



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-FIFTH GENERAL ASSEMBLY

181ST LEGISLATIVE DAY

TUESDAY, DECEMBER 16, 2008

10:19 O'CLOCK A.M.

SENATE
Daily Journal Index
181st Legislative Day

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Bill Number	Legislative Action	Page(s)
SR 0966	Adopted.....	5

The Senate met pursuant to adjournment.
Senator Iris Y. Martinez, Chicago, 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 Monday, December 15, 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:

Abuse and Neglect of Adults with Disabilities, submitted by the Department of Human Services.

Nonhazardous Solid Waste Management and Landfill Capacity in Illinois: 2007, submitted by the Illinois Environmental Protection Agency.

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

JOINT ACTION MOTION FILED

The following Joint Action Motion to the Senate Bill listed below has been filed with the Secretary and referred to the Committee on Rules:

Motion to Concur in House Amendment 1 to Senate Bill 719

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 Floor Amendment No. 1 to House Bill 611

PRESENTATION OF RESOLUTION

SENATE RESOLUTION NO. 957

Offered by Senator Lauzen and all Senators:
Mourns the death of Burton E. Scott of Big Rock.

By unanimous consent, the foregoing resolution was referred to the Resolutions Consent Calendar.

MESSAGE FROM THE COMPTROLLER

DANIEL W. HYNES
COMPTROLLER

November 18, 2008

To Secretary of the Senate
Ms. Deborah Shipley

[December 16, 2008]

RE: Appointments to the State Mandates Board of Review

Please be advised that I have nominated the following named person to the State Mandates Board of Review as non-salaried members pursuant to the State mandates Act to serve a term ending June 30, 2009. I respectfully ask for concurrence in the confirmation of these appointments by your body.

Charles Scholz
Non-Salaried

Frank Bilecki
Non-Salaried

Sincerely,
s/Daniel W. Hynes
State Comptroller

cc: Secretary of State's Index Office

INTRODUCTION OF BILLS

SENATE BILL NO. 3079. Introduced by Senator Murphy, a bill for AN ACT concerning elections.

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

SENATE BILL NO. 3080. Introduced by Senators Radogno - Watson, a bill for AN ACT concerning elections.

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

REPORT FROM RULES COMMITTEE

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

Senate Floor Amendment No. 1 to House Bill 611

The foregoing floor amendment was placed on the Secretary's Desk.

Senator Link asked and obtained unanimous consent to recess for the purpose of a Democrat caucus.

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

At the hour of 10:33 o'clock a.m., the Chair announced that the Senate stand at recess subject to the call of the Chair.

AFTER RECESS

At the hour of 12:16 o'clock p.m., the Senate resumed consideration of business.
Senator Martinez, presiding.

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 958

Offered by Senator Demuzio and all Senators:

[December 16, 2008]

Mourns the death of Milt F. Schonebaum of Carlinville.

SENATE RESOLUTION NO. 959

Offered by Senator Demuzio and all Senators:
Mourns the death of Clarence A. Hunt of Carlinville.

SENATE RESOLUTION NO. 960

Offered by Senator Demuzio and all Senators:
Mourns the death of Roy A. Lee of Carlinville.

SENATE RESOLUTION NO. 961

Offered by Senator Demuzio and all Senators:
Mourns the death of Larry Rolland Frensko of Benld.

SENATE RESOLUTION NO. 962

Offered by Senator Demuzio and all Senators:
Mourns the death of Perina E. Verticchio of Gillespie.

SENATE RESOLUTION NO. 963

Offered by Senator Demuzio and all Senators:
Mourns the death of Dale Leach of Carlinville.

SENATE RESOLUTION NO. 964

Offered by Senator Demuzio and all Senators:
Mourns the death of Judith Spangler of Carlinville.

SENATE RESOLUTION NO. 965

Offered by Senator Demuzio and all Senators:
Mourns the death of Lawrence P. McDaniel of Benld.

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

Senators Cullerton – Clayborne – Haine – Harmon – Silverstein offered the following Senate Resolution, and Senator Cullerton, having asked and obtained unanimous consent to suspend the rules for its immediate consideration, moved its adoption:

SENATE RESOLUTION NO. 966

WHEREAS, The House of Representatives has passed House Resolution 1650 to create a Special Investigative Committee and empower that committee to conduct legislative investigations to determine the existence of cause for impeachment of Governor Rod R. Blagojevich; and

WHEREAS, Article 4, Section 14 of the Illinois Constitution provides: "Impeachments shall be tried by the Senate."; and

WHEREAS, Article 4, Section 14 also states that the Senate is required "to do justice according to law"; therefore be it

RESOLVED, BY THE SENATE OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that a Special Committee on Impeachment Trial Procedures is created for the purpose of recommending rules in the event of the impeachment of the Governor; and be it further

RESOLVED, That the Committee shall consist of 9 members, 5 appointed by the Senate President and 4 appointed by the Senate Minority Leader; and that the Chair shall be elected by a majority of those members appointed.

[December 16, 2008]

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Althoff	Dillard	Lightford	Rutherford
Bivins	Forby	Link	Sandoval
Bomke	Frerichs	Luechtefeld	Schoenberg
Bond	Garrett	Maloney	Silverstein
Brady	Haine	Martinez	Steans
Burzynski	Halvorson	Meeks	Sullivan
Clayborne	Harmon	Millner	Syverson
Collins	Holmes	Munoz	Trotter
Cronin	Hultgren	Murphy	Viverito
Crotty	Hunter	Noland	Wilhelmi
Cullerton	Jacobs	Peterson	Mr. President
Dahl	Jones, J.	Radogno	
DeLeo	Koehler	Raoul	
Delgado	Kotowski	Righter	
Demuzio	Lauzen	Risinger	

The motion prevailed.

And the resolution was adopted.

MESSAGE FROM THE PRESIDENT

OFFICE OF THE SENATE PRESIDENT STATE OF ILLINOIS

EMIL JONES, JR.
SENATE PRESIDENT

327 STATE CAPITOL
Springfield, Illinois 62706

December 16, 2008

Ms. Deborah Shipley
Secretary of the Senate
403 State House
Springfield, IL 62706

Dear Madam Secretary:

Pursuant to Senate Resolution 966, adopted by the 95th General Assembly, please be advised that I have appointed the following members to serve on the **SPECIAL COMMITTEE ON IMPEACHMENT TRIAL PROCEDURES**:

Senator James Clayborne
Senator John Cullerton
Senator William Haine
Senator Don Harmon
Senator Ira Silverstein

These appointments are effective immediately. If you have any questions, please feel free to contact my Chief of Staff, Jillayne Rock 217/782-3920.

Sincerely,
s/Emil Jones, Jr.
Senate President

[December 16, 2008]

cc: Senate Minority Leader Frank Watson
 House Speaker Madigan
 House Minority Leader Cross
 Legislative Research Unit
 Clerk of the House
 Office of the Governor
 Director Price, Secretary of State Index Division.

COMMUNICATION FROM MINORITY LEADER

ILLINOIS STATE SENATE
FRANK C. WATSON
 STATE SENATOR
 51ST SENATE DISTRICT

December 16, 2008

Deborah Shipley
 Secretary of the Senate
 401 State House
 Springfield, Illinois 62706

Dear Secretary Shipley:

Pursuant to Senate Resolution 966, I make the following appointments:

Senator Dale Righter
 Senator Dan Rutherford
 Senator Matt Murphy
 Senator Kirk Dillard

These appointments are effective immediately.

Sincerely,
 s/Frank Watson
 Senate Republican Leader

cc: Senate President Emil Jones
 Speaker of the House Michael Madigan
 House Republican Leader Tom Cross
 Assistant Secretary Scott Kaiser

RESOLUTIONS CONSENT CALENDAR

SENATE RESOLUTION NO. 934

Offered by Senator Dillard and all Senators:
 Mourns the death of Dr. Lora L. Tyson of Naperville.

SENATE RESOLUTION NO. 935

Offered by Senator E. Jones and all Senators:
 Mourns the death of former State Representative and State Senator William "Bill" Shaw of Dolton.

SENATE RESOLUTION NO. 936

Offered by Senator Lightford and all Senators:
 Mourns the death of Iler Beasley of Chicago.

[December 16, 2008]

SENATE RESOLUTION NO. 937

Offered by Senator Koehler and all Senators:
Mourns the death of Herbert Heaton of Peoria.

SENATE RESOLUTION NO. 938

Offered by Senator Koehler and all Senators:
Mourns the death of Daniel Silverthorn of Afton, Iowa.

SENATE RESOLUTION NO. 939

Offered by Senator Clayborne and all Senators:
Mourns the death of Henry Lee Wilson, Sr., of Sparta.

SENATE RESOLUTION NO. 940

Offered by Senator Haine and all Senators:
Mourns the death of Everett E. "Gene" Goacher of Alton.

SENATE RESOLUTION NO. 941

Offered by Senator Clayborne and all Senators:
Mourns the death of LaClaire Lissetta Jones Richards.

SENATE RESOLUTION NO. 942

Offered by Senator Clayborne and all Senators:
Mourns the death of Catherine J. Coughlin of Belleville.

SENATE RESOLUTION NO. 943

Offered by Senator Wilhelmi and all Senators:
Mourns the death of George J. "Po" Stampar of Lockport.

SENATE RESOLUTION NO. 944

Offered by Senator Wilhelmi and all Senators:
Mourns the death of William J. "Billy" Quigley, Jr., of Wilmington.

SENATE RESOLUTION NO. 945

Offered by Senator Wilhelmi and all Senators:
Mourns the death of Ford C. "Bim" June, Jr..

SENATE RESOLUTION NO. 946

Offered by Senator Wilhelmi and all Senators:
Mourns the death of James M. "Bing" Kane of Joliet.

SENATE RESOLUTION NO. 947

Offered by Senator Wilhelmi and all Senators:
Mourns the death of Ann Hanus.

SENATE RESOLUTION NO. 948

Offered by Senator Wilhelmi and all Senators:
Mourns the death of Regina Greuling of Oak Brook.

SENATE RESOLUTION NO. 949

Offered by Senator Forby and all Senators:
Mourns the death of Cindy Geraldine Hurshman of Herrin.

SENATE RESOLUTION NO. 950

Offered by Senator Forby and all Senators:
Mourns the death of Einar Victor Dyhrkopp of Shawneetown.

SENATE RESOLUTION NO. 951

Offered by Senator Dillard and all Senators:

Mourns the death of John Karras of Indian Head Park.

SENATE RESOLUTION NO. 952

Offered by Senator Koehler and all Senators:
Mourns the death of Ruth Elaine Huthmann of Peoria, formerly of Morton.

SENATE RESOLUTION NO. 953

Offered by Senator Koehler and all Senators:
Mourns the death of Wilson Washkuhn of Peoria Heights.

SENATE RESOLUTION NO. 954

Offered by Senator Koehler and all Senators:
Mourns the death of Pekin Mayor R. David Tebben.

SENATE RESOLUTION NO. 955

Offered by Senator Haine and all Senators:
Mourns the death of Robert Dale "Bob" Crowder of Mattoon.

SENATE RESOLUTION NO. 957

Offered by Senator Lauzen and all Senators:
Mourns the death of Burton E. Scott of Big Rock.

SENATE RESOLUTION NO. 958

Offered by Senator Demuzio and all Senators:
Mourns the death of Milt F. Schonebaum of Carlinville.

SENATE RESOLUTION NO. 959

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Mourns the death of Judith Spangler of Carlinville.

SENATE RESOLUTION NO. 965

Offered by Senator Demuzio and all Senators:
Mourns the death of Lawrence P. McDaniel of Benld.

The Chair moved the adoption of the Resolutions Consent Calendar. The motion prevailed, and the resolutions were adopted.

At the hour of 12:35 o'clock p.m., Senator E. Jones moved that the Senate stand adjourned.

[December 16, 2008]

Senator Brady requested a roll call on the motion to adjourn.
And on that motion, a call of the roll was had resulting as follows:

YEAS 35; NAYS 20.

The following voted in the affirmative:

Bond	Frerichs	Kotowski	Schoenberg
Clayborne	Garrett	Lightford	Silverstein
Collins	Haine	Link	Steans
Crotty	Halvorson	Maloney	Sullivan
Cullerton	Harmon	Martinez	Trotter
DeLeo	Holmes	Meeks	Viverito
Delgado	Hunter	Munoz	Wilhelmi
Demuzio	Jacobs	Noland	Mr. President
Forby	Koehler	Raoul	

The following voted in the negative:

Althoff	Dahl	Millner	Sandoval
Bivins	Dillard	Murphy	Syverson
Bomke	Hultgren	Radogno	
Brady	Jones, J.	Righter	
Burzynski	Laufen	Risinger	
Cronin	Luechtefeld	Rutherford	

The motion to adjourn having prevailed, at the hour of 12:37 o'clock p.m., the Chair announced the Senate stand adjourned until such time as the Senate assembles in regular, veto or other session pursuant to the schedule established and published by the Senate President and in accordance with **House Joint Resolution No. 145**, as adopted on November 20, 2008.