



# **SENATE JOURNAL**

**STATE OF ILLINOIS**

**NINETY-FIFTH GENERAL ASSEMBLY**

**182ND LEGISLATIVE DAY**

**MONDAY, JANUARY 12, 2009**

**12:26 O'CLOCK P.M.**

**SENATE**  
**Daily Journal Index**  
**182nd Legislative Day**

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The Senate met pursuant to adjournment.  
 Senator James A. DeLeo, Chicago, Illinois, presiding.  
 Prayer by Bishop G.E. Livingston, Life Changers Church, Decatur, Illinois.  
 Senator Sullivan led the Senate in the Pledge of Allegiance.

The Journal of Wednesday, December 16, 2009, 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:

Annual Real Property Utilization Report, Fiscal Year 2008, submitted by the Department of Central Management Services.

The Bilingual Needs and Bilingual Pay Survey Report for Fiscal Year 2008, submitted by the Department of Central Management Services.

Public Building Commission of Chicago CPA Legislative 265 BiAnnual Report, submitted by the Public Building Commission of Chicago.

DCFS Office of the Inspector General Report to the Governor and the General Assembly, January 2009, submitted by the Department of Children and Family Services Office of the Inspector General.

Social Security Number Protection Task Force Report, submitted by the Office of the Attorney General.

2005 – 2007 Suicide Prevention Report, December 2007, submitted by the Department of Public Health.

Educator Supply and Demand 2008 Annual Report, submitted the Illinois State Board of Education.

2008 Physical Education Exemption Report, submitted by the Illinois State Board of Education.

Interagency Coordinating Council Report on the Status of Transition Services for Students with Disabilities in Illinois, Annual Report 2006-2007, submitted by the Illinois State Board of Education and Department of Human Services.

State-Funded Induction and Mentoring Programs in Illinois, submitted by the Illinois State Board of Education.

Capital Needs Assessment Survey, submitted by the Illinois State Board of Education.

Ensuring Success in School Task Force Report, submitted by the Illinois State Board of Education.

2008 Annual Report on Administration and Enforcement Activities of the Equal Pay Act, submitted by the Department of Labor.

Veterans Health Insurance Program Act of 2008 annual Report, submitted by the Department of Healthcare and Family Services and Department of Veterans Affairs.

Legislative Task Force on the Employment of Persons with Past Criminal Convictions, submitted by the Task Force on the Employment of Persons with Past Criminal Convictions.

[January 12, 2009]

Addendum to the Report from the Legislative Task Force on the Employment of Persons with Past Criminal Convictions, submitted by the Task Force on the Employment of Persons with Past Criminal Convictions.

Annual Tuition and Fee Waiver Report, submitted by the Illinois State Board of Education.

Report of the Joint Task Force on Deer Population Control, submitted by the Department of Natural Resources.

Report on the Activities and Enforcement of the Child Labor Law – FY08, submitted by the Department of Labor.

FY 2007 Fiscal Responsibility Report Card, submitted by the Comptroller.

Annual Report Pursuant to Public Act 95-0622, Status of Pilot Program, submitted by the Department of Human Services and the Department of Healthcare and Family Services.

FY 2008 Medical Expenditures for Services Provided in Prior Fiscal Years; Medical Services for which Claims were Received in Prior Fiscal Years; Explanations of exact causes of the variance between the previous year's estimated and actual liabilities; Factors affecting the DHFS liabilities, including but not limited to numbers of aid recipients, levels of medical services utilization by aid recipients and inflation in the cost of medical services; Result of DHFS Efforts to Combat Fraud and Abuse, submitted by the Department of Healthcare and Family Services.

FY 2008 Reports on the financial operations of the Building Illinois Capital Revolving Loan Fund, Illinois Equity Fund and Large Business Attraction Fund.

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

## COMMUNICATION

**DEBBIE HALVORSON**  
SENATE MAJORITY LEADER

December 26, 2008

Deborah Shipley  
Secretary of the Senate  
Room 401 Capitol Building  
Springfield, IL 62706

Dear Secretary Shipley:

I shall resign as State Senator for the 40<sup>th</sup> Legislative District effective January 5, 2009, at 10:00am. It has been a tremendous honor to serve in the Illinois State Senate over the last twelve years. I wish to thank my constituents in Cook, Will, Kankakee, and Iroquois counties for entrusting me with the responsibility of representing them in Springfield. I also thank my colleagues in the State Senate on both sides of the aisle. As Senate Majority Leader I have been proud to work with them in a bipartisan manner to serve the people of our great state. It is this same spirit of bipartisanship and service to the people of Illinois that I intend to take with me to Washington in my new capacity as Congresswoman for Illinois' 11<sup>th</sup> District.

Sincerely,  
s/Debbie  
Debbie Halvorson  
Illinois State Senator  
40<sup>th</sup> District

[January 12, 2009]

MESSAGE FROM THE SECRETARY OF STATE

OFFICE OF THE SECRETARY OF STATE  
JESSE WHITE • Secretary of State

January 6, 2009

Honorable Deborah Shipley  
Secretary of the Senate  
Room 401  
Capitol Building  
Springfield, IL 62706

Dear Ms. Shipley:

This office is forwarding herewith copies of the Notice of Vacancy from the Legislative Committee of the Democratic Party of the 40th Legislative District declaring the existence of a vacancy in the Office of Senator in the 95th General Assembly in the 40th Legislative District, as a result of the resignation of **Senator Debbie DeFrancesco Halvorson**, effective January 5, 2009.

Also enclosed is the copy of the Legislative Committee's Certificate of Appointment for **Toi W. Hutchinson, 115 Graymoor Ln., Olympia Fields, Illinois 60461** who was appointed to fill the vacancy in the Office of Senator, in the 95th General Assembly for the 40th Legislative District, along with her Oath of Office.

Yours truly,  
s/Jesse White  
Secretary of State

OFFICE OF THE SECRETARY OF STATE  
JESSE WHITE • Secretary of State

NOTICE

Changes in the Ninety-Fifth General Assembly

SENATE

Appointment

Toi W. Hutchinson  
115 Graymoor Ln.  
Olympia Fields, Illinois 60461  
40th Legislative District

Vacancy

Debbie DeFrancesco Halvorson  
40<sup>th</sup> Legislative District  
Resigned: January 5, 2009  
Filed: January 6, 2009

cc: Communications Department  
House Speaker Madigan  
House Minority Leader Cross  
Legal Department  
Legislative Affairs  
Office of the Governor  
Secretary of State  
Senate President Jones  
Senate Minority Leader Watson  
State Board of Elections

[January 12, 2009]

Ms. Deb Shipley  
Secretary of the Senate  
Room 401 Capitol Building  
Springfield, IL 62706

Dear Secretary Shipley:

Please be advised that the Legislative Committee of the Democratic Party of the 40<sup>th</sup> Legislative District met on January 5, 2009 and declared that a vacancy exists in the office of Senator in the 95<sup>th</sup> General Assembly for the 40<sup>th</sup> Legislative District of the State of Illinois as a result of the resignation of Senator Debbie DeFrancesco Halvorson.

You are hereby notified of the vacancy in the office of Senator in the General Assembly for the 40<sup>th</sup> Legislative District of the State of Illinois as a result of the resignation of Senator Debbie DeFrancesco Halvorson.

Dated: January 5, 2009

s/Terry L. Matthew  
Chairman of the Legislative Committee of the  
Democratic Party of the 40<sup>th</sup> Legislative District

s/Gayle Schuldt  
Secretary of the Legislative Committee of the  
Democratic Party of the 40<sup>th</sup> Legislative District

January 5, 2009

Ms. Deb Shipley  
Secretary of the Senate  
Room 401 Capitol Building  
Springfield, IL 62706

Dear Madam Secretary:

Pursuant to Section 25-6 of the Illinois Election Code, please be advised that the attached is a duly executed Certificate of Appointment to fill the vacancy in the office of Senator in the 40<sup>th</sup> Legislative District for the 95<sup>th</sup> General Assembly which certifies the appointment of Toi W. Hutchinson, who resides at 115 Graymoor Ln., Olympia Fields, IL 60461, to fill the vacancy in the office of Senator in the 95<sup>th</sup> Illinois General Assembly for the 40<sup>th</sup> Legislative District created by the resignation of Senator Debbie DeFrancesco Halvorson.

Dated: January 5, 2009

s/Terry L. Matthew  
Chairman of the Legislative Committee of the  
Democratic Party of the 40<sup>th</sup> Legislative District

s/Gayle Schuldt  
Secretary of the Legislative Committee of the  
Democratic Party of the 40<sup>th</sup> Legislative District

**CERTIFICATE OF APPOINTMENT TO FILL VACANCY IN  
THE OFFICE OF SENATOR IN THE GENERAL ASSEMBLY**

WHEREAS, a vacancy currently exists in the office of Senator in the General Assembly for the 40<sup>th</sup> Legislative District by reason of the resignation of Debbie DeFrancesco Halvorson, who was duly

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elected Senator from the 40<sup>th</sup> Legislative District, as a candidate of the Democratic Party, in the General Election held on November 7, 2006; and

WHEREAS, the Legislative Committee of the Democratic Party of the 40<sup>th</sup> Legislative District has declared the existence of the vacancy in said office and has voted to fill the vacancy in said office as required by Section 25-6 of the Election Code; and

WHEREAS, Debbie DeFrancesco Halvorson received a total number of 38,424 votes at the general election held on November 7, 2006; and

WHEREAS, the total number of votes necessary to appoint a successor to fill the vacancy in the office of Senator in the General Assembly from the 40<sup>th</sup> Legislative District is 19,213; and

WHEREAS, Toi W. Hutchinson, who resides at 115 Graymoor Ln., Olympia Fields, Illinois, 60461, received a total of 38,424 votes to fill the vacancy of said office; therefore,

BE IT RESOLVED, that the Legislative Committee of the Democratic Party of the 40<sup>th</sup> Legislative District of the State of Illinois hereby appoints Toi W. Hutchinson, a member of the Democratic Party, to the office of Senator in the General Assembly from the 40<sup>th</sup> Legislative District of Illinois.

Dated: January 5, 2009

s/Terry L. Matthew  
Chairman of the Legislative Committee of the  
Democratic Party of the 40<sup>th</sup> Legislative District

s/Gayle Schuldt  
Secretary of the Legislative Committee of the  
Democratic Party of the 40<sup>th</sup> Legislative District

STATE OF ILLINOIS            )  
  )  
COUNTY OF KANKAKEE        )

**OATH OF OFFICE**

I, Toi W. Hutchinson, do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Illinois, and that I will faithfully discharge the duties of the office of Senator in the 95<sup>th</sup> General Assembly for the 40<sup>th</sup> Legislative District of the State of Illinois to the best of my ability.

s/Toi W. Hutchinson

Subscribed and sworn to before me this 5<sup>th</sup> day of January, 2009.

s/Mary K. O'Brien  
Appellate Court Judge 3<sup>rd</sup> Dist.

**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 Amendments 1 and 4 to Senate Bill 101
- Motion to Concur in House Amendment 4 to Senate Bill 801
- Motion to Concur in House Amendment 1 to Senate Bill 874

[January 12, 2009]

Motion to Concur in House Amendment 1 to Senate Bill 1174  
Motion to Concur in House Amendment 2 to Senate Bill 1415  
Motion to Concur in House Amendments 1, 2 and 6 to Senate Bill 2348

**PRESENTATION OF RESOLUTIONS**

**SENATE RESOLUTION NO. 967**

Offered by Senator Dillard and all Senators:  
Mourns the death of Naperville Police Officer Donald “D.J.” Andries.

**SENATE RESOLUTION NO. 968**

Offered by Senator E. Jones and all Senators:  
Mourns the death of Loretta Tillman Palm of Chicago.

**SENATE RESOLUTION NO. 969**

Offered by Senator Peterson and all Senators:  
Mourns the death of Joe Hoffman of Lincolnshire.

**SENATE RESOLUTION NO. 970**

Offered by Senator Lightford and all Senators:  
Mourns the death of Angela Faye Saffo-Daniel.

**SENATE RESOLUTION NO. 971**

Offered by Senator Haine and all Senators:  
Mourns the death of Dr. Claude Hiles of Glen Carbon.

**SENATE RESOLUTION NO. 972**

Offered by Senator Clayborne – E. Jones, Collins, Hendon, Hunter, Lightford, Meeks, Raoul, Trotter and all Senators:  
Mourns the death of State Representative Wyvetter Younge of East St. Louis.

**SENATE RESOLUTION NO. 973**

Offered by Senator Hunter and all Senators:  
Mourns the death of Mattie Hines.

**SENATE RESOLUTION NO. 974**

Offered by Senator Koehler and all Senators:  
Mourns the death of Alma A. VanMiddlesworth of Canton.

**SENATE RESOLUTION NO. 975**

Offered by Senator Koehler and all Senators:  
Mourns the death of Ralph Donald Murphy of Pekin.

**SENATE RESOLUTION NO. 976**

Offered by Senator Koehler and all Senators:  
Mourns the death of Robert “Bob” Craig of West Peoria.

**SENATE RESOLUTION NO. 977**

Offered by Senator Brady and all Senators:  
Mourns the death of John W. Mitchell of Decatur.

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

**MESSAGES FROM THE HOUSE**

A message from the House by

[January 12, 2009]



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. 127**

WHEREAS, Most employers have stopped offering traditional pensions benefits and fewer than half of all workers have not signed up for a 401(k) or other employer-sponsored retirement savings plan; and

WHEREAS, For nearly two-thirds of the elderly, Social Security provides the majority of their income; and

WHEREAS, Nearly half (45 percent) of all Americans believe that they have not saved enough for retirement; and

WHEREAS, Most Americans (60 percent) are worried about being able to afford health insurance over the next year; and

WHEREAS, Over half (53 percent) of American adults report having to decrease savings and over one-third (37 percent) have had difficulty paying bills in order to pay for health care costs; and

WHEREAS, Partisan politics and ideological gridlock have divided our leaders and prevented reasonable, common sense, balanced solutions; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we stand with AARP's Divided We Fail effort to amplify the voices of millions of Americans who believe that health care and lifetime financial security are the most pressing domestic issues facing our nation; and be it further

RESOLVED, That we stand together to call on every candidate seeking public office to provide a real plan of action and commitment to ensuring that all Americans have access to affordable, quality health care and peace of mind about their lifetime financial security; and be it further

RESOLVED, That the Illinois General Assembly supports AARP's Divided We Fail initiative; that we join in their efforts to generate millions of voices for change; and that we urge our leaders to deliver action and answers on health care and lifetime financial security.

Adopted by the House, January 8, 2009.

MARK MAHONEY, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 127 was referred to the Committee on Rules.

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 resolution, in the adoption of which I am instructed to inform the Senate, to-wit:

**HOUSE RESOLUTION 1671**

WHEREAS, Section 14 of Article IV of the Illinois Constitution provides that the House of Representatives has the sole power to conduct legislative investigations to determine the existence of cause for impeachment; and

[January 12, 2009]

WHEREAS, In furtherance of that power, on December 15, 2008, the House of Representatives of the Ninety-Fifth General Assembly unanimously adopted House Resolution 1650 creating a Special Investigative Committee for the purpose of (i) investigating allegations of misfeasance, malfeasance, nonfeasance, and other misconduct of Governor Rod R. Blagojevich and (ii) making a recommendation as to whether cause exists for impeachment; and

WHEREAS, In recognition of the gravity of the inquiry, the Special Investigative Committee made a thorough investigation by holding hearings, taking evidence, hearing arguments, and faithfully deliberating; and

WHEREAS, The Special Investigative Committee gave the Governor the opportunity to appear before the Committee and participate in its proceedings and afforded the Governor more than adequate procedural rights and safeguards; and

WHEREAS, The Governor declined several invitations of the Special Investigative Committee to personally appear before the Committee; and

WHEREAS, The Special Investigative Committee developed an extensive record of documentary evidence, written and oral testimony, written and oral argument, and transcripts of its proceedings (the "Committee Record"); and

WHEREAS, In accordance with House Resolution 1650, the Special Investigative Committee has filed its Final Report with the House of Representatives (the "Final Report"), which is adopted and incorporated as if fully set forth herein; and

WHEREAS, The Final Report of the Special Investigative Committee recommends that Rod R. Blagojevich, Governor of the State of Illinois, be impeached for cause; and

WHEREAS, The House of Representatives is empowered under Section 14 of Article IV of the Illinois Constitution to impeach Rod R. Blagojevich, Governor of the State of Illinois; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that Rod R. Blagojevich, Governor of the State of Illinois, is impeached for cause and that the following article of impeachment be exhibited to the Senate for trial as provided in the Illinois Constitution so that the Senate may do justice according to law:

ARTICLE OF IMPEACHMENT EXHIBITED BY THE HOUSE OF REPRESENTATIVES IN THE  
NAME OF ITSELF AND THE PEOPLE OF THE STATE OF ILLINOIS AGAINST ROD R.  
BLAGOJEVICH, GOVERNOR OF THE STATE OF ILLINOIS, IN MAINTENANCE OF THE  
IMPEACHMENT OF HIM FOR CAUSE.

ARTICLE ONE

Based on the totality of the evidence contained in the Record of the House Special Investigative Committee created under House Resolution 1650 (the "Committee Record") and as summarized in the Final Report of the Special Investigative Committee filed with the House of Representatives on January 8, 2009 (the "Final Report"), in his conduct while Governor of the State of Illinois, Rod R. Blagojevich, has abused the power of his office in some or all of the following ways:

1) The Governor's plot to obtain a personal benefit in exchange for his appointment to fill the vacant seat in the United States Senate, as more fully detailed in the Final Report at Section IV-A and in the Committee Record as a whole.

2) The Governor's plot to condition the awarding of State financial assistance to the Tribune Company on the firing of members of the Chicago Tribune editorial board, as more fully detailed in the Final Report at Section IV-B and in the Committee Record as a whole.

3) The Governor's plot to trade official acts in exchange for campaign contributions, namely the signing of legislation related to the diversion of casino gambling revenues to the horse racing industry, as more fully detailed in the Final Report at Section IV-C-1 and in the Committee Record as a whole.

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4) The Governor's plot to trade official acts in exchange for campaign contributions, namely the awarding of a State tollway contract and the expansion of a tollway project, as more fully detailed in the Final Report at Section IV-C-2 and in the Committee Record as a whole.

5) The Governor's plot to trade official acts in exchange for campaign contributions, namely the release of pediatric care reimbursements to Illinois doctors and hospitals, as more fully detailed in the Final Report at Section IV-C-3 and in the Committee Record as a whole.

6) The Governor's plot to trade official acts in exchange for campaign contributions, namely the appointment to a position with the Illinois Finance Authority, as more fully detailed in the Final Report at Section IV-C-4 and in the Committee Record as a whole.

7) The Governor's plot to trade official acts in exchange for campaign contributions, namely the awarding of State contracts, as more fully detailed in the Final Report at Section IV-C-5 and in the Committee Record as a whole.

8) The Governor's plot to trade official acts in exchange for campaign contributions, namely the awarding of State permits and authorizations, as more fully detailed in the Final Report at Section IV-C-6 and in the Committee Record as a whole.

9) The Governor's refusal to recognize the authority of the Joint Committee on Administrative Rules to suspend or prohibit rules, his utter disregard of the doctrine of separation of powers, and his violation of the Illinois Administrative Procedure Act by unilaterally expanding a State program, as more fully detailed in the Final Report at Section IV-D and in the Committee Record as a whole.

10) The Governor's actions with regard to, and responsibility for, the procurement of flu vaccines, as more fully detailed in the Final Report at Section IV-E and in the Committee Record as a whole.

11) The Governor's actions with regard to, and responsibility for, the I-SaveRx Program, as more fully detailed in the Final Report at Section IV-F and in the Committee Record as a whole.

12) The Governor's actions with regard to, and responsibility for, the Agency Efficiency Initiatives, as more fully detailed in the Final Report at Section IV-G and in the Committee Record as a whole.

13) The Governor's violation of State and federal law regarding the hiring and firing of State employees, as more fully detailed in the Final Report at Section IV-J and in the Committee Record as a whole.

Under the totality of the evidence, some or all of these acts of the Governor constitute a pattern of abuse of power.

Wherefore, this abuse of power by Rod R. Blagojevich warrants his impeachment and trial, removal from office as Governor, and disqualification to hold any public office of this State in the future.

Adopted by the House, January 9, 2009.

MARK MAHONEY, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 1617 was referred to the Committee on Rules.

#### **READING BILL FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME**

**House Bill No. 3889**, sponsored by Senator Delgado, was taken up, read by title a first time and referred to the Committee on Rules.

[January 12, 2009]

### INTRODUCTION OF BILLS

**SENATE BILL NO. 3081.** Introduced by Senator Althoff, a bill for AN ACT making appropriations.

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

**SENATE BILL NO. 3082.** Introduced by Senator Althoff, a bill for AN ACT concerning finance.

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

### EXCUSED FROM ATTENDANCE

On motion of Senator Risinger, Senator Pankau was excused from attendance due to illness.

### CONSIDERATION OF HOUSE AMENDMENT TO SENATE BILL ON SECRETARY'S DESK

On motion of Senator Clayborne, **Senate Bill No. 1415**, with House Amendment No. 2 on the Secretary's Desk, was taken up for immediate consideration.

Senator Clayborne moved that the Senate concur with the House in the adoption of their amendment to said bill.

Senator Hendon had an inquiry of the Chair as to the number of votes needed for passage.

The Chair stated that a simple majority, or thirty votes, is required for passage.

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

YEAS 29; NAYS 14.

The following voted in the affirmative:

|           |            |            |               |
|-----------|------------|------------|---------------|
| Bomke     | Garrett    | Koehler    | Sullivan      |
| Clayborne | Haine      | Link       | Trotter       |
| Collins   | Harmon     | Maloney    | Viverito      |
| Crotty    | Hendon     | Martinez   | Wilhelmi      |
| Cullerton | Holmes     | Meeks      | Mr. President |
| DeLeo     | Hunter     | Sandoval   |               |
| Forby     | Hutchinson | Schoenberg |               |
| Frerichs  | Jacobs     | Steans     |               |

The following voted in the negative:

|           |             |          |            |
|-----------|-------------|----------|------------|
| Althoff   | Dillard     | Murphy   | Rutherford |
| Bivins    | Jones, J.   | Peterson | Syverson   |
| Burzynski | Lauzen      | Radogno  |            |
| Dahl      | Luechtefeld | Righter  |            |

This roll call verified.

The motion lost.

And the Senate nonconcurred with the House in the adoption of their Amendment No. 2 to **Senate Bill No. 1415**.

### 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:

[January 12, 2009]

Motion to Concur in House Amendment 2 to Senate Bill 1415

### LEGISLATIVE MEASURES FILED

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. 2 to House Bill 260  
Senate Floor Amendment No. 2 to House Bill 4215

### REPORTS FROM RULES COMMITTEE

Senator Hendon, Chairperson of the Committee on Rules, to which was referred **House Bills Numbered 260 and 334** on December 3, 2008, pursuant to Rule 3-9(b), reported that the Committee recommends that the bills be approved for consideration and returned to the calendar in their former position.

The report of the Committee was concurred in.

And **House Bills Numbered 260 and 334** were returned to the order of third reading.

Senator Hendon, Chairperson of the Committee on Rules, to which was referred **House Bill No. 4215** on July 1, 2008, 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 Bill No. 4215** was returned to the order of third reading.

Senator Hendon, Chairperson of the Committee on Rules, during its January 12, 2009 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Appropriations II: **Senate Floor Amendment No. 2 to House Bill 4215.**

Judiciary Criminal Law: **Senate Floor Amendment No. 2 to House Bill 260.**

Senator Hendon, Chairperson of the Committee on Rules, during its January 12, 2009 meeting, reported the following Joint Action Motions have been assigned to the indicated Standing Committee of the Senate:

Higher Education: **Motion to Concur in House Amendments 1 and 3 to Senate Bill 2603**

Judiciary Criminal Law: **Motion to Concur in House Amendment 1 to Senate Bill 100**  
**Motion to Concur in House Amendment 1 to Senate Bill 1013**

Local Government: **Motion to Concur in House Amendment 2 to Senate Bill 826**

Pensions and Investments: **Motion to Concur in House Amendment 1 to Senate Bill 719**

Public Health: **Motion to Concur in House Amendments 1 and 4 to Senate Bill 101**  
**Motion to Concur in House Amendment 1 to Senate Bill 1174**  
**Motion to Concur in House Amendments 1, 2 and 6 to Senate Bill 2348**

Revenue: **Motion to Concur in House Amendment 4 to Senate Bill 801**

### COMMITTEE MEETING ANNOUNCEMENTS

Senator Garrett, Chairperson of the Committee on Public Health, announced that the Public Health Committee will meet today in Room 400, at 2:30 o'clock p.m.

Senator Crotty, Chairperson of the Committee on Local Government, announced that the Local Government Committee will meet today in Room 409, at 2:30 o'clock p.m.

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

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

Senator Harmon, Chairperson of the Committee on Revenue, announced that the Revenue Committee will meet today in Room 400, at 3:30 o'clock p.m.

Senator Schoenberg, Chairperson of the Committee on Appropriations II, announced that the Appropriations II Committee will meet today in Room 212, at 4:00 o'clock p.m.

Senator Maloney, Chairperson of the Committee on Higher Education, announced that the Higher Education Committee will meet today in Room 409, at 4:00 o'clock p.m.

### ANNOUNCEMENT

Senator Risinger announced a Republican caucus to begin immediately after committees today.

### READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Althoff, **House Bill No. 334**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 51; NAYS None.

The following voted in the affirmative:

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

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

[January 12, 2009]

**MESSAGES FROM THE PRESIDENT**

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

EMIL JONES, JR.  
SENATE PRESIDENT

327 STATE CAPITOL  
Springfield, Illinois 62706

January 12, 2009

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

Dear Madam Secretary:

Please be advised that I have appointed Senator Toi Hutchinson to the following Senate Standing Committee, to be effective immediately.

Transportation

Sincerely,  
s/Emil Jones, Jr.  
Senate President

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

EMIL JONES, JR.  
SENATE PRESIDENT

327 STATE CAPITOL  
Springfield, Illinois 62706

January 12, 2009

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

Dear Madam Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator Michael Noland to replace Senator Ira Silverstein as a member of the Senate Licensed Activities Committee. This appointment is effective immediately.

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

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

EMIL JONES, JR.  
SENATE PRESIDENT

327 STATE CAPITOL  
Springfield, Illinois 62706

January 12, 2009

[January 12, 2009]

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

Dear Madam Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator Michael Noland to replace Senator Ira Silverstein as a member of the Senate Judiciary-Criminal Law Committee. This appointment is effective immediately.

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

**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 concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 5494

A bill for AN ACT concerning land.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 5494

Senate Amendment No. 2 to HOUSE BILL NO. 5494

Concurred in by the House, January 12, 2009.

MARK MAHONEY, Clerk of the House

At the hour of 1:36 o'clock p.m., the Chair announced that the Senate stand adjourned until Tuesday, January 13, 2009, at 10:00 o'clock a.m.

[January 12, 2009]