



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-SIXTH GENERAL ASSEMBLY

62ND LEGISLATIVE DAY

WEDNESDAY, JUNE 24, 2009

10:30 O'CLOCK A.M.

SENATE
Daily Journal Index
62nd Legislative Day

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SB 2115	Concur in House Amendment(s).....	9
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The Senate met by direction of the President.
Senator James A. DeLeo, Chicago, Illinois, presiding.
Prayer by Rabbi Michael Datz, Temple B'rith Sholom, Springfield, Illinois.
Senator Jacobs led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journal of Sunday, May 31, 2009, be postponed, pending arrival of the printed Journal.
The motion prevailed.

MESSAGE FROM THE PRESIDENT

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

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706

June 23, 2009

Ms. Jillayne Rock
Secretary of the Senate
Room 403 State House
Springfield, IL 62706

Dear Madam Secretary:

Pursuant to Rule 2-10, I am scheduling a session day on Wednesday, June 24, 2009. Session shall convene at 10:00 a.m. Wednesday, June 24, 2009.

Sincerely,
s/John J. Cullerton
Senate President

cc: Senate Minority Leader Christine Radogno
Democrat Caucus Members
Tim Mapes

REPORTS RECEIVED

The Secretary placed before the Senate the following reports:

Personal Information Protection Act Report, submitted by Northern Illinois University.

DOC Quarterly Report to the Legislature, April 1, 2009, submitted by the Department of Corrections.

Public Safety Shared Services Center Final Report summarizing consolidation and reorganization activities as of May 31, 2009, pursuant to E.O. 2006-6, submitted by the Public Safety Shared Services Center.

Administrative & Regulatory Shared Services Center Final Report summarizing consolidation and reorganization activities as of May 31, 2009, pursuant to E.O. 2006-6, submitted by the Administrative & Regulatory Shared Services Center.

2008 EDGE Tax Credit Program Annual Report, submitted by the Department of Commerce and Economic Opportunity.

[June 24, 2009]

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

Health Care Facilities in Illinois Report of Annual Capital Expenditures, 2007, submitted by the Department of Public Health.

2008 Suicide Prevention Report, submitted by the Department of Public Health.

Excellence in Academic Medicine Payments for Fiscal Year 2009, submitted by the Department of Healthcare and Family Services and Department of Public Health.

Analysis of Investment Fee Savings and Transition Costs Due to Potential Consolidation into Illinois Public Employees Retirement System, submitted by the Commission on Government Forecasting and Accountability.

Collar County Transportation Empowerment Funds Report 2008, submitted by Will County.

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

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 Assignments:

Motion to Concur in House Amendment 1 to Senate Bill 397

Motion to Concur in House Amendments 1 and 4 to Senate Bill 1936

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 316

Offered by Senator Haine and all Senators:

Mourns the death of Katherine E. "Kay" Massey of Alton.

SENATE RESOLUTION NO. 317

Offered by Senator Althoff and all Senators:

Mourns the death of Elsie Tonyan of McHenry.

SENATE RESOLUTION NO. 318

Offered by Senator Link and all Senators:

Mourns the death of Mark A. Miller of Lake Bluff.

SENATE RESOLUTION NO. 319

Offered by Senator Dillard and all Senators:

Mourns the death of Elmer A. Dagenais of Naperville.

SENATE RESOLUTION NO. 320

Offered by Senator Dillard and all Senators:

Mourns the death of Dr. Akihiko "Aki" Yokosawa of Naperville.

SENATE RESOLUTION NO. 321

Offered by Senator Dillard and all Senators:

Mourns the death of Hugo Koranda of Burr Ridge.

SENATE RESOLUTION NO. 322

Offered by Senator Dillard and all Senators:

Mourns the death of Lawrence Alan Gregory, formerly of Naperville.

[June 24, 2009]

SENATE RESOLUTION NO. 323

Offered by Senator Dillard and all Senators:
Mourns the death of Laura N. Peterson of Aurora.

SENATE RESOLUTION NO. 324

Offered by Senator Haine and all Senators:
Mourns the death of Duane Randall of Godfrey.

SENATE RESOLUTION NO. 325

Offered by Senator Haine and all Senators:
Mourns the death of Charles "Charlie" Mohr, Sr., of Godfrey.

SENATE RESOLUTION NO. 326

Offered by Senator Clayborne and all Senators:
Mourns the death of U.S. Army Specialist David A. Schaefer, Jr., of Smithton.

SENATE RESOLUTION NO. 327

Offered by Senator Hunter and all Senators:
Mourns the death of Willie J. Welch.

SENATE RESOLUTION NO. 328

Offered by Senator Cullerton and all Senators:
Mourns the death of Chuck Saponaro.

SENATE RESOLUTION NO. 329

Offered by Senator Koehler and all Senators:
Mourns the death of Roger A. Baxter of Peoria.

SENATE RESOLUTION NO. 330

Offered by Senator Koehler and all Senators:
Mourns the death of Rudolph "Bud" Rolando of Farmington.

SENATE RESOLUTION NO. 331

Offered by Senator Hunter and all Senators:
Mourns the death of Bessie Lee Redmond of Chicago.

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

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 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. 45

WHEREAS, The Chicago Chapter of the United States Green Building Council (USGBC), in cooperation with civic and corporate partners, has announced a project to help 3 Illinois public schools (one in Chicago, one in the suburbs, and one downstate) achieve certification under the USGBC's Leadership in Energy and Environmental Design (LEED) standard for existing buildings; and

WHEREAS, The LEED building rating system provides standards for environmentally sustainable construction; and

[June 24, 2009]

WHEREAS, Thousands of buildings throughout the United States and other countries have become LEED certified; and

WHEREAS, This project will cover all of the additional costs of achieving LEED certification and will provide resources to project schools to allow them to determine how to shift costs from materials and services that negatively impact the environment toward those that improve the environment; and

WHEREAS, This project provides a model for a statewide campaign to transform every existing Illinois public school into a green school so that within a generation every child in Illinois can attend a green school; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that a Task Force shall be created to investigate how to retrofit 3 public schools in the State of Illinois to achieve LEED certification; and be it further

RESOLVED, That the Task Force shall be composed of one individual appointed by the Chair of the Chicago Chapter of the USGBC, who shall serve as the Chair of the Task Force; one individual appointed by the Director of Commerce and Economic Opportunity; one individual appointed by the Executive Director of the Capital Development Board; one individual, appointed by the Governor, from the Illinois Green Government Coordinating Council; one individual appointed by the State Superintendent of Education; one individual appointed by the Speaker of the Illinois House of Representatives; one individual appointed by the Minority Leader of the Illinois House of Representatives; one individual appointed by the President of the Illinois Senate; and one individual appointed by the Minority Leader of the Illinois Senate; and be it further

RESOLVED, That the Task Force shall develop the infrastructure for a statewide program coincident to the USGBC's project; and be it further

RESOLVED, That the Task Force shall, in a written report that is to be delivered to the General Assembly on or before November 1, 2010, make findings and recommendations concerning the creation and financing of a system to ensure that existing public schools are retrofitted and new public schools are constructed in a manner that promotes energy efficiency and sustainability; and be it further

RESOLVED, That the Capital Development Board shall provide administrative and other support to the Task Force; and be it further

RESOLVED, That the members of the Task Force shall be reimbursed for their travel expenses from appropriations to the Capital Development Board available for that purpose and subject to the rules of the appropriate travel control board; and be it further

RESOLVED, That suitable copies of this resolution shall be delivered to the Chairperson of the Chicago Chapter of the USGBC, the Executive Director of the Capital Development Board, the Director of Commerce and Economic Opportunity, and the State Superintendent of Education.

Adopted by the House, May 28, 2009.

MARK MAHONEY, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 45 was referred to the Committee on Assignments.

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 313

[June 24, 2009]

A bill for AN ACT making appropriations.
 Which amendment is as follows:
 Senate Amendment No. 1 to HOUSE BILL NO. 313
 Senate Amendment No. 2 to HOUSE BILL NO. 313
 Senate Amendment No. 3 to HOUSE BILL NO. 313
 Concurred in by the House, June 1, 2009.

MARK MAHONEY, Clerk of 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 2424

A bill for AN ACT concerning government.
 Which amendment is as follows:
 Senate Amendment No. 1 to HOUSE BILL NO. 2424
 Senate Amendment No. 3 to HOUSE BILL NO. 2424
 Senate Amendment No. 4 to HOUSE BILL NO. 2424
 Concurred in by the House, June 1, 2009.

MARK MAHONEY, Clerk of 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 the following joint resolution, to-wit:
SENATE JOINT RESOLUTION NO. 4
 Concurred in by the House, May 31, 2009.

MARK MAHONEY, Clerk of 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 the following joint resolution, to-wit:
SENATE JOINT RESOLUTION NO. 64
 Concurred in by the House, May 31, 2009.

MARK MAHONEY, Clerk of the House

MESSAGE FROM THE GOVERNOR

Message for the Governor by Sean Vinck
 Chief Legislative Counsel to the Governor

June 22, 2009

Mr. President,

The Governor directs me to lay before the Senate the following Message:

STATE OF ILLINOIS
 EXECUTIVE DEPARTMENT

[June 24, 2009]

To the Honorable
Members of the Senate
Ninety-Sixth General Assembly

I have nominated and appointed the following named person to the office enumerated below and respectfully ask concurrence in and confirmation of this appointment by your Honorable Body.

s/Pat Quinn
GOVERNOR

ILLINOIS COURT OF CLAIMS

To be a member of the Illinois Court of Claims for a term commencing July 1, 2009 and ending January 19, 2015:

Mary Patricia Burns
Salaried

The foregoing Message from the Governor was referred to the Committee on Executive Appointments.

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Clayborne, Chairperson of the Committee on Assignments, during its June 24, 2009 meeting, reported that the following Legislative Measures have been approved for consideration:

Motion to Concur with House Amendments 1, 2 and 3 to Senate Bill 321
Motion to Concur with House Amendment 1 to Senate Bill 397

The foregoing concurrences were placed on the Secretary's Desk.

CONSIDERATION OF RESOLUTION ON SECRETARY'S DESK

Senator Cullerton moved that **Senate Resolution No. 179**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Cullerton moved that Senate Resolution No. 179 be adopted.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

Althoff	Frerichs	Lightford	Sandoval
Bivins	Garrett	Link	Schoenberg
Bomke	Haine	Luechtefeld	Silverstein
Bond	Harmon	Maloney	Steans
Burzynski	Hendon	Martinez	Sullivan
Clayborne	Holmes	Meeks	Syverson
Collins	Hultgren	Muñoz	Trotter
Crotty	Hunter	Murphy	Viverito
DeLeo	Hutchinson	Noland	Wilhelmi
Delgado	Jacobs	Pankau	Mr. President
Demuzio	Jones, E.	Radogno	
Dillard	Jones, J.	Raoul	
Duffy	Koehler	Righter	
Forby	Lauzen	Rutherford	

[June 24, 2009]

The motion prevailed.
And the resolution was adopted.

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

On motion of Senator Harmon, **Senate Bill No. 2115**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

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

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

YEAS 53; NAYS None.

The following voted in the affirmative:

Althoff	Frerichs	Lightford	Rutherford
Bivins	Garrett	Link	Sandoval
Bomke	Haine	Luechtefeld	Schoenberg
Bond	Harmon	Maloney	Silverstein
Burzynski	Hendon	Martinez	Steans
Clayborne	Holmes	McCarter	Sullivan
Collins	Hultgren	Meeks	Syverson
Crotty	Hunter	Muñoz	Trotter
DeLeo	Hutchinson	Murphy	Viverito
Delgado	Jacobs	Noland	Wilhelmi
Demuzio	Jones, E.	Pankau	Mr. President
Dillard	Jones, J.	Radogno	
Duffy	Koehler	Raoul	
Forby	Lauzen	Righter	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 2115**, by a three-fifths vote.

Ordered that the Secretary inform the House of Representatives thereof.

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

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

At the hour of 11:03 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 1:58 o'clock p.m., the Senate resumed consideration of business.

Senator DeLeo, presiding.

The Chair announced the Senate would soon reconvene in First Special Session.

At the hour of 1:59 o'clock p.m., the Chair announced that the Senate stand at recess subject to the call of the Chair.

[June 24, 2009]

AFTER RECESS

At the hour of 2:07 o'clock p.m., the Senate resumed consideration of business.
Senator DeLeo, presiding.

ANNOUNCEMENT

President Cullerton announced that the Senate would reconvene on Tuesday, June 30, 2009, at the hour of 11:45 o'clock a.m. in Regular Session and at 12:00 o'clock noon in First Special Session.

RESOLUTIONS CONSENT CALENDAR

SENATE RESOLUTION NO. 316

Offered by Senator Haine and all Senators:
Mourns the death of Katherine E. "Kay" Massey of Alton.

SENATE RESOLUTION NO. 317

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Mourns the death of Elsie Tonyan of McHenry.

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[June 24, 2009]

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Mourns the death of Roger A. Baxter of Peoria.

SENATE RESOLUTION NO. 330

Offered by Senator Koehler and all Senators:
Mourns the death of Rudolph "Bud" Rolando of Farmington.

SENATE RESOLUTION NO. 331

Offered by Senator Hunter and all Senators:
Mourns the death of Bessie Lee Redmond of Chicago.

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

PRESENTATION OF RESOLUTION

Senator Cullerton offered the following Senate Joint Resolution and, having asked and obtained unanimous consent to suspend the rules for its immediate consideration, moved its adoption:

SENATE JOINT RESOLUTION NO. 73

RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that when the two Houses adjourn on Wednesday, June 24, 2009, the Senate stands adjourned until the call of the President; and the House of Representatives stands adjourned until the call of the Speaker.

The motion prevailed.

And the resolution was adopted.

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

At the hour of 2:12 o'clock p.m., pursuant to **Senate Joint Resolution No. 73**, the Chair announced the Senate stand adjourned until the call of the President.