



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-SIXTH GENERAL ASSEMBLY

67TH LEGISLATIVE DAY

FRIDAY, OCTOBER 16, 2009

11:32 O'CLOCK A.M.

SENATE
Daily Journal Index
67th Legislative Day

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The Senate met pursuant to adjournment.
Senator James F. Clayborne, Belleville, Illinois, presiding.
Prayer by Rabbi Barry Marks, Temple Israel, Springfield, Illinois.
Senator Maloney led the Senate in the Pledge of Allegiance.

Senator Sullivan moved that reading and approval of the Journal of Thursday, October 15, 2009, be postponed, pending arrival of the printed Journal.
The motion prevailed.

REPORT RECEIVED

The Secretary placed before the Senate the following report:

ICHIP 2008 Annual Report, submitted by the Illinois Comprehensive Health Insurance Board.

The foregoing report was 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 327
Motion to Concur in House Amendment 1 to Senate Bill 1371

LEGISLATIVE MEASURES FILED

The following Floor amendment to the Senate Bill listed below has been filed with the Secretary and referred to the Committee on Assignments:

Senate Floor Amendment No. 1 to Senate Bill 655

The following Floor amendment to the House Bill listed below has been filed with the Secretary and referred to the Committee on Assignments:

Senate Floor Amendment No. 2 to House Bill 2414

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 455

Offered by Senator Lauzen and all Senators:
Mourns the death of Daniel V. "Louie" McWethy, Jr., of Aurora.

SENATE RESOLUTION NO. 456

Offered by Senator Lauzen and all Senators:
Mourns the death of James William Wheeler of Newark, formerly of Warrenville.

SENATE RESOLUTION NO. 457

Offered by Senator Lauzen and all Senators:
Mourns the death of Monica Elizabeth Walter of Aurora.

SENATE RESOLUTION NO. 458

Offered by Senator Lauzen and all Senators:

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Mourns the death of Keith J. Koza of Geneva.

SENATE RESOLUTION NO. 459

Offered by Senator Lauzen and all Senators:
Mourns the death of Quillen Leigh Fox of Montgomery.

SENATE RESOLUTION NO. 462

Offered by Senator Demuzio and all Senators:
Mourns the death of Shirley L. Weatherford of Carlinville.

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 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. 1800

A bill for AN ACT concerning public aid.

HOUSE BILL NO. 1801

A bill for AN ACT concerning public aid.

HOUSE BILL NO. 1802

A bill for AN ACT concerning public aid.

HOUSE BILL NO. 1995

A bill for AN ACT concerning corrections.

HOUSE BILL NO. 4628

A bill for AN ACT concerning business.

HOUSE BILL NO. 4638

A bill for AN ACT concerning professional regulation.

Passed the House, October 15, 2009.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 1800, 1801, 1802, 1995, 4628 and 4638** 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 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. 75

WHEREAS, The current distressing national, regional, and State economic climates serve as the collective impetus for a re-examination of State appropriations practices; and

WHEREAS, The wisdom of a renewed focus on best-spending practices throughout all aspects of State appropriations and expenditures is warranted; and

WHEREAS, The aim of the Monetary Award Program should be to provide the most practical assistance possible in facilitating Illinois students' access and choice in opening realistic vistas of higher education; and

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WHEREAS, Feasible new alternatives must always be judiciously explored by those empowered by the public trust with the responsibility of dispensing the public funds; and

WHEREAS, On December 9, 2008, the Board of Higher Education unanimously endorsed the "Public Agenda for College and Career Success", which codified the goal, among others, of matching Illinois' educational attainment to the best-performing U.S. states and world countries, as the blueprint to guide education policy in this State for the next decade; and

WHEREAS, The "Public Agenda for College and Career Success" cites, among several other barriers to the stated goal, both the diminished buying power of the Monetary Award Program grant and the denial of Monetary Award Program grant awards to one-fourth of eligible students; 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 the Board of Higher Education, in consultation with the Illinois Student Assistance Commission, the Illinois Community College Board, and any other appropriate entity, shall undertake a study of the most practical methodology to improve the efficiency and sustainability of the Monetary Award Program that includes all of the following:

- (1) a review of the success rates of all Monetary Award Program recipients, as defined by either degree completion or skill set attainment;
- (2) demographics of MAP recipients regarding the disbursement of Monetary Award Program funds between and among public, private, and proprietary institutions;
- (3) potential steps to maximize efficiencies by the Illinois Student Assistance Commission in the delivery of student financial aid;
- (4) the feasibility of re-structuring Monetary Award Program eligibility to maximize the educational impact and economic efficiency of MAP expenditures; and
- (5) the relationship of State appropriations for public university and community college operations, tuition and fees, and funding of the Monetary Award Program; and be it further

RESOLVED, That the Illinois Board of Higher Education shall prepare a report with the findings and recommendations on improving the efficiency and sustainability of the Monetary Award Program and submit that report to the General Assembly no later than February 28, 2010; and be it further

RESOLVED, That suitable copies of this resolution be presented to the chairpersons of the Illinois Board of Higher Education, the Illinois Student Assistance Commission, and the Illinois Community College Board.

Adopted by the House, October 15, 2009.

MARK MAHONEY, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 75 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 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. 76

WHEREAS, The State of Illinois maintains a vital interest in and obligation to promote job creation in Illinois, as well as attraction of businesses providing jobs to the State work force, thereby benefiting Illinois communities, and the well being of the State economy; and

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WHEREAS, The State of Illinois, over many years, has made substantial investments promoting technological research at such notable institutions as Argonne National Labs, Illinois Institute of Technology, Northwestern University, Southern Illinois University, the University of Chicago, and the University of Illinois, and development of facilities serving technology startups in Carbondale, Champaign-Urbana, Chicago, Lake County, Peoria, Springfield, and elsewhere; and

WHEREAS, The State of Illinois over the last decade has invested funds that directly assist small, high technology companies, through programs such as the Illinois Technology Enterprise Centers and the Illinois Entrepreneurship Center programs; and

WHEREAS, The State of Illinois is facing and is expected to continue encountering fiscal challenges on account of global economic conditions that cause unemployment within the State, thereby both reducing tax revenues and limiting the State's ability to promote job creation and business attraction; and

WHEREAS, Certain not-for-profit organizations, including the iBIO Institute and its sole member, the Illinois Biotechnology Industry Organization (iBIO), have evidenced through successful programs and private-sector fundraising a willingness to and capability of lessening the State's economic development burdens; and

WHEREAS, More particularly, the iBIO Institute in 2007 raised funds primarily from private sector sources and launched PROPEL as a bundle of programs designed to assist in the creation, retention, and attraction of technology companies that have been determined by the National Academies of Science to be critically important engines of job growth; and

WHEREAS, PROPEL has lessened the burdens of State government by providing assistance to 49 job-creating technology firms, creating and retaining more than 185 jobs and acquiring in the process new capital investment here of \$10 million; and

WHEREAS, The iBIO Institute's sole member, iBIO, has successfully executed an Ambassadors Program, which orchestrated the assistance, on a pro bono basis, of executives of biotechnology, nanotechnology, and information technology firms to assist the State's business attraction efforts, a program which has already assisted the attraction of 2 overseas companies that are now establishing US Headquarters in Illinois; and

WHEREAS, Separately, the iBIO Institute has raised private sector funds to further lessen the burdens of government through development and promotion of innovative education programs which prepare students for careers in science-based innovation, all the while working closely with State agencies such as the Department of Commerce and Economic Development, the Illinois Math and Science Academy, the Illinois Board of Higher Education, and the Illinois State Board of Education, among others; and

WHEREAS, The iBIO Institute and its sole member, iBIO, now wish to consolidate their economic development activities, including PROPEL, within the iBIO Institute, so as to more effectively lessen the burdens of State government and more easily attract private sector dollars, including foundation and philanthropic funding, to this cause; 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 the General Assembly expressly reaffirms the State's obligation for economic development, including job creation in Illinois and the attraction of job-creating businesses to this State; and be it further

RESOLVED, That the General Assembly proclaims that it views the iBIO Institute and other not-for-profits wishing to lessen the economic development burdens of State government as acting on behalf of Illinois and that it shall be State policy to encourage activities such as PROPEL and the Ambassadors Program conducted by such organizations; and be it further

RESOLVED, That all State agencies, including without limitation the aforementioned State departments and organizations, are directed to cooperate with the iBIO Institute and other not-for-profits seeking to raise funds and execute programs that promote job creation in and attract businesses to Illinois; and be it further

[October 16, 2009]

RESOLVED, That copies of this Joint Resolution shall be provided to the Governor, Lieutenant Governor, President of the Senate, Minority Leader of the Senate, Speaker of the House of Representatives, Minority Leader of the House of Representatives, Directors of all affected agencies, the Chairpersons of appropriate General Assembly committees, including to the committees on Agriculture & Conservation, Bio-Technology, Finance, and Rules, and to the iBIO Institute.

Adopted by the House, October 15, 2009.

MARK MAHONEY, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 76 was referred to the Committee on Assignments.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

On motion of Senator Raoul, **House Bill No. 1800** was taken up, read by title a first time and referred to the Committee on Assignments.

On motion of Senator Collins, **House Bill No. 1801** was taken up, read by title a first time and referred to the Committee on Assignments.

On motion of Senator Frerichs, **House Bill No. 1802** was taken up, read by title a first time and referred to the Committee on Assignments.

On motion of Senator Delgado, **House Bill No. 1995** was taken up, read by title a first time and referred to the Committee on Assignments.

On motion of Senators Clayborne - Millner, **House Bill No. 4628** was taken up, read by title a first time and referred to the Committee on Assignments.

MOTIONS IN WRITING

Senator Cronin submitted the following Motion in Writing:

SB1576AVM001

MOTION

I move to accept the specific recommendations of the Governor as to Senate Bill 1576 in manner and form as follows:

AMENDMENT TO SENATE BILL 1576 IN ACCEPTANCE OF GOVERNOR'S RECOMMENDATIONS

Amend Senate Bill 1576 on page 1, by deleting lines 4 through 23; and

on page 2, by deleting lines 1 through 5; and

on page 2, by replacing line 10 with the following:
"effective date of Executive Order 09-05"; and

on page 2, line 11, by deleting "Assembly".

Date: Oct. 15, 2009 s/Dan Cronin

The foregoing Motion in Writing was filed with the Secretary and referred to the Committee on Assignments.

[October 16, 2009]

Senator Cronin submitted the following Motion in Writing:

I move that Senate Bill 1576 do pass, notwithstanding the specific recommendations of the Governor.

10-16-09
DATE

s/Dan Cronin
SENATOR

The foregoing Motion in Writing was filed with the Secretary and ordered placed on the Senate Calendar.

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Clayborne, Chairperson of the Committee on Assignments, during its October 16, 2009 meeting, reported the following House Resolutions have been assigned to the indicated Standing Committees of the Senate:

Commerce: **House Joint Resolution No. 76.**

Higher Education: **House Joint Resolution No. 75.**

Human Services: **House Joint Resolution No. 28.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its October 16, 2009 meeting, reported the following House Bills have been assigned to the indicated Standing Committees of the Senate:

Executive: **House Bill No. 3997.**

Revenue: **House Bill No. 303.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its October 16, 2009 meeting, to which was referred **House Bills Numbered 607 and 2414** on August 15, 2009, 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 607 and 2414** were returned to the order of third reading.

Senator Clayborne, Chairperson of the Committee on Assignments, during its October 16, 2009 meeting, to which was referred **Senate Bills Numbered 655 and 660** on August 15, 2009, 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 **Senate Bills Numbered 655 and 660** were returned to the order of third reading.

Senator Clayborne, Chairperson of the Committee on Assignments, during its October 16, 2009 meeting, reported that the following Legislative Measure has been approved for consideration:

Floor Amendment No. 1 to Senate Bill 660

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

[October 16, 2009]

MESSAGE FROM THE PRESIDENT

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

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706

October 16, 2009

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

Dear Madam Secretary:

Pursuant to the provisions of Senate Rule 2-10, I hereby establish December 31, 2009 as the 3rd Reading deadline for the following Bills:

Senate Bills:
655, 660

House Bills:
303, 607, 1526, 2414, 3997

Sincerely,
s/John J. Cullerton
Senate President

cc: Senate Republican Leader Christine Radogno

CONSIDERATION OF GOVERNOR'S VETO MESSAGES

Pursuant to the Motion in Writing filed on Thursday, October 15, 2009 and journalized Thursday, October 15, 2009, Senator Schoenberg moved that **Senate Bill No. 51** do pass, the specific recommendations of the Governor to the contrary notwithstanding.

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

[October 16, 2009]

This bill, having received the vote of three-fifths of the members elected, was declared passed, the specific recommendations of the Governor to the contrary notwithstanding.

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

Pursuant to the Motion in Writing filed on Friday, October 16, 2009 and journalized Friday, October 16, 2009, Senator Cronin moved that **Senate Bill No. 1576** do pass, the specific recommendations of the Governor to the contrary notwithstanding.

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

YEAS 51; NAYS None.

The following voted in the affirmative:

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

This bill, having received the vote of three-fifths of the members elected, was declared passed, the specific recommendations of the Governor to the contrary notwithstanding.

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

SENATE BILL RECALLED

On motion of Senator Martinez, **Senate Bill No. 748** was recalled from the order of third reading to the order of second reading.

Senator Martinez offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 748

AMENDMENT NO. 1. Amend Senate Bill 748 by replacing everything after the enacting clause with the following:

"Section 5. The Liquor Control Act of 1934 is amended by changing Section 6-11 as follows:
(235 ILCS 5/6-11)

Sec. 6-11. Sale near churches, schools, and hospitals.

(a) No license shall be issued for the sale at retail of any alcoholic liquor within 100 feet of any church, school other than an institution of higher learning, hospital, home for aged or indigent persons or for veterans, their spouses or children or any military or naval station, provided, that this prohibition shall not apply to hotels offering restaurant service, regularly organized clubs, or to restaurants, food shops or other places where sale of alcoholic liquors is not the principal business carried on if the place of business so exempted is not located in a municipality of more than 500,000 persons, unless required by local ordinance; nor to the renewal of a license for the sale at retail of alcoholic liquor on premises within 100 feet of any church or school where the church or school has been established within such 100 feet since the issuance of the original license. In the case of a church, the distance of 100 feet shall be measured to the nearest part of any building used for worship services or educational programs and not to property boundaries.

[October 16, 2009]

(b) Nothing in this Section shall prohibit the issuance of a retail license authorizing the sale of alcoholic liquor to a restaurant, the primary business of which is the sale of goods baked on the premises if (i) the restaurant is newly constructed and located on a lot of not less than 10,000 square feet, (ii) the restaurant costs at least \$1,000,000 to construct, (iii) the licensee is the titleholder to the premises and resides on the premises, and (iv) the construction of the restaurant is completed within 18 months of the effective date of this amendatory Act of 1998.

(c) Nothing in this Section shall prohibit the issuance of a retail license authorizing the sale of alcoholic liquor incidental to a restaurant if (1) the primary business of the restaurant consists of the sale of food where the sale of liquor is incidental to the sale of food and the applicant is a completely new owner of the restaurant, (2) the immediately prior owner or operator of the premises where the restaurant is located operated the premises as a restaurant and held a valid retail license authorizing the sale of alcoholic liquor at the restaurant for at least part of the 24 months before the change of ownership, and (3) the restaurant is located 75 or more feet from a school.

(d) In the interest of further developing Illinois' economy in the area of commerce, tourism, convention, and banquet business, nothing in this Section shall prohibit issuance of a retail license authorizing the sale of alcoholic beverages to a restaurant, banquet facility, grocery store, or hotel having not fewer than 150 guest room accommodations located in a municipality of more than 500,000 persons, notwithstanding the proximity of such hotel, restaurant, banquet facility, or grocery store to any church or school, if the licensed premises described on the license are located within an enclosed mall or building of a height of at least 6 stories, or 60 feet in the case of a building that has been registered as a national landmark, or in a grocery store having a minimum of 56,010 square feet of floor space in a single story building in an open mall of at least 3.96 acres that is adjacent to a public school that opened as a boys technical high school in 1934, or in a grocery store having a minimum of 31,000 square feet of floor space in a single story building located a distance of more than 90 feet but less than 100 feet from a high school that opened in 1928 as a junior high school and became a senior high school in 1933, and in each of these cases if the sale of alcoholic liquors is not the principal business carried on by the licensee.

For purposes of this Section, a "banquet facility" is any part of a building that caters to private parties and where the sale of alcoholic liquors is not the principal business.

(e) Nothing in this Section shall prohibit the issuance of a license to a church or private school to sell at retail alcoholic liquor if any such sales are limited to periods when groups are assembled on the premises solely for the promotion of some common object other than the sale or consumption of alcoholic liquors.

(f) Nothing in this Section shall prohibit a church or church affiliated school located in a home rule municipality or in a municipality with 75,000 or more inhabitants from locating within 100 feet of a property for which there is a preexisting license to sell alcoholic liquor at retail. In these instances, the local zoning authority may, by ordinance adopted simultaneously with the granting of an initial special use zoning permit for the church or church affiliated school, provide that the 100-foot restriction in this Section shall not apply to that church or church affiliated school and future retail liquor licenses.

(g) Nothing in this Section shall prohibit the issuance of a retail license authorizing the sale of alcoholic liquor at premises within 100 feet, but not less than 90 feet, of a public school if (1) the premises have been continuously licensed to sell alcoholic liquor for a period of at least 50 years, (2) the premises are located in a municipality having a population of over 500,000 inhabitants, (3) the licensee is an individual who is a member of a family that has held the previous 3 licenses for that location for more than 25 years, (4) the principal of the school and the alderman of the ward in which the school is located have delivered a written statement to the local liquor control commissioner stating that they do not object to the issuance of a license under this subsection (g), and (5) the local liquor control commissioner has received the written consent of a majority of the registered voters who live within 200 feet of the premises.

(h) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor within premises and at an outdoor patio area attached to premises that are located in a municipality with a population in excess of 300,000 inhabitants and that are within 100 feet of a church if:

- (1) the sale of alcoholic liquor at the premises is incidental to the sale of food,
- (2) the sale of liquor is not the principal business carried on by the licensee at the premises,
- (3) the premises are less than 1,000 square feet,
- (4) the premises are owned by the University of Illinois,
- (5) the premises are immediately adjacent to property owned by a church and are not less than 20 nor more than 40 feet from the church space used for worship services, and

(6) the principal religious leader at the place of worship has indicated his or her support for the issuance of the license in writing.

(i) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license to sell alcoholic liquor at a premises that is located within a municipality with a population in excess of 300,000 inhabitants and is within 100 feet of a church, synagogue, or other place of worship if:

(1) the primary entrance of the premises and the primary entrance of the church, synagogue, or other place of worship are at least 100 feet apart, on parallel streets, and separated by an alley; and

(2) the principal religious leader at the place of worship has not indicated his or her opposition to the issuance or renewal of the license in writing.

(j) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance of a retail license authorizing the sale of alcoholic liquor at a theater that is within 100 feet of a church if (1) the church owns the theater, (2) the church leases the theater to one or more entities, and (3) the theater is used by at least 5 different not-for-profit theater groups.

(k) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a school if:

(1) the primary entrance of the premises and the primary entrance of the school are parallel, on different streets, and separated by an alley;

(2) the southeast corner of the premises are at least 350 feet from the southwest corner of the school;

(3) the school was built in 1978;

(4) the sale of alcoholic liquor at the premises is incidental to the sale of food;

(5) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;

(6) the applicant is the owner of the restaurant and has held a valid license authorizing the sale of alcoholic liquor for the business to be conducted on the premises at a different location for more than 7 years; and

(7) the premises is at least 2,300 square feet and sits on a lot that is between 6,100 and 6,150 square feet.

(l) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a church or school if:

(1) the primary entrance of the premises and the closest entrance of the church or school is at least 90 feet apart and no greater than 95 feet apart;

(2) the shortest distance between the premises and the church or school is at least 80 feet apart and no greater than 85 feet apart;

(3) the applicant is the owner of the restaurant and on November 15, 2006 held a valid license authorizing the sale of alcoholic liquor for the business to be conducted on the premises for at least 14 different locations;

(4) the sale of alcoholic liquor at the premises is incidental to the sale of food;

(5) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;

(6) the premises is at least 3,200 square feet and sits on a lot that is between 7,150 and 7,200 square feet; and

(7) the principal religious leader at the place of worship has not indicated his or her opposition to the issuance or renewal of the license in writing.

(m) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a church if:

(1) the premises and the church are perpendicular, and the primary entrance of the premises faces South while the primary entrance of the church faces West and the distance between the two entrances is more than 100 feet;

(2) the shortest distance between the premises lot line and the exterior wall of the church is at least 80 feet;

- (3) the church was established at the current location in 1916 and the present structure was erected in 1925;
 - (4) the premises is a single story, single use building with at least 1,750 square feet and no more than 2,000 square feet;
 - (5) the sale of alcoholic liquor at the premises is incidental to the sale of food;
 - (6) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises; and
 - (7) the principal religious leader at the place of worship has not indicated his or her opposition to the issuance or renewal of the license in writing.
- (n) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and is within 100 feet of a school if:
- (1) the school is a City of Chicago School District 299 school;
 - (2) the school is located within subarea E of City of Chicago Residential Business Planned Development Number 70;
 - (3) the sale of alcoholic liquor is not the principal business carried on by the licensee on the premises;
 - (4) the sale of alcoholic liquor at the premises is incidental to the sale of food; and
 - (5) the administration of City of Chicago School District 299 has expressed, in writing, its support for the issuance of the license.
- (o) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a retail license authorizing the sale of alcoholic liquor at a premises that is located within a municipality in excess of 1,000,000 inhabitants and within 100 feet of a church if:
- (1) the sale of alcoholic liquor at the premises is incidental to the sale of food;
 - (2) the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises;
 - (3) the premises is located on a street that runs perpendicular to the street on which the church is located;
 - (4) the primary entrance of the premises is at least 100 feet from the primary entrance of the church;
 - (5) the shortest distance between any part of the premises and any part of the church is at least 60 feet;
 - (6) the premises is between 3,600 and 4,000 square feet and sits on a lot that is between 3,600 and 4,000 square feet; and
 - (7) the premises was built in the year 1909.

For purposes of this subsection (o), "premises" means a place of business together with a privately owned outdoor location that is adjacent to the place of business.

- (p) Notwithstanding any provision in this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:
- (1) the shortest distance between the backdoor of the premises, which is used as an emergency exit, and the church is at least 80 feet;
 - (2) the church was established at the current location in 1889; and
 - (3) liquor has been sold on the premises since at least 1985.
- (q) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor within a premises that is located in a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:
- (1) the premises is located within a larger building operated as a grocery store;
 - (2) the area of the premises does not exceed 720 square feet and the area of the larger building exceeds 18,000 square feet;
 - (3) the premises is more than 100 feet from the nearest property line of property on which a church and a church-affiliated school are located;
 - (4) the sale of liquor is not the principal business carried on within the larger building;
 - (5) the primary entrance of the larger building and the premises and the primary entrance of the school are on different, parallel streets;

- (6) the larger building and the church and church-affiliated school property are separated by an alley;
 - (7) the larger building containing the premises and the church building front are on perpendicular streets; and
 - (8) the primary entrance of the larger building and the premises faces North while the primary entrance of the church building faces East and the distance between the 2 entrances is more than 100 feet.
- (r) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance, renewal, or maintenance of a license authorizing the sale of alcoholic liquor incidental to the sale of food within a restaurant established in a premises that is located in a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a church if:

- (1) the primary entrance of the church and the primary entrance of the restaurant are at least 100 feet apart;
- (2) the restaurant has operated on the ground floor and lower level of a multi-story, multi-use building for more than 40 years;
- (3) the primary business of the restaurant consists of the sale of food where the sale of liquor is incidental to the sale of food;
- (4) the sale of alcoholic liquor is conducted primarily in the below-grade level of the restaurant to which the only public access is by a staircase located inside the restaurant; and
- (5) the restaurant has held a license authorizing the sale of alcoholic liquor on the premises for more than 40 years.

(s) ~~(r)~~ Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit renewal of a license authorizing the sale of alcoholic liquor at a premises that is located within a municipality with a population more than 5,000 and less than 10,000 and is within 100 feet of a church if:

- (1) the church was established at the location within 100 feet of the premises after a license for the sale of alcoholic liquor at the premises was first issued;
- (2) a license for sale of alcoholic liquor at the premises was first issued before January 1, 2007; and
- (3) a license for the sale of alcoholic liquor on the premises has been continuously in effect since January 1, 2007, except for interruptions between licenses of no more than 90 days.

(t) Notwithstanding any provision of this Section to the contrary, nothing in this Section shall prohibit the issuance or renewal of a license authorizing the sale of alcoholic liquor incidental to the sale of food within a restaurant that is established in a premises that is located in a municipality with a population in excess of 1,000,000 inhabitants and within 100 feet of a school if:

- (1) the restaurant is located inside a five-story building with over 16,800 square feet of commercial space;
- (2) the area of the premises does not exceed 31,050 square feet;
- (3) the area of the restaurant does not exceed 5,800 square feet;
- (4) the restaurant is located 75 or more feet from a school;
- (5) the construction of the building in which the restaurant is located was completed in 2006; and
- (6) the building has 10 storefront properties, 3 of which are used for the restaurant.

(Source: P.A. 95-331, eff. 8-21-07; 95-752, eff. 1-1-09; 96-283, eff. 8-11-09; 96-744, eff. 8-25-09; revised 9-15-09.)

Section 99. Effective date. This Act takes effect upon becoming law."

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Martinez, **Senate Bill No. 748**, having been transcribed and typed and all amendments adopted thereto having been printed, 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:

[October 16, 2009]

YEAS 41; NAYS 8.

The following voted in the affirmative:

Althoff	Harmon	Meeks	Sandoval
Bond	Holmes	Millner	Schoenberg
Clayborne	Hutchinson	Muñoz	Steans
Collins	Jacobs	Murphy	Sullivan
Cronin	Jones, E.	Noland	Trotter
Crotty	Jones, J.	Pankau	Viverito
Demuzio	Koehler	Radogno	Wilhelmi
Duffy	Lightford	Raoul	Mr. President
Forby	Link	Righter	
Frerichs	Maloney	Risinger	
Haine	Martinez	Rutherford	

The following voted in the negative:

Bivins	Burzynski	Lauzen
Bomke	Dillard	Luechtefeld
Brady	Hultgren	

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 and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Raoul, **Senate Bill No. 760** was recalled from the order of third reading to the order of second reading.

Senator Raoul offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 760

AMENDMENT NO. 1. Amend Senate Bill 760 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Public Aid Code is amended by adding Section 1-8.5 as follows:
(305 ILCS 5/1-8.5 new)

Sec. 1-8.5. Eligibility for medical assistance during periods of incarceration or detention.

(a) To the extent permitted by federal law and notwithstanding any other provision of this Code, the Department of Healthcare and Family Services shall not cancel a person's eligibility for medical assistance solely because that person has become an inmate of a public institution, including, but not limited to, a county jail, juvenile detention center, or State correctional facility. The person may remain enrolled for medical assistance as long as all other eligibility criteria are met.

(b) The Department may adopt rules to permit a person to apply for medical assistance while he or she is an inmate of a public institution as described in subsection (a). The rules may limit applications to persons who would be likely to qualify for medical assistance if they resided in the community. Any such person who is not already enrolled for medical assistance may apply for medical assistance no more than 30 days prior to the date of scheduled release or discharge from a penal institution or county jail or similar status.

(c) Except as provided under Section 17 of the County Jail Act, the Department shall not be responsible to provide medical assistance under this Code for any medical care, services, or supplies provided to a person while he or she is an inmate of a public institution as described in subsection (a). The responsibility for providing medical care shall remain as otherwise provided by law with the Department of Corrections, county, or other arresting authority. The Department may seek federal financial participation, to the extent that it is available and with the cooperation of the Department of

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Juvenile Justice, the Department of Corrections, or the relevant county, for the costs of those services.

(d) To the extent permitted under State and federal law, the Department shall develop procedures to expedite required periodic reviews of continued eligibility for persons described in subsection (a).

(e) Counties, the Department of Juvenile Justice, the Department of Human Services, and the Department of Corrections shall cooperate with the Department in administering this Section. That cooperation shall include managing eligibility processing and sharing information sufficient to inform the Department, in a manner established by the Department, that a person enrolled in the medical assistance program has been detained or incarcerated.

(f) The Department shall resume responsibility for providing medical assistance upon release of the person to the community as long as all of the following apply:

(1) The person is enrolled for medical assistance at the time of release.

(2) Neither a county, the Department of Juvenile Justice, the Department of Corrections, nor any other criminal justice authority continues to bear responsibility for the person's medical care.

(3) The county, the Department of Juvenile Justice, or the Department of Corrections provides timely notice of the date of release in a manner established by the Department.

(g) This Section applies on and after December 31, 2011."

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Raoul, **Senate Bill No. 760**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 49; NAYS None.

The following voted in the affirmative:

Althoff	Ferichs	Luechtefeld	Risinger
Bivins	Haine	Maloney	Rutherford
Bomke	Harmon	Martinez	Sandoval
Bond	Holmes	McCarter	Schoenberg
Brady	Hultgren	Meeks	Steans
Clayborne	Hutchinson	Millner	Sullivan
Collins	Jacobs	Muñoz	Trotter
Cronin	Jones, E.	Murphy	Viverito
Crotty	Jones, J.	Noland	Wilhelmi
Demuzio	Koehler	Pankau	Mr. President
Dillard	Lauzen	Radogno	
Duffy	Lightford	Raoul	
Forby	Link	Righter	

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 and ask their concurrence therein.

At the hour of 12:18 o'clock p.m., Senator Lightford, presiding.

SENATE BILL RECALLED

[October 16, 2009]

On motion of Senator Clayborne, **Senate Bill No. 2188** was recalled from the order of third reading to the order of second reading.

Senator Clayborne offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 2188

AMENDMENT NO. 1. Amend Senate Bill 2188 by replacing everything after the enacting clause with the following:

"Section 5. The Local Government Debt Reform Act is amended by changing Section 17.5 as follows: (30 ILCS 350/17.5)

Sec. 17.5. Bond authorization by referendum.

(a) Whenever applicable law provides that the authorization of or the issuance of bonds is subject to either a referendum or backdoor referendum, the approval, once obtained, remains (i) for 5 years after the date of the referendum or (ii) for 3 years after the end of the petition period for a backdoor referendum. However, whenever the applicable law provides that the authorization of or the issuance of bonds under the Water Pollution Control Loan Program or the Public Water Supply Loan Program, under Title IV-A of the Environmental Protection Act, is subject to either a referendum or backdoor referendum, the approval, once obtained, remains (i) for 7 years after the date of the referendum or (ii) for 5 years after the end of the petition period for a backdoor referendum.

(b) With respect to any bond approval under subsection (a), if, for any reason, the bonds are not issued because of a court action, then the time limits set forth under subsection (a) for the approval for the bonds is tolled during the time that the court action is pending. This subsection (b) applies to any bond issuance approved by referendum held on or after January 1, 2003 or by a backdoor referendum held on or after January 1, 2005.

(Source: P.A. 95-517, eff. 8-28-07.)

Section 99. Effective date. This Act takes effect upon becoming law."

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Clayborne, **Senate Bill No. 2188**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 50; NAYS None.

The following voted in the affirmative:

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

[October 16, 2009]

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 and ask their concurrence therein.

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

HOUSE BILL NO. 1526

A bill for AN ACT concerning revenue.

HOUSE BILL NO. 1911

A bill for AN ACT concerning transportation.

HOUSE BILL NO. 4599

A bill for AN ACT concerning revenue.

Passed the House, October 16, 2009.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 1526, 1911 and 4599** 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 concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 1732

A bill for AN ACT concerning State government.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 1732

House Amendment No. 3 to SENATE BILL NO. 1732

Passed the House, as amended, October 16, 2009.

MARK MAHONEY, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1732

AMENDMENT NO. 1. Amend Senate Bill 1732 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Procurement Code is amended by changing Section 1-5 as follows:
(30 ILCS 500/1-5)

Sec. 1-5. Public policy. It is ~~the~~ the purpose of this Code and is declared to be the policy of the State that the principles of competitive bidding and economical procurement practices shall be applicable to all purchases and contracts by or for any State agency.

(Source: P.A. 90-572, eff. date - See Sec. 99-5)."

AMENDMENT NO. 3 TO SENATE BILL 1732

AMENDMENT NO. 3. Amend Senate Bill 1732, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. If and only if Senate Bill 51 of the 96th General Assembly, as enrolled, becomes law, then Senate Bill 51 of the 96th General Assembly is amended by changing Section 99-99 as follows:
(09600SB0051enr, Sec. 99-99)

[October 16, 2009]

Sec. 99-99. Effective date. This Act takes effect on July 1, 2010 upon becoming law.
(Source: 09600SB0051enr.)

Section 99. Effective date. This Act takes effect upon becoming law.".

Under the rules, the foregoing **Senate Bill No. 1732**, with House Amendments numbered 1 and 3, was referred to the Secretary's Desk.

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 Amendments 1 and 3 to Senate Bill 1732
Motion to Concur in House Amendments 1 and 2 to Senate Bill 1894

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 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. 77

WHEREAS, The State Board of Education has filed its Report on Waiver of School Code Mandates, dated October 1, 2009, with the Senate, the House of Representatives, and the Secretary of State of Illinois as required by Section 2-3.25g of the School Code; 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 each of the school district waiver requests identified below by school district name and by the identifying number and subject area of the waiver request as summarized in the report filed by the State Board of Education is disapproved:

- (1) Lake Park CHSD 108 - DuPage, WM100-5157, Content of evaluation plans;
- (2) Hononegah CHSD 207 - Winnebago WM100-5206-2, Content of evaluation plans; and
- (3) Wheaton CUSD 200 - DuPage WM100-5187, Drivers' Education, Behind-the-Wheel Instruction.

Adopted by the House, October 16, 2009.

MARK MAHONEY, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 77 was referred to the Committee on Assignments.

INTRODUCTION OF BILL

SENATE BILL NO. 2487. Introduced by Senator DeLeo, a bill for AN ACT concerning State government.

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

[October 16, 2009]

READING BILL FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

On motion of Senator Viverito, **House Bill No. 1526** was taken up, read by title a first time and referred to the Committee on Assignments.

PRESENTATION OF RESOLUTION

SENATE RESOLUTION NO. 463

Offered by Senator Meeks and all Senators:

Mourns the death of Ray Michael Williams of Peoria.

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

At the hour of 12:48 o'clock p.m., Senator Clayborne, presiding.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

On motion of Senator Althoff, **House Bill No. 1911** was taken up, read by title a first time and referred to the Committee on Assignments.

On motion of Senator Wilhelmi, **House Bill No. 4599** was taken up, read by title a first time and referred to the Committee on Assignments.

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Clayborne, Chairperson of the Committee on Assignments, during its October 16, 2009 meeting, reported the following House Resolution has been assigned to the indicated Standing Committee of the Senate:

Education: **House Joint Resolution No. 77.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its October 16, 2009 meeting, reported the following House Bills have been assigned to the indicated Standing Committees of the Senate:

Executive: **House Bill No. 1911.**

Revenue: **House Bills Numbered 1526 and 4599.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its October 16, 2009 meeting, reported the following Joint Action Motion has been assigned to the indicated Standing Committee of the Senate:

Executive: **Motion to Concur in House Amendments 1 and 3 to Senate Bill 1732**

CONSIDERATION OF GOVERNOR'S VETO MESSAGE

Pursuant to the Motion in Writing filed on Thursday, October 15, 2009 and journalized Thursday, October 15, 2009, Senator Demuzio moved to accept the Governor's specific recommendations for change to **Senate Bill No. 1682.**

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

[October 16, 2009]

YEAS 44; NAYS None.

The following voted in the affirmative:

Althoff	Haine	Maloney	Sandoval
Bond	Harmon	Martinez	Schoenberg
Brady	Holmes	Meeks	Steans
Clayborne	Hutchinson	Millner	Sullivan
Collins	Jacobs	Muñoz	Trotter
Cronin	Jones, E.	Murphy	Viverito
Crotty	Jones, J.	Noland	Wilhelmi
Demuzio	Koehler	Pankau	Mr. President
Dillard	Lauzen	Radogno	
Duffy	Lightford	Raoul	
Forby	Link	Righter	
Frerichs	Luechtefeld	Rutherford	

The motion prevailed.

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

RESOLUTIONS CONSENT CALENDAR

SENATE RESOLUTION NO. 369

Offered by Senator Link and all Senators:
Mourns the death of Norah Ann Sivia.

SENATE RESOLUTION NO. 370

Offered by Senator Wilhelmi and all Senators:
Mourns the death of James F. Markelz of Joliet.

SENATE RESOLUTION NO. 371

Offered by Senator Lauzen and all Senators:
Mourns the death of Rose Marie Cushman of Geneva.

SENATE RESOLUTION NO. 372

Offered by Senator Harmon and all Senators:
Mourns the death of Dr. Charles A. Baznik, formerly of Oak Park and Park Ridge.

SENATE RESOLUTION NO. 373

Offered by Senator Haine and all Senators:
Mourns the death of James B. Knott of Mascoutah.

SENATE RESOLUTION NO. 374

Offered by Senator Dillard and all Senators:
Mourns the death of Leo A. Bachrach of Chicago.

SENATE RESOLUTION NO. 375

Offered by Senator Forby and all Senators:
Mourns the death of James R. Enlow of Springfield.

SENATE RESOLUTION NO. 376

Offered by Senator Clayborne and all Senators:
Mourns the death of Marjorie A. Bailey of Columbia.

SENATE RESOLUTION NO. 377

Offered by Senator Lauzen and all Senators:

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Mourns the death of George J. Goding of Sugar Grove.

SENATE RESOLUTION NO. 378

Offered by Senator Koehler and all Senators:
Mourns the death of Carol A. Aupperle of Morton.

SENATE RESOLUTION NO. 379

Offered by Senator Koehler and all Senators:
Mourns the death of Brian John "BJ" Elsasser II of Princeville.

SENATE RESOLUTION NO. 380

Offered by Senator Koehler and all Senators:
Mourns the death of Betty L. Romolo of Peoria.

SENATE RESOLUTION NO. 381

Offered by Senator Haine and all Senators:
Mourns the death of Peter B. "Jabo" Schwegel of Alton.

SENATE RESOLUTION NO. 382

Offered by Senator Haine and all Senators:
Mourns the death of Maurice R. Roberts of Alton.

SENATE RESOLUTION NO. 383

Offered by Senator Dillard and all Senators:
Mourns the death of Robert F. Hillenbrand of Naperville.

SENATE RESOLUTION NO. 384

Offered by Senator McCarter and all Senators:
Mourns the death of Sergeant Gerrick D. Smith of Sullivan.

SENATE RESOLUTION NO. 385

Offered by Senator Raoul and all Senators:
Mourns the death of Robert Hambric of Chicago.

SENATE RESOLUTION NO. 386

Offered by Senator Koehler and all Senators:
Mourns the death of Shirley Rose Burklund of Peoria.

SENATE RESOLUTION NO. 387

Offered by Senator Haine and all Senators:
Mourns the death of Mary Jane Hepler of Glen Carbon, formerly of Venice, Florida, and Meadville, Pennsylvania.

SENATE RESOLUTION NO. 388

Offered by Senator Haine and all Senators:
Mourns the death of Sam Zangori of Alton.

SENATE RESOLUTION NO. 389

Offered by Senator Haine and all Senators:
Mourns the death of Frank Roman Pitol of Collinsville.

SENATE RESOLUTION NO. 390

Offered by Senator Lauzen and all Senators:
Mourns the death of Albert Bergquist of Elburn.

SENATE RESOLUTION NO. 391

Offered by Senator Lauzen and all Senators:
Mourns the death of Edward P. Morrissey of Chicago.

SENATE RESOLUTION NO. 392

Offered by Senator Noland and all Senators:
Mourns the death of Yvonne Potts of Elgin.

SENATE RESOLUTION NO. 393

Offered by Senator Haine and all Senators:
Mourns the death of F. George "Steve" Stevenson of Godfrey.

SENATE RESOLUTION NO. 394

Offered by Senator Wilhelmi and all Senators:
Mourns the death of Richard Dystrup.

SENATE RESOLUTION NO. 395

Offered by Senator Kotowski and all Senators:
Mourns the death of Michael McLaughlin of Queens, New York.

SENATE RESOLUTION NO. 396

Offered by Senator Wilhelmi and all Senators:
Mourns the death of Edward J. Callagher.

SENATE RESOLUTION NO. 397

Offered by Senator Wilhelmi and all Senators:
Mourns the death of Clare L. Postel.

SENATE RESOLUTION NO. 398

Offered by Senator Haine and all Senators:
Mourns the death of Ernest Opp of Bethalto.

SENATE RESOLUTION NO. 399

Offered by Senator Haine and all Senators:
Mourns the death of Mary Britts of Alton.

SENATE RESOLUTION NO. 400

Offered by Senator Haine and all Senators:
Mourns the death of Lucious Leon Gentry.

SENATE RESOLUTION NO. 401

Offered by Senator Clayborne and all Senators:
Mourns the death of Daniel Wade Brown of Granit City.

SENATE RESOLUTION NO. 402

Offered by Senator Koehler and all Senators:
Mourns the death of Florence Mae Zimmerman of Hanna City.

SENATE RESOLUTION NO. 403

Offered by Senator Wilhelmi and all Senators:
Mourns the death of Lorraine R. Zier of Elwood, formerly of Joliet.

SENATE RESOLUTION NO. 404

Offered by Senator Duffy and all Senators:
Mourns the death of Richard E. Carlini of Barrington.

SENATE RESOLUTION NO. 405

Offered by Senator Raoul and all Senators:
Mourns the death of Kristen M. Kennedy of Chicago, formerly of Munster, Indiana.

SENATE RESOLUTION NO. 406

Offered by Senator Raoul and all Senators:
Mourns the death of Jennifer R. Evans of Griffith, formerly of Munster, Indiana.

SENATE RESOLUTION NO. 407

Offered by Senator McCarter and all Senators:
Mourns the death of Dr. G. Richard Locke of Decatur.

SENATE RESOLUTION NO. 408

Offered by Senator Millner and all Senators:
Mourns the death of William T. Jensen III.

SENATE RESOLUTION NO. 409

Offered by Senator Koehler and all Senators:
Mourns the death of Betty Young of Peoria.

SENATE RESOLUTION NO. 410

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

SENATE RESOLUTION NO. 411

Offered by Senator Lightford and all Senators:
Mourns the death of Carole Carter.

SENATE RESOLUTION NO. 412

Offered by Senator Haine and all Senators:
Mourns the death of Paul Cope of Alton.

SENATE RESOLUTION NO. 413

Offered by Senator Haine and all Senators:
Mourns the death of Robert "Bob" L. Tarrant of Alton.

SENATE RESOLUTION NO. 414

Offered by Senator Haine and all Senators:
Mourns the death of Jeanne Walters of Alton.

SENATE RESOLUTION NO. 415

Offered by Senator Haine and all Senators:
Mourns the death of Dr. Joustafa "Mo" Naguib of Godfrey

SENATE RESOLUTION NO. 416

Offered by Senator Haine and all Senators:
Mourns the death of Rosemary Kamp Corrigan of Wood River.

SENATE RESOLUTION NO. 417

Offered by Senator Koehler and all Senators:
Mourns the death of Ruth Haasis of Champaign, formerly of Springfield.

SENATE RESOLUTION NO. 418

Offered by Senator Lightford and all Senators:
Mourns the death of Percy LaVelle Day.

SENATE RESOLUTION NO. 419

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

SENATE RESOLUTION NO. 420

Offered by Senator Collins and all Senators:
Mourns the death of Carol Denise Moss of Chicago.

SENATE RESOLUTION NO. 421

Offered by Senator Collins and all Senators:

Mourns the death of Corey Lawrence McClaurin of Chicago.

SENATE RESOLUTION NO. 422

Offered by Senator Collins and all Senators:
Mourns the death of Akeem Christopher Boone of Carrollton, Georgia.

SENATE RESOLUTION NO. 423

Offered by Senator Collins and all Senators:
Mourns the death of Megan Hurckes of Oak Lawn.

SENATE RESOLUTION NO. 424

Offered by Senator John Jones and all Senators:
Mourns the death of James H. Donnewald of Breese.

SENATE RESOLUTION NO. 425

Offered by Senator Koehler and all Senators:
Mourns the death of James Lee "JT Goodfoot" Thomas of Peoria.

SENATE RESOLUTION NO. 426

Offered by Senator Raoul and all Senators:
Mourns the death of Juliette Marie Ferguson.

SENATE RESOLUTION NO. 427

Offered by Senator Link and all Senators:
Mourns the death of Alex Pish of Zion.

SENATE RESOLUTION NO. 428

Offered by Senator Haine and all Senators:
Mourns the death of Cletus Henkhaus.

SENATE RESOLUTION NO. 430

Offered by Senator Collins and all Senators:
Mourns the death of Teresa M. Johnson of Chicago.

SENATE RESOLUTION NO. 431

Offered by Senator Cullerton and all Senators:
Mourns the death of Father Aengus Finucane.

SENATE RESOLUTION NO. 436

Offered by Senator Bond and all Senators:
Mourns the death of Donald W. Bloom of Antioch.

SENATE RESOLUTION NO. 437

Offered by Senator Bond and all Senators:
Mourns the death of Ronald Charles Novak of Grayslake.

SENATE RESOLUTION NO. 438

Offered by Senator Bond and all Senators:
Mourns the death of Howard Breckenfeld of Winthrop Harbor.

SENATE RESOLUTION NO. 439

Offered by Senator Bond and all Senators:
Mourns the death of Steve Hervoy of Beach Park.

SENATE RESOLUTION NO. 440

Offered by Senator Bond and all Senators:
Mourns the death of Donald J. Lahey of Round Lake.

SENATE RESOLUTION NO. 441

Offered by Senator Bond and all Senators:
Mourns the death of Richard A. Walls of Gurnee.

SENATE RESOLUTION NO. 442

Offered by Senator Bond and all Senators:
Mourns the death of Rudolph W. Alderin of Gurnee.

SENATE RESOLUTION NO. 443

Offered by Senator Bond and all Senators:
Mourns the death of William J. Carey, formerly of Grayslake.

SENATE RESOLUTION NO. 444

Offered by Senator Bond and all Senators:
Mourns the death of Casimer J. Siwula of Wadsworth.

SENATE RESOLUTION NO. 445

Offered by Senator Link and all Senators:
Mourns the death of Larry A. Guthrie of Libertyville.

SENATE RESOLUTION NO. 446

Offered by Senator Link and all Senators:
Mourns the death of Dean "Dino" Granger of Waukegan.

SENATE RESOLUTION NO. 447

Offered by Senator Link and all Senators:
Mourns the death of Allen G. Tiegs of Lake Bluff.

SENATE RESOLUTION NO. 448

Offered by Senator Link and all Senators:
Mourns the death of Fred C. Hlousek of Venice, Florida, formerly of Waukegan.

SENATE RESOLUTION NO. 449

Offered by Senator Frerichs and all Senators:
Mourns the death of Lester Pritchard of Urbana.

SENATE RESOLUTION NO. 450

Offered by Senator Demuzio and all Senators:
Mourns the death of Edward Forrester Bloome of Harvel.

SENATE RESOLUTION NO. 451

Offered by Senator Demuzio and all Senators:
Mourns the death of Ted Dworzynski of Carlinville.

SENATE RESOLUTION NO. 452

Offered by Senator Kotowski and all Senators:
Mourns the death of May Aldrin.

SENATE RESOLUTION NO. 453

Offered by Senator Kotowski and all Senators:
Mourns the death of Mildred "Mim" D. Sullivan.

SENATE RESOLUTION NO. 454

Offered by Senator Lauzen and all Senators:
Mourns the death of Bishop Louis Puscas of Aurora.

SENATE RESOLUTION NO. 455

Offered by Senator Lauzen and all Senators:
Mourns the death of Daniel V. "Louie" McWethy, Jr., of Aurora.

SENATE RESOLUTION NO. 456

Offered by Senator Lauzen and all Senators:
Mourns the death of James William Wheeler of Newark, formerly of Warrenville.

SENATE RESOLUTION NO. 457

Offered by Senator Lauzen and all Senators:
Mourns the death of Monica Elizabeth Walter of Aurora.

SENATE RESOLUTION NO. 458

Offered by Senator Lauzen and all Senators:
Mourns the death of Keith J. Koza of Geneva.

SENATE RESOLUTION NO. 459

Offered by Senator Lauzen and all Senators:
Mourns the death of Quillen Leigh Fox of Montgomery.

SENATE RESOLUTION NO. 460

Offered by Senator E. Jones III and all Senators:
Mourns the death of Michael Durrell McCurine.

SENATE RESOLUTION NO. 461

Offered by Senator E. Jones III and all Senators:
Mourns the death of Geraldine Gregg-Horton.

SENATE RESOLUTION NO. 462

Offered by Senator Demuzio and all Senators:

SENATE RESOLUTION NO. 463

Offered by Senator Meeks and all Senators:
Mourns the death of Ray Michael Williams of Peoria.

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

PRESENTATION OF RESOLUTION

Senator Lightford 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. 79

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 Friday, October 16, 2009, they stand adjourned until Wednesday, October 28, 2009 at 12:00 o'clock noon.

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 12:55 o'clock p.m., the Chair announced that the Senate stand at recess subject to the call of the Chair.

AFTER RECESS

[October 16, 2009]

At the hour of 1:10 o'clock p.m., the Senate resumed consideration of business.
Senator Clayborne, presiding.

At the hour of 1:11 o'clock p.m., pursuant to **Senate Joint Resolution No. 79**, the Chair announced the Senate stand adjourned until Wednesday, October 28, 2009, at 12:00 o'clock noon.