



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-SIXTH GENERAL ASSEMBLY

83RD LEGISLATIVE DAY

TUESDAY, FEBRUARY 16, 2010

12:11 O'CLOCK P.M.

SENATE
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83rd Legislative Day

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HB 3659	First Reading.....	6
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The Senate met pursuant to adjournment.
Honorable John J. Cullerton, President of the Senate, presiding.
Prayer by Pastor Clint Cook, Real Life Church, Springfield, Illinois.
Senator Jacobs led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journal of Wednesday, February 10, 2010, be postponed, pending arrival of the printed Journal.
The motion prevailed.

Senator Hunter moved that reading and approval of the Journal of Thursday, February 11, 2010, be postponed, pending arrival of the printed Journal.
The motion prevailed.

LEGISLATIVE MEASURES FILED

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 2483
Senate Committee Amendment No. 1 to Senate Bill 2514
Senate Committee Amendment No. 1 to Senate Bill 2537
Senate Committee Amendment No. 1 to Senate Bill 2590
Senate Committee Amendment No. 1 to Senate Bill 2602
Senate Committee Amendment No. 1 to Senate Bill 2951

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 416

INTRODUCTION OF BILLS

SENATE BILL NO. 3833. Introduced by Senator Delgado, a bill for AN ACT concerning civil law.

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

SENATE BILL NO. 3834. Introduced by Senator Garrett, a bill for AN ACT concerning public aid.

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

SENATE BILL NO. 3835. Introduced by Senator Sandoval, a bill for AN ACT concerning employment.

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

SENATE BILL NO. 3836. Introduced by Senator Forby, a bill for AN ACT concerning education.

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

SENATE BILL NO. 3837. Introduced by Senator Muñoz, a bill for AN ACT concerning revenue.

[February 16, 2010]

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

SENATE BILL NO. 3838. Introduced by Senator Sullivan, 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.

SENATE BILL NO. 3839. Introduced by Senator Harmon, a bill for AN ACT concerning utilities.

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

SENATE BILL NO. 3840. Introduced by Senator Althoff, a bill for AN ACT concerning employment.

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

SENATE BILL NO. 3841. Introduced by Senator Althoff, a bill for AN ACT concerning regulation.

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

PRESENTATION OF RESOLUTION

SENATE RESOLUTION NO. 637

Offered by Senator Lauzen and all Senators:
Mourns the death of Calvin Marcum of Aurora.

By unanimous consent, the foregoing resolution was 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. 4775

A bill for AN ACT concerning transportation.
Passed the House, February 11, 2010.

MARK MAHONEY, Clerk of the House

The foregoing **House Bill No. 4775** was 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. 57

[February 16, 2010]

WHEREAS, Farmers' markets provide not only a valuable marketplace for farmers to sell their products directly to consumers, but also a place for consumers to access fresh fruits, vegetables, and other agricultural products; and

WHEREAS, These markets successfully operate across Illinois; however, there is a lack of comprehensive regulation from one county to the next, resulting in discrepancies between counties regarding the products that may be sold; and

WHEREAS, In 1999, the Department of Public Health published "Technical Information Bulletin/Food #30," in order to outline the sanitation guidelines required for farmers' markets, producer markets, and other outdoor food sales events; and

WHEREAS, This bulletin has not been uniformly interpreted across the State; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that there is created the Task Force on Farmers' Markets, consisting of 14 members appointed as follows: the President of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, and the Minority Leader of the House of Representatives shall each appoint one member; the Director of Public Health or his or her designee, the Director of Agriculture or his or her designee, a representative of a general agricultural production association, 3 representatives of local county public health departments appointed by the Director of Public Health and selected from 3 different counties representing each of the northern, central, and southern portions of Illinois, and 4 members of the general public who are engaged in local farmers' markets appointed by the Director of Agriculture; and be it further

RESOLVED, That the Director of Public Health shall serve as the chair; the Task Force shall meet at the call of the Chair; and the members of the Task Force shall serve without compensation; and be it further

RESOLVED, That the Task Force can appoint members as it sees fit to serve as representatives of local farmers' markets or other concerned parties; and be it further

RESOLVED, That the duty of the Task Force is to undertake a comprehensive and thorough review of the current implementation of the various Acts that define which products and practices are permitted and which products and practices are not permitted at farmers' markets and other outdoor food sale events; and be it further

RESOLVED, That the Task Force shall assist the Department of Public Health in developing interagency agreements and programs and procedures regarding the implementation of the various Acts that define which products and practices are permitted and which products and practices are not permitted at farmers' markets and other outdoor food sale events; and be it further

RESOLVED, That the Illinois Department of Public Health shall provide staffing support to the Task Force and shall administer and prepare all reports deemed necessary in conjunction with the Task Force; and be it further

RESOLVED, That the Task Force may request assistance from any entity necessary or useful for the performance of its duties; and be it further

RESOLVED, That the Task Force shall issue a report with its recommendations to the Secretary of the Senate and the Clerk of the House on or before December 31, 2009.

Adopted by the House, May 31, 2009.

MARK MAHONEY, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 57 was referred to the Committee on Assignments.

[February 16, 2010]

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 2240

A bill for AN ACT in relation to budget implementation.

Which amendment is as follows:

Senate Amendment No. 2 to HOUSE BILL NO. 2240

Senate Amendment No. 3 to HOUSE BILL NO. 2240

Concurred in by the House, February 11, 2010.

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 acceptance of the Governor's specific recommendations for change, which are attached, to a bill of the following title, to-wit:

SENATE BILL 1936

A bill for AN ACT concerning revenue.

Concurred in by the House, February 11, 2010.

MARK MAHONEY, Clerk of the House

SB1936AVM001

MOTION

I move to accept the specific recommendations of the Governor as to Senate Bill 1936 in manner and form as follows:

AMENDMENT TO SENATE BILL 1936

IN ACCEPTANCE OF GOVERNOR'S RECOMMENDATIONS

Amend Senate Bill 1936 on page 3, by replacing lines 11 and 12 with "except that the interest rate on the refunding bonds and the maximum"; and

on page 3, by replacing lines 14 and 15 with "may not be greater than that set forth in the original notice for the refunded bonds. Notwithstanding any provision of this Section to the contrary, the debt service of the refunding bonds issued pursuant to this Section may not exceed the debt service estimated to be paid over the remaining duration of the refunded bonds.".

Date: _____, 2010 _____

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. 93

Concurred in by the House, February 11, 2010.

MARK MAHONEY, Clerk of the House

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 3659, sponsored by Senator Bond, was taken up, read by title a first time and referred to the Committee on Assignments.

[February 16, 2010]

House Bill No. 4667, sponsored by Senator Lightford, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4698, sponsored by Senator Maloney, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4738, sponsored by Senator Link, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4776, sponsored by Senator Schoenberg, was taken up, read by title a first time and referred to the Committee on Assignments.

COMMUNICATIONS FROM MINORITY LEADER

CHRISTINE RADOGNO
STATE REPUBLICAN LEADER · 41ST DISTRICT

February 16, 2010

Ms. Jillayne Rock
Secretary of the Senate
401 State House
Springfield, Illinois 62706

Dear Madame Secretary:

Pursuant to Rule 3-5(c), I hereby appoint Senator Brad Burzynski to temporarily replace Senator Dale Righter as the Minority Spokesperson of the Senate Committee on Assignments. This appointment is effective immediately and will automatically expire upon adjournment of the Senate on February 16, 2010.

Sincerely,
s/Christine Radogno
Senate Republican Leader

cc: Senate President John Cullerton
Assistant Secretary of the Senate Scott Kaiser

CHRISTINE RADOGNO
STATE REPUBLICAN LEADER · 41ST DISTRICT

February 16, 2010

Ms. Jillayne Rock
Secretary of the Senate
401 State House
Springfield, Illinois 62706

Dear Madame Secretary:

Pursuant to Rule 3-5(c), I hereby appoint Senator Dan Duffy to temporarily replace Senator John Millner as a member of the Senate Transportation Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Transportation Committee.

Sincerely,
s/Christine Radogno
Senate Republican Leader

[February 16, 2010]

cc: Senate President John Cullerton
Assistant Secretary of the Senate Scott Kaiser

At the hour of 12:18 o'clock p.m., the Chair announced that the Senate stand at ease.

AT EASE

At the hour of 12:33 o'clock p.m., the Senate resumed consideration of business.
President Cullerton, presiding.

REPORTS FROM COMMITTEE ON ASSIGNMENTS

Senator Clayborne, Chairperson of the Committee on Assignments, during its February 16, 2010 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Agriculture and Conservation: **SENATE BILLS 2959, 2999, 3020 and 3120.**

Commerce: **SENATE BILL 3316.**

Consumer Protection: **SENATE BILL 3607.**

Criminal Law: **SENATE BILLS 2357, 2462, 2983, 3028, 3029, 3030, 3033, 3036, 3084, 3087, 3090, 3092 and 3293.**

Education: **SENATE BILLS 2521, 2647, 2980, 3000, 3014 and 3062.**

Energy: **SENATE BILL 2485.**

Environment: **SENATE BILLS 2813 and 3070.**

Executive: **SENATE BILLS 2978, 2989, 2990, 2991, 3040, 3135, 3511 and 3652.**

Gaming: **SENATE BILL 3146.**

Higher Education: **SENATE BILLS 3013, 3045 and 3728.**

Human Services: **SENATE BILLS 2931, 2976 and 2982.**

Insurance: **SENATE BILLS 2817, 2818 and 2819.**

Judiciary: **SENATE BILLS 2465, 3064 and 3131.**

Labor: **SENATE BILLS 3078, 3500 and 3570.**

Licensed Activities: **SENATE BILLS 2552 and 3025.**

Local Government: **SENATE BILLS 2637, 2794, 3001, 3009 and 3019.**

Pensions and Investments: **SENATE BILLS 2793, 2808, 2822, 2984, 2995, 3008, 3022 and 3105.**

Public Health: **SENATE BILLS 3035, 3038, 3039, 3057, 3196, 3273, 3354, 3416, 3667, 3697 and 3698.**

Revenue: **SENATE BILLS 2481, 2491, 2492, 2511, 2512, 3017, 3151, 3152, 3154, 3170, 3171 and 3172.**

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State Government and Veterans Affairs: **SENATE BILL 2630.**

Transportation: **SENATE BILLS 2617 and 2986.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its February 16, 2010 meeting, reported the following Senate Resolution has been assigned to the indicated Standing Committee of the Senate:

Higher Education: **Senate Joint Resolution No. 88.**

Local Government: **Senate Resolution No. 605.**

State Government and Veterans Affairs: **Senate Resolution No. 609.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its February 16, 2010 meeting, to which was referred **Senate Bills Numbered 120, 176, 365, 416 and 1888** on August 15, 2010, 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 120, 176, 365, 416 and 1888** were returned to the order of third reading.

Senator Clayborne, Chairperson of the Committee on Assignments, during its February 16, 2010 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Agriculture and Conservation: **Senate Committee Amendment No. 1 to Senate Bill 2556.**

Criminal Law: **Senate Committee Amendment No. 1 to Senate Bill 2590; Senate Committee Amendment No. 1 to Senate Bill 2951.**

Executive: **Senate Floor Amendment No. 1 to Senate Bill 416.**

Higher Education: **Senate Committee Amendment No. 1 to Senate Bill 2615.**

Judiciary: **Senate Committee Amendment No. 1 to Senate Bill 2514.**

Local Government: **Senate Committee Amendment No. 1 to Senate Bill 2529.**

Telecommunications and Information Technology: **Senate Floor Amendment No. 1 to Senate Bill 120.**

COMMITTEE MEETING ANNOUNCEMENTS

The Chair announced the following committees to meet:

Agriculture and Conservation in Room 409 at 1:00 o'clock p.m.

Public Health in Room 212 at 1:00 o'clock p.m.

Higher Education in Room 409 at 2:30 o'clock p.m.

Human Services in Room 212 at 2:30 o'clock p.m.

Judiciary in Room 400 at 2:30 o'clock p.m.

Education in Room 409 at 4:00 o'clock p.m.

Transportation in Room 400 at 4:00 o'clock p.m.

[February 16, 2010]

At the hour of 12:38 o'clock p.m., the Chair announced that the Senate stand adjourned until Wednesday, February 17, 2010, at 11:30 o'clock a.m.