



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-FIFTH GENERAL ASSEMBLY

156TH LEGISLATIVE DAY

WEDNESDAY, MAY 14, 2008

12:18 O'CLOCK P.M.

SENATE
Daily Journal Index
156th Legislative Day

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The Senate met pursuant to adjournment.
Senator James A. DeLeo, Chicago, Illinois, presiding.
Prayer by Pastor Greg Busboom, St. John Lutheran Church, Springfield, Illinois.
Senator Maloney led the Senate in the Pledge of Allegiance.

The Journal of Tuesday, May 13, 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.

REPORT RECEIVED

The Secretary placed before the Senate the following report:

The Homeless Prevention Program, Annual Report for FY 2007, submitted by the Department of Human Services.

The foregoing report was ordered received and placed on file in the Secretary's Office.

LEGISLATIVE MEASURES FILED

The following Floor amendments to the Senate Bills listed below have been filed with the Secretary and referred to the Committee on Rules:

Senate Floor Amendment No. 3 to Senate Bill 1029
Senate Floor Amendment No. 2 to Senate Bill 2305

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

Senate Committee Amendment No. 1 to House Bill 1141
Senate Committee Amendment No. 3 to House Bill 1235
Senate Committee Amendment No. 1 to House Bill 4180
Senate Committee Amendment No. 1 to House Bill 4726
Senate Committee Amendment No. 1 to House Bill 5077
Senate Committee Amendment No. 1 to House Bill 5368

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

Senate Floor Amendment No. 8 to House Bill 824
Senate Floor Amendment No. 3 to House Bill 1533
Senate Floor Amendment No. 3 to House Bill 4196
Senate Floor Amendment No. 1 to House Bill 4402
Senate Floor Amendment No. 1 to House Bill 5101

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 703

Offered by Senator Righter and all Senators:
Mourns the death of Fern Ellen Page of Shelbyville.

SENATE RESOLUTION NO. 704

Offered by Senator Haine and all Senators:

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Mourns the death of Nick Maggos of Alton.

SENATE RESOLUTION NO. 705

Offered by Senator Haine and all Senators:
Mourns the death of Paul J. Stilwell of Godfrey.

SENATE RESOLUTION NO. 706

Offered by Senator Meeks and all Senators:
Mourns the death of Emma Grier of Springfield.

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

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

SENATE RESOLUTION NO. 707

WHEREAS, Bisphenol A (BPA) is found in many general plastics, such as food and drink packaging, baby bottles, thermoses, and other reusable plastic containers, and is used as an epoxy can liner, coating items such as food cans, bottles, and water supply pipes, and in the production of polycarbonate plastics; and

WHEREAS, Upon the request of the Commissioner of Food and Drugs, the U.S. Food and Drug Administration (FDA) formed an agency-wide BPA task force to facilitate the cross-agency review of current research and new information on BPA for all FDA regulated products; as a result of this review, the task force will make recommendations to the Commissioner regarding next steps; and

WHEREAS, Part of this evaluation will include the FDA Task Force reviewing the concerns presented in the National Toxicology Program Draft Brief published on April 14, 2008 by the U.S. National Institutes of Health and the concerns presented in the Canadian draft risk assessment released in April 2008; and

WHEREAS, The FDA has been reviewing the emerging literature on BPA on a continuous basis and has recently completed a review of the available biological fate data and 2 recently completed rodent multigeneration reproductive studies, and these studies did not indicate a safety concern for BPA at current exposure levels; in addition, the FDA is conducting a review of the data on neural and behavioral effects of BPA exposure; and

WHEREAS, The FDA will consider the research and positions of other transnational food safety organizations, including the 2 risk assessments for BPA conducted by the European Food Safety Authority Scientific Panel on Food Additives, Flavourings, Processing Aids and Materials in Contact with Food and the Japanese National Institute of Advanced Industrial Science and Technology; each of these documents considered the question of a possible low-dose effect and concluded that no current health risk exists for BPA at the current exposure level; and

WHEREAS, In January 2008, the United States House of Representatives Committee on Energy and Commerce began reviewing the use of bisphenol A in products intended for use by infants and children; and

WHEREAS, It is altogether fitting and proper and in the public interest for this Senate to urge the United States Food and Drug Administration to expedite their current review of bisphenol A in food containers, toys, and baby bottles; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the United States Food and Drug Administration to expedite their current review of bisphenol A; and be it further

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RESOLVED, That suitable copies of this resolution be delivered to the President and Vice President of the United States, the Commissioner of the United States Food and Drug Administration, and each member of the Illinois congressional delegation.

REPORTS FROM STANDING COMMITTEES

Senator Clayborne, Chairperson of the Committee on Environment and Energy, to which was referred **House Bills Numbered 1842, 4838, 5086 and 5930**, 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 and Energy, to which was referred **House Bill No. 3733**, 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 Meeks, Chairperson of the Committee on Human Services, to which was referred **House Bills Numbered 1351, 1533, 4199 and 5318**, reported the same back with the recommendation that the bills do pass.

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

Senator Meeks, Chairperson of the Committee on Human Services, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to House Bill 5729

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

Senator Sullivan, Chairperson of the Committee on Agriculture and Conservation, to which was referred **House Bill No. 1768**, reported the same back with the recommendation that the bill do pass.

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

Senator Sullivan, Chairperson of the Committee on Agriculture and Conservation, to which was referred **House Bills Numbered 4549 and 5776**, 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.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 5151, sponsored by Senator Trotter, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 5621, sponsored by Senator Lightford, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 5901, sponsored by Senator Haine, was taken up, read by title a first time and referred to the Committee on Rules.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Burzynski, **House Bill No. 271** was taken up, read by title a second time and ordered to a third reading.

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On motion of Senator Burzynski, **House Bill No. 2825** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Althoff, **House Bill No. 2913** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Cullerton, **House Bill No. 4196** having been printed, was taken up and read by title a second time.

Senate Committee Amendment No. 1 was held in the Committee on Rules.

The following amendment was offered in the Committee on Judiciary Civil Law, adopted and ordered printed:

AMENDMENT NO. 2 TO HOUSE BILL 4196

AMENDMENT NO. 2. Amend House Bill 4196 immediately below the enacting clause by inserting the following:

"Section 3. The Property Tax Code is amended by adding Section 21-253 as follows:
(35 ILCS 200/21-253 new)

Sec. 21-253. Condominium tax sale procedures. For a condominium or townhome sold pursuant to this Division, the collector must provide notice, sent by certified mail with return receipt requested, to the condominium or townhome association that is associated with the property. The notice must state that the condominium or townhome association may exercise the right of first refusal, if any, that the association may have to purchase the property based upon the association's declaration, bylaws, or other binding documents. Within 30 days after receiving notice under this Section, the association shall notify the collector if any such right of first refusal exists as well as the terms of that right of first refusal. The condominium or townhome may not be publicly sold under this Division until the time has passed for the association to exercise its right of first refusal."

Senate Floor Amendment No. 3 was referred to the Committee on Rules earlier today.

There being no further amendments, the bill, as amended, was ordered to a third reading.

On motion of Senator Brady, **House Bill No. 4251** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Garrett, **House Bill No. 4754** having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Transportation, adopted and ordered printed:

AMENDMENT NO. 1 TO HOUSE BILL 4754

AMENDMENT NO. 1. Amend House Bill 4754 on page 2, line 7, after "violation of", by inserting "subsection (b) of"; and

on page 2, line 10, after "violation of", by inserting "subsection (b) of"; and

on page 2, line 14, after "of violating", by inserting "subsection (b) of"; and

on page 2, line 18, after "for violating", by inserting "subsection (b) of"; and

on page 3, line 20, after "have violated", by inserting "subsection (b) of"; and

on page 4, line 1, after "violation of", by inserting "subsection (b) of".

There being no further amendments, the bill, as amended, was ordered to a third reading.

On motion of Senator Althoff, **House Bill No. 5586** was taken up, read by title a second time and ordered to a third reading.

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On motion of Senator Althoff, **House Bill No. 5596** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Jacobs, **House Bill No. 5760** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Righter, **House Bill No. 5909** was taken up, read by title a second time and ordered to a third reading.

At the hour of 12:33 o'clock p.m., Senator Hendon presiding.

On motion of Senator DeLeo, **House Bill No. 2859** having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Judiciary Criminal Law, adopted and ordered printed:

AMENDMENT NO. 1 TO HOUSE BILL 2859

AMENDMENT NO. 1. Amend House Bill 2859 on page 1, by replacing lines 15 and 16 with the following:

"therein a felony or theft. The trier of fact may infer from the possession of a key designed for lock bumping an intent to commit a felony or theft; however, this inference does not apply to any peace officer or other employee of a law enforcement agency, or to any person or agency licensed under the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004."

There being no further amendments, the bill, as amended, was ordered to a third reading.

At the hour of 12:35 o'clock p.m., Senator DeLeo presiding.

REPORT FROM RULES COMMITTEE

Senator Hendon, Chairperson of the Committee on Rules, during its May 14, 2008 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Education: **Senate Committee Amendment No. 1 to House Bill 1141; Senate Committee Amendment No. 1 to House Bill 4180; Senate Committee Amendment No. 1 to House Bill 5077.**

Executive: **Senate Floor Amendment No. 8 to House Bill 824; Senate Committee Amendment No. 1 to House Bill 3106; Senate Committee Amendment No. 1 to House Bill 4726.**

Licensed Activities: **Senate Committee Amendment No. 1 to House Bill 5614.**

State Government and Veterans Affairs: **Senate Committee Amendment No. 1 to House Bill 5368.**

COMMITTEE MEETING ANNOUNCEMENT

Senator Silverstein, Chairperson of the Committee on Executive, announced that the Executive Committee will meet today in Room 212, at 1:00 o'clock p.m.

The Chair announced that all committee will meet as scheduled.

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At the hour of 12:57 o'clock p.m., the Chair announced that the Senate stand adjourned until Thursday, May 15, 2008, at 11:30 o'clock a.m.