



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-SIXTH GENERAL ASSEMBLY

20TH LEGISLATIVE DAY

WEDNESDAY, MARCH 4, 2009

12:19 O'CLOCK P.M.

**SENATE
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20th Legislative Day**

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The Senate met pursuant to adjournment.
 Senator Jeffrey M. Schoenberg, Evanston, Illinois, presiding.
 Prayer by Pastor George Rozales, First Baptist Church, Greenfield, Illinois.
 Senator Jacobs led the Senate in the Pledge of Allegiance.

The Journal of Friday, February 27, 2009, was being read when on motion of Senator Koehler, 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:

ICC Flex-time Report, submitted by the Illinois Commerce Commission.

DOL Flex-time Report, submitted by the Department of Labor.

DMA Flex-time Report, submitted by the Department of Military Affairs.

DCEO Flex-time Report, submitted by the Department of Commerce and Economic Opportunity.

Mid-Illinois Medical District Commission Biennial Report of Operations, submitted by the Mid-Illinois Medical District Commission.

IHDA Report covering activities for the fiscal year ended June 30, 2008 and summary of projected activities for Fiscal Year 2009, submitted by the Illinois Housing Development Authority.

State of Illinois Bonded Indebtedness 2008 Report, submitted by the Commission on Government Forecasting and Accountability.

ICCB 2007-2008 Biennial Report, submitted by the Illinois Community College Board.

2008 Annual Report of the Office of the Auditor General, submitted by the Auditor General.

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 Assignments:

Senate Committee Amendment No. 1 to Senate Joint Resolution 3

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

Senate Committee Amendment No. 1 to Senate Bill 48
 Senate Committee Amendment No. 1 to Senate Bill 49
 Senate Committee Amendment No. 1 to Senate Bill 62
 Senate Committee Amendment No. 1 to Senate Bill 68
 Senate Committee Amendment No. 2 to Senate Bill 88
 Senate Committee Amendment No. 1 to Senate Bill 204
 Senate Committee Amendment No. 1 to Senate Bill 211
 Senate Committee Amendment No. 1 to Senate Bill 236
 Senate Committee Amendment No. 1 to Senate Bill 262

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Senate Committee Amendment No. 2 to Senate Bill 285
 Senate Committee Amendment No. 1 to Senate Bill 289
 Senate Committee Amendment No. 4 to Senate Bill 317
 Senate Committee Amendment No. 1 to Senate Bill 600
 Senate Committee Amendment No. 1 to Senate Bill 1275
 Senate Committee Amendment No. 1 to Senate Bill 1299
 Senate Committee Amendment No. 1 to Senate Bill 1383
 Senate Committee Amendment No. 1 to Senate Bill 1401
 Senate Committee Amendment No. 1 to Senate Bill 1414
 Senate Committee Amendment No. 1 to Senate Bill 1443
 Senate Committee Amendment No. 2 to Senate Bill 1443
 Senate Committee Amendment No. 1 to Senate Bill 1451
 Senate Committee Amendment No. 1 to Senate Bill 1455
 Senate Committee Amendment No. 1 to Senate Bill 1470
 Senate Committee Amendment No. 1 to Senate Bill 1508
 Senate Committee Amendment No. 1 to Senate Bill 1527
 Senate Committee Amendment No. 1 to Senate Bill 1544
 Senate Committee Amendment No. 1 to Senate Bill 1611
 Senate Committee Amendment No. 1 to Senate Bill 1656
 Senate Committee Amendment No. 2 to Senate Bill 1656
 Senate Committee Amendment No. 1 to Senate Bill 2150

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

Senate Floor Amendment No. 2 to Senate Bill 80
 Senate Floor Amendment No. 2 to Senate Bill 154
 Senate Floor Amendment No. 2 to Senate Bill 324
 Senate Floor Amendment No. 1 to Senate Bill 325

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 110

Offered by Senator Martinez and all Senators:
 Mourns the death of Jesus Gabriel Martinez of Chatham, formerly of Springfield.

SENATE RESOLUTION NO. 111

Offered by Senator Koehler and all Senators:
 Mourns the death of Philip Jose Farmer of Peoria.

SENATE RESOLUTION NO. 112

Offered by Senator Harmon and all Senators:
 Mourns the death of Jim T. Poulos of Westchester, formerly of River Forest.

SENATE RESOLUTION NO. 113

Offered by Senator Harmon and all Senators:
 Mourns the death of Norma R. Palmer of Elmoood Park.

SENATE RESOLUTION NO. 114

Offered by Senator Harmon and all Senators:
 Mourns the death of Mary Trowbridge, nee Luska.

SENATE RESOLUTION NO. 115

Offered by Senator Harmon and all Senators:
 Mourns the death of Nancy S. Stannard, nee Spooner, of River Forest.

SENATE RESOLUTION NO. 116

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Offered by Senator Harmon and all Senators:
Mourns the death of Charles E. Blackman of River Forest.

SENATE RESOLUTION NO. 117

Offered by Senator Haine and all Senators:
Mourns the death of Ronald H. McBride of Glen Carbon.

SENATE RESOLUTION NO. 118

Offered by Senator Frerichs and all Senators:
Mourns the death of Merl Eugene Clark of Indianola.

SENATE RESOLUTION NO. 119

Offered by Senator Frerichs and all Senators:
Mourns the death of Joseph Lindsey Loftus.

SENATE RESOLUTION NO. 120

Offered by Senator Frerichs and all Senators:
Mourns the death of C. Kevin Payne.

SENATE RESOLUTION NO. 121

Offered by Senator Frerichs and all Senators:
Mourns the death of Virginia Metze of Oakwood.

SENATE RESOLUTION NO. 122

Offered by Senator Frerichs and all Senators:
Mourns the death of Jack Thomas Skinner of Danville.

SENATE RESOLUTION NO. 123

Offered by Senator Viverito and all Senators:
Mourns the death of Eleanor Rita Lazzara.

SENATE RESOLUTION NO. 124

Offered by Senator Burzynski and all Senators:
Mourns the death of Donald Miles Merwin of DeKalb.

SENATE RESOLUTION NO. 125

Offered by Senator Demuzio and all Senators:
Mourns the death of Juanita E. "Nita" Pruitt of Carlinville.

SENATE RESOLUTION NO. 126

Offered by Senator Demuzio and all Senators:
Mourns the death of Fran J. Aulabaugh of Virden.

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

Senator Lauzen offered the following Senate Joint Resolution, which was referred to the Committee on Assignments:

SENATE JOINT RESOLUTION NO. 45

WHEREAS, The State of Illinois recognizes that the human embryo is a stage of human life; and

WHEREAS, Human lives are not objects to be manipulated and destroyed for research purposes; and

WHEREAS, Human embryonic stem cell research necessitates the dismemberment and destruction of human embryos; and

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WHEREAS, Adult stem cell, umbilical cord blood, and amniotic material research have far exceeded early expectations and continue to yield successful and promising treatments and cures, and are significant and better research alternatives to destructive embryonic stem cell research; and

WHEREAS, Scientists are making further impressive progress on new techniques, such as fusion regeneration and parthenogenesis, that represent non-destructive alternatives to sacrificing human life; and

WHEREAS, Human embryonic stem cell research is contrary to the dignity and sanctity of each individual person as a fertilized egg, which combines the essential genetic materials that define and individualize human identity; and

WHEREAS, Citizens face an age of powerful and exciting advances in biotechnology and must ensure and support technical advances that will not demean our very humanity, but will serve to uphold the right to life as well as to heal; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that that the State of Illinois is committed to supporting non-destructive stem cell research.

MESSAGES 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, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 229

A bill for AN ACT concerning wildlife.

HOUSE BILL NO. 244

A bill for AN ACT concerning insurance.

HOUSE BILL NO. 247

A bill for AN ACT concerning transportation.

HOUSE BILL NO. 278

A bill for AN ACT concerning appropriations.

HOUSE BILL NO. 336

A bill for AN ACT concerning education.

Passed the House, March 3, 2009.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 229, 244, 247, 278 and 336** were taken up, ordered printed and placed on first reading.

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, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 338

A bill for AN ACT concerning renewable fuels.

HOUSE BILL NO. 348

A bill for AN ACT concerning financial regulation.

Passed the House, March 3, 2009.

MARK MAHONEY, Clerk of the House

[March 4, 2009]

The foregoing **House Bills Numbered 338 and 348** were taken up, ordered printed and placed on first reading.

INTRODUCTION OF BILLS

SENATE BILL NO. 2361. Introduced by Senators Sullivan - Trotter, a bill for AN ACT concerning appropriations.

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

SENATE BILL NO. 2362. Introduced by Senators Sullivan - Trotter, a bill for AN ACT concerning appropriations.

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

SENATE BILL NO. 2363. Introduced by Senators Sullivan - Trotter, a bill for AN ACT concerning appropriations.

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

SENATE BILL NO. 2364. Introduced by Senator Schoenberg, a bill for AN ACT concerning appropriations.

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

REPORTS FROM COMMITTEE ON ASSIGNMENTS

Senator Clayborne, Chairperson of the Committee on Assignments, during its March 4, 2009 meeting, reported the following Senate Bills have been assigned to the indicated Standing Committees of the Senate:

Agriculture and Conservation: **Senate Bills Numbered 293, 1693, 1835 and 2129.**

Appropriations I: **Senate Bills Numbered 1679, 1686, 1696, 1697, 1714, 1720, 1806, 1856, 1979, 2114, 2118, 2133, 2182 and 2284.**

Appropriations II: **House Bill No. 210; Senate Bills Numbered 1684, 1862, 1949, 1985, 2023, 2038, 2222 and 2264.**

Commerce: **Senate Bills Numbered 1559, 1753, 1852, 1863, 1906, 2052, 2109, 2160 and 2172.**

Consumer Protection: **Senate Bills Numbered 1769, 1820, 1922, 1978, 2105, 2107, 2143, 2170, 2180 and 2224.**

Criminal Law: **Senate Bills Numbered 1668, 1674, 1677, 1688, 1702, 1706, 1708, 1710, 1721, 1724, 1725, 1774, 1811, 1812, 1813, 1814, 1815, 1816, 1817, 1818, 1819, 1832, 1840, 1841, 1843, 1848, 1896, 1916, 2010, 2024, 2026, 2095 and 2248.**

Education: **Senate Bills Numbered 750, 1626, 1675, 1796, 1828, 1850, 1853, 1882, 1884, 1885, 1956, 1957, 1977, 1984, 2014, 2071, 2119, 2220, 2266, 2268, 2270 and 2277.**

Elections: **Senate Bills Numbered 1662, 1666, 1790, 1799, 1801, 2022 and 2168.**

Energy: **Senate Bills Numbered 1570, 1823, 1912, 1923, 1941, 2009, 2116, 2150, 2162 and 2338.**

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Environment: **Senate Bills Numbered 1676, 1680, 1690, 1897, 1932, 2034, 2039, 2103, 2104, 2122, 2184, 2252 and 2285.**

Executive: **Senate Bills Numbered 44, 1331, 1536, 1584, 1588, 1663, 1673, 1681, 1726, 1727, 1728, 1734, 1768, 1810, 1857, 1868, 1893, 1934, 19455, 1961, 1973, 1983, 2002, 2005, 2006, 2007, 2008, 2015, 2028, 2029, 2036, 2063, 2075, 2076, 2077, 2079, 2080, 2081, 2083, 2085, 2086, 2088, 2092, 2135, 2137, 2144, 2153, 2216, 2240, 2242, 2265, 2281 and 2296.**

Financial Institutions: **Senate Bills Numbered 1874 and 2244.**

Gaming: **Senate Bills Numbered 1362, 1740, 1754, 1797, 1937, 1986, 2067, 2164 and 2166.**

Higher Education: **Senate Bills Numbered 1883, 1926, 2013, 2124 and 2279.**

Human Services: **Senate Bills Numbered 1354, 1407, 1478, 1498, 1499, 1515, 1564, 1576, 1689, 1704, 1776, 1785, 1786, 1807, 2050, 2069, 2093, 2100, 2113, 2226, 2234 and 2271.**

Insurance: **Senate Bills Numbered 1683, 1809, 1877, 2019, 2250 and 2287.**

Judiciary: **Senate Bills Numbered 1424, 1519, 1667, 1670, 1672, 1695, 1716, 1738, 1772, 1800, 1888, 1903, 1904, 1930, 1933, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1970, 2073, 2102, 2108, 2111, 2112, 2149, 2151, 2178, 2230, 2236, and 2282.**

Labor: **Senate Bills Numbered 228, 1594, 1715, 1735, 1743, 1918, 2072 and 2094.**

Licensed Activities: **Senate Bills Numbered 1711, 1722, 1830, 1887 and 1894.**

Local Government: **Senate Bills Numbered 279, 1514, 1560, 1661, 1783, 1784, 1791, 1972, 1980, 1988, 1995, 2012, 2021, 2030, 2044, 2057, 2078, 2106, 2121, 2141, 2218 and 2272.**

Pensions and Investments: **Senate Bills Numbered 1469, 1705, 1707, 1709, 1713, 1741, 1742, 1744, 1751, 1802, 1827, 1858, 1861, 1913, 1943, 1946, 1971, 1974, 2011, 2020, 2110, 2127, 2142, 2212 and 2246.**

Public Health: **Senate Bills Numbered 1259, 1288, 1665, 1685, 1687, 1699, 1703, 1712, 1731, 1736, 1752, 1777, 1836, 1855, 1869, 1902, 1917, 1919, 1927, 1959, 1960, 1976, 2001, 2025, 2043, 2048, 2059, 2145, 2152, 2232, 2258 and 2267.**

Revenue: **Senate Bills Numbered 1543, 1552, 1555, 1664, 1669, 1671, 1678, 1691, 1739, 1748, 1749, 1750, 1775, 1825, 1826, 1829, 1846, 1867, 1886, 1901, 1908, 1935, 1936, 1942, 1948, 1975, 1990, 2018, 2031, 2032, 2033, 2046, 2053, 2065, 2115, 2125, 2126, 2262, 2273, 2280, 2283, 2289 and 2339.**

State Government and Veterans Affairs: **Senate Bills Numbered 1461, 1462, 1730, 1732, 1737, 1837, 1838, 1928, 1929, 1955, 1987, 2017, 2045, 2061, 2090, 2097, 2131, 2148 and 2228.**

Transportation: **Senate Bills Numbered 1694, 1729, 1762, 1763, 1788, 1789, 1845, 1866, 1944, 1950, 1958, 2035, 2064, 2084, 2128 and 2130.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its March 4, 2009 meeting, reported the following Senate Resolutions have been assigned to the indicated Standing Committees of the Senate:

Agriculture and Conservation: **Senate Joint Resolution No. 42.**

Environment: **Senate Joint Resolutions Numbered 36 and 44.**

Labor: **Senate Joint Resolution No. 35.**

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Transportation: **Senate Joint Resolution No. 19.**

Senator Clayborne, Chairperson of the Committee on Assignments, reported that the Committee recommends that **Senate Bill No. 1638** be re-referred from the Committee on Revenue to the Committee on Pensions and Investments.

Senator Clayborne, Chairperson of the Committee on Assignments, during its March 4, 2009 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Agriculture and Conservation: **Senate Committee Amendment No. 2 to Senate Bill 1443.**

Criminal Law: **Senate Committee Amendment No. 1 to Senate Bill 31; Senate Committee Amendment No. 1 to Senate Bill 48; Senate Committee Amendment No. 1 to Senate Bill 62; Senate Committee Amendment No. 1 to Senate Bill 211; Senate Committee Amendment No. 1 to Senate Bill 1275; Senate Committee Amendment No. 1 to Senate Bill 1425.**

Education: **Senate Committee Amendment No. 1 to Senate Bill 1508.**

Elections: **Senate Floor Amendment No. 2 to Senate Bill 80.**

Executive: **Senate Committee Amendment No. 1 to Senate Bill 49; Senate Committee Amendment No. 1 to Senate Bill 50; Senate Committee Amendment No. 2 to Senate Bill 285.**

Financial Institutions: **Senate Committee Amendment No. 1 to Senate Bill 1563.**

Higher Education: **Senate Committee Amendment No. 1 to Senate Bill 204.**

Human Services: **Senate Committee Amendment No. 1 to Senate Joint Resolution 3.**

Judiciary: **Committee Amendment No. 1 to Senate Bill 259; Committee Amendment No. 1 to Senate Bill 1579.**

Licensed Activities: **Senate Committee Amendment No. 1 to Senate Bill 289; Senate Committee Amendment No. 1 to Senate Bill 1383.**

Local Government: **Senate Committee Amendment No. 1 to Senate Bill 1414; Senate Committee Amendment No. 1 to Senate Bill 1451; Senate Committee Amendment No. 1 to Senate Bill 1527.**

Pensions and Investments: **Senate Committee Amendment No. 1 to Senate Bill 1401; Senate Committee Amendment No. 1 to Senate Bill 1611.**

Revenue: **Senate Committee Amendment No. 1 to Senate Bill 1544.**

State Government and Veterans Affairs: **Senate Committee Amendment No. 2 to Senate Bill 40; Senate Committee Amendment No. 1 to Senate Bill 47; Senate Committee Amendment No. 1 to Senate Bill 262; Senate Committee Amendment No. 1 to Senate Joint Resolution 30.**

Transportation: **Senate Committee Amendment No. 1 to Senate Bill 1299; Senate Committee Amendment No. 1 to Senate Bill 1417.**

MESSAGES FROM THE PRESIDENT

OFFICE OF THE SENATE PRESIDENT

[March 4, 2009]

STATE OF ILLINOIS

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706

March 4, 2009

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

Dear Madam Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator Ira Silverstein to resume his position on the Senate Financial Institutions Committee. This appointment is effective immediately.

Sincerely,
s/John J. Cullerton
Senate President

cc: Senate Minority Leader Christine Radogno

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

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706

March 4, 2009

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

Dear Madam Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator Donne Trotter to replace Senator Mattie Hunter as a member of the Senate Public Health Committee. This appointment is effective immediately.

Sincerely,
s/John J. Cullerton
Senate President

cc: Senate Minority Leader Christine Radogno

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

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706

March 4, 2009

Ms. Deborah Shipley
Secretary of the Senate

[March 4, 2009]

Room 403 State house
Springfield, IL 62706

Dear Madam Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator Toi Hutchinson to replace Senator Mattie Hunter as a member of the Senate Human Services Committee. This appointment is effective immediately.

Sincerely,
s/John J. Cullerton
Senate President

cc: Senate Minority Leader Christine Radogno

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

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706

March 4, 2009

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

Dear Madam Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator Maggie Crotty to replace Senator Iris Martinez as a member of the Senate Education Committee. This appointment is effective immediately.

Sincerely,
s/John J. Cullerton
Senate President

cc: Senate Minority Leader Christine Radogno

At the hour of 1:02 o'clock p.m., the Chair announced that the Senate stand adjourned until Thursday, March 5, 2009, at 10:30 o'clock a.m.

[March 4, 2009]