-15", by inserting "and by adding Section 2-15.2"; and

on page 30, below line 16, by inserting the following:

"(30 ILCS 740/2-15.2 new)

Sec. 2-15.2. Notwithstanding any law to the contrary, no later than 60 days following the effective date of this amendatory Act of the 95th General Assembly, any fixed route public transportation services provided by, or under grant or purchase of service contracts of, every participant, as defined in Section 2-2.02 (1)(a), shall be provided without charge to all senior citizen residents of the participant aged 65 and older, under such conditions as shall be prescribed by the participant."; and

on page 60, line 3, by replacing "12c and 50" with "12c, 50, and 51"; and

on page 80, below line 3, by inserting the following:

"(70 ILCS 3605/51 new)

Sec. 51. Notwithstanding any law to the contrary, no later than 60 days following the effective date of this amendatory Act of the 95th General Assembly, any fixed route public transportation services provided by, or under grant or purchase of service contracts of, the Board shall be provided without charge to all senior citizens of the Metropolitan Region (as such term is defined in 70 ILCS 3615/1.03) aged 65 and older, under such conditions as shall be prescribed by the Board.

Section 16. The Local Mass Transit District Act is amended by adding Section 8.6 as follows:

(70 ILCS 3610/8.6 new)

Sec. 8.6. Notwithstanding any law to the contrary, no later than 60 days following the effective date of this amendatory Act of the 95th General Assembly, any fixed route public transportation services provided by, or under grant or purchase of service contracts of, every District shall be provided without charge to all senior citizens of the District aged 65 and older, under such conditions as shall be prescribed by the District."; and

on page 80, line 10, after "2.31," by inserting "3A.15, 3B.14,"; and

on page 128, below line 11, by inserting the following:

"(70 ILCS 3615/3A.15 new)

Sec. 3A.15. Notwithstanding any law to the contrary, no later than 60 days following the effective date of this amendatory Act of the 95th General Assembly, any fixed route public transportation services provided by, or under grant or purchase of service contracts of, the Suburban Bus Board shall be provided without charge to all senior citizens of the Metropolitan Region aged 65 and older, under such conditions as shall be prescribed by the Suburban Bus Board."; and

on page 148, below line 12, by inserting the following:

"(70 ILCS 3615/3B.14 new)

Sec. 3B.14. Notwithstanding any law to the contrary, no later than 60 days following the effective date of this amendatory Act of the 95th General Assembly, any fixed route public transportation services provided by, or under grant or purchase of service contracts of, the Commuter Rail Board shall be provided without charge to all senior citizens of the Metropolitan Region aged 65 and older, under such conditions as shall be prescribed by the Commuter Rail Board."

Date: 1/17, 2008

Rickey Hendon  
Senator

[January 17, 2008]

The foregoing Motion in Writing was filed with the Secretary and referred to the Committee on Rules.

### REPORT FROM RULES COMMITTEE

Senator Halvorson, Chairperson of the Committee on Rules, reported that the following Legislative Measure has been approved for consideration:

#### Motion to Accept Specific Recommendations for Change to HB 656

The foregoing concurrence was placed on the Secretary's Desk.

Senator Righter asked and obtained unanimous consent to recess for the purpose of a Republican caucus.

At the hour of 2:31 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 2:56 o'clock p.m., the Senate resumed consideration of business. Senator DeLeo, presiding.

### EXCUSED FROM ATTENDANCE

On motion of Senator Righter, Senator Rutherford was excused from attendance.

### CONSIDERATION OF HOUSE BILL VETOED BY THE GOVERNOR

Pursuant to the Motion in Writing filed on Thursday, January 17, 2008 and journalized Thursday, January 17, 2008, Senator Hendon and Senator Cullerton moved to accept the Governor's specific recommendations for change to **House Bill No. 656**.

And on that motion, a call of the roll was had resulting as follows:

Yeas 32; Nays 19.

The following voted in the affirmative:

Clayborne	Haine	Maloney	Schoenberg
Collins	Harmon	Martinez	Silverstein
Cronin	Hendon	Meeks	Trotter
Crotty	Hunter	Millner	Viverito
Cullerton	Jacobs	Munoz	Wilhelmi
DeLeo	Koehler	Noland	
Delgado	Kotowski	Raoul	
Dillard	Lightford	Ronen	
Garrett	Link	Sandoval	

The following voted in the negative:

Althoff	Demuzio	Jones, J.	Righter
Bond	Forby	Murphy	Sieben
Brady	Ferichs	Pankau	Sullivan

[January 17, 2008]

Burzynski  
Dahl

Holmes  
Hultgren

Peterson  
Radogno

Syverson

The motion prevailed.

And the Senate concurred with the House in the adoption of the Governor's specific recommendations for change to House Bill No. 656.

Ordered that the Secretary inform the House of Representatives thereof.

At the hour of 4:10 o'clock p.m., the Chair announced that the Senate stand adjourned until Wednesday, January 23, 2008, in perfunctory session.