



# **SENATE JOURNAL**

**STATE OF ILLINOIS**

**NINETY-SIXTH GENERAL ASSEMBLY**

**107TH LEGISLATIVE DAY**

**TUESDAY, APRIL 13, 2010**

**12:07 O'CLOCK P.M.**

**SENATE**  
**Daily Journal Index**  
**107th Legislative Day**

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The Senate met pursuant to adjournment.  
 Senator Jeffrey M. Schoenberg, Evanston, Illinois, presiding.  
 Prayer by Rabbi Barry Marks, Temple Israel, Springfield, Illinois.  
 Senator Jacobs led the Senate in the Pledge of Allegiance.

The Journal of Saturday, May 30, 2009, was being read when on motion of Senator Hunter, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

The Journal of Sunday, May 31, 2009, was being read when on motion of Senator Hunter, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

The Journal of Wednesday, June 24, 2009, was being read when on motion of Senator Hunter, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

The Journal of Tuesday, June 30, 2009, was being read when on motion of Senator Hunter, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

The Journal of Wednesday, October 14, 2009, was being read when on motion of Senator Hunter, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

The Journal of Thursday, October 15, 2009, was being read when on motion of Senator Hunter, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

The Journal of Friday, October 16, 2009, was being read when on motion of Senator Hunter, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

Senator Hunter moved that reading and approval of the Journal of Thursday, March 25, 2010, be postponed, pending arrival of the printed Journal.

The motion prevailed.

Senator Hunter moved that reading and approval of the Journal of Tuesday, April 6, 2010, be postponed, pending arrival of the printed Journal.

The motion prevailed.

Senator Hunter moved that reading and approval of the Journal of Wednesday, April 7, 2010, be postponed, pending arrival of the printed Journal.

The motion prevailed.

Senator Hunter moved that reading and approval of the Journal of Monday, April 12, 2010, be postponed, pending arrival of the printed Journal.

The motion prevailed.

### **LEGISLATIVE MEASURES FILED**

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

Senate Floor Amendment No. 3 to Senate Bill 580  
 Senate Floor Amendment No. 3 to Senate Bill 678  
 Senate Floor Amendment No. 2 to Senate Bill 2485

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Senate Floor Amendment No. 3 to Senate Bill 3716

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

Senate Committee Amendment No. 1 to House Bill 5053  
Senate Committee Amendment No. 1 to House Bill 5458  
Senate Committee Amendment No. 1 to House Bill 5685

**MESSAGES FROM THE PRESIDENT**

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

JOHN J. CULLERTON  
SENATE PRESIDENT

327 STATE CAPITOL  
SPRINGFIELD, ILLINOIS 62706

April 13, 2010

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

Dear Madam Secretary:

Pursuant to Rule 3-5(c), I hereby appoint Senator James DeLeo to temporarily replace Senator Louis Viverito as a member of the Senate Committee on Assignments. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Committee on Assignments.

Sincerely,  
s/John J. Cullerton  
Senate President

cc: Senate Minority Leader Christine Radogno

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

JOHN J. CULLERTON  
SENATE PRESIDENT

327 STATE CAPITOL  
SPRINGFIELD, ILLINOIS 62706

April 13, 2010

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

Dear Madam Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator Kwame Raoul to temporarily replace Senator Louis Viverito as a member of the Senate Elections Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Elections Committee.

Sincerely,  
s/John J. Cullerton

[April 13, 2010]

Senate President

cc: Senate Minority Leader Christine Radogno

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

JOHN J. CULLERTON  
SENATE PRESIDENT

327 STATE CAPITOL  
SPRINGFIELD, ILLINOIS 62706

April 13, 2010

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

Dear Madam Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator Terry Link to temporarily replace Senator Gary Forby 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/John J. Cullerton  
Senate President

cc: Senate Minority Leader Christine Radogno

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

JOHN J. CULLERTON  
SENATE PRESIDENT

327 STATE CAPITOL  
SPRINGFIELD, ILLINOIS 62706

April 13, 2010

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

Dear Madam Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator Martin Sandoval to temporarily replace Senator Maggie Crotty as a member of the Senate Elections Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Elections Committee.

Sincerely,  
s/John J. Cullerton  
Senate President

cc: Senate Minority Leader Christine Radogno

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

JOHN J. CULLERTON  
SENATE PRESIDENT

327 STATE CAPITOL  
SPRINGFIELD, ILLINOIS 62706

[April 13, 2010]

April 13, 2010

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

Dear Madam Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator Toi Hutchinson to temporarily replace Senator Maggie Crotty as a member of the Senate Higher Education Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Higher Education Committee.

Sincerely,  
s/John J. Cullerton  
Senate President

cc: Senate Minority Leader Christine Radogno

**PRESENTATION OF RESOLUTIONS**

**SENATE RESOLUTION NO. 756**

Offered by Senator Viverito and all Senators:  
Mourns the death of Arlene Marie Gaynor (nee, Byron) of Tinley Park.

**SENATE JOINT RESOLUTION NO. 122**

Offered by Senator Forby and all Senators:  
Mourns the death of Carolyn W. Bradley of Junction.

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

**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. 84**

WHEREAS, The State College Housing Construction Act limits the authority of the governing boards of State colleges and universities to construct or operate, directly or indirectly through any other public or private organization, any new housing project without the prior approval and determination of the General Assembly that the specific project is in the public interest; and

WHEREAS, Through legislation, the General Assembly has authorized the Town of Normal and encouraged local improvements, revitalization efforts, and a public-private partnership in economic development through the creation of a tax increment financing district, which is located in proximity to the Illinois State University campus; and

WHEREAS, Illinois State University wishes to fulfill some of its needs for additional student housing near campus by encouraging private investment and cooperatively expand its role in economic

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development and its efforts to work with appropriate State and private agencies, local community leaders, and others interested in economic development and redevelopment; and

WHEREAS, The General Assembly finds that the Board of Trustees of Illinois State University will be selecting a developer or developers through a competitive process to develop new, private apartment or suite-style student housing near campus to replace older, on-campus residence halls that will not comply with new State fire statutes and codes after 2012 without extensive remodeling that is cost-prohibitive to the University; and

WHEREAS, These new facilities would serve Illinois State University and its students, improve the community and region, promote local economic development and redevelopment, and create needed additional construction jobs; 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 we approve and determine to be in the public interest, pursuant to the State College Housing Construction Act, projects on land or lands owned by the Board of Trustees of Illinois State University or privately owned land or lands, or both, and leased for the purpose of construction, maintenance, and operation of a residential housing complex for students of Illinois State University by a private firm or firms, partnership or partnerships, or corporation or corporations selected through a competitive process, under the terms and conditions as the Board of Trustees may deem advisable; and be it further

RESOLVED, That a suitable copy of this resolution be delivered to the Board of Trustees of Illinois State University.

Adopted by the House, March 17, 2010.

MARK MAHONEY, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 84 was referred to the Committee on Assignments.

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

**House Bill No. 6416**, sponsored by Senator Haine, was taken up, read by title a first time and referred to the Committee on Assignments.

#### **READING CONSTITUTIONAL AMENDMENT A SECOND TIME**

On motion of Senator Raoul, **Senate Joint Resolution Constitutional Amendment No. 121** having been printed, was again taken, read in full a second time and ordered to a third reading.

At the hour of 12:28 o'clock p.m., the Chair announced that the Senate stand at ease.

#### **AT EASE**

At the hour of 12:40 o'clock p.m., the Senate resumed consideration of business.  
Senator Schoenberg, presiding.

#### **REPORTS FROM COMMITTEE ON ASSIGNMENTS**

Senator Clayborne, Chairperson of the Committee on Assignments, during its April 13, 2010 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

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Consumer Protection: **Senate Committee Amendment No. 1 to House Bill 4860.**

Criminal Law: **Senate Floor Amendment No. 4 to Senate Bill 3513.**

Elections: **Senate Committee Amendment No. 1 to House Bill 5206.**

Environment: **Senate Floor Amendment No. 2 to Senate Bill 3346; Senate Floor Amendment No. 3 to Senate Bill 3346; Senate Floor Amendment No. 4 to Senate Bill 3346.**

Judiciary: **Senate Floor Amendment No. 1 to Senate Bill 2850; Senate Committee Amendment No. 1 to House Bill 5429; Senate Committee Amendment No. 1 to House Bill 5888.**

Licensed Activities: **Senate Floor Amendment No. 1 to Senate Bill 2863.**

Local Government: **Senate Committee Amendment No. 1 to House Bill 5685.**

Public Health: **Senate Floor Amendment No. 3 to Senate Bill 678; Senate Floor Amendment No. 4 to Senate Bill 2627; Senate Committee Amendment No. 2 to Senate Bill 3773; Senate Committee Amendment No. 1 to House Bill 5053.**

State Government and Veterans Affairs: **Senate Floor Amendment No. 3 to Senate Bill 3215.**

Telecommunications and Information Technology: **Senate Floor Amendment No. 2 to Senate Bill 120.**

Transportation: **Senate Floor Amendment No. 3 to Senate Bill 3716.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its April 13, 2010 meeting, reported the following House Bills have been assigned to the indicated Standing Committees of the Senate:

Agriculture and Conservation: **House Bill No. 5307.**

Appropriations I: **House Bills Numbered 5021, 5022 and 5023.**

Consumer Protection: **House Bills Numbered 5139 and 5772.**

Criminal Law: **House Bills Numbered 4779, 5006, 5007, 5130, 5341, 5675, 5745, 5832, 5914, 6459, 6462 and 6464.**

Education: **House Bills Numbered 16, 4209, 5322, 5633 and 6017.**

Executive: **House Bills Numbered 2516, 4744, 5483, 6041, 6262 and 6272.**

Financial Institutions: **House Bill No. 6113.**

Gaming: **House Bill No. 5437.**

Higher Education: **House Bill No. 6206.**

Human Services: **House Bills Numbered 4910, 5306 and 5357.**

Insurance: **House Bill No. 5085.**

Judiciary: **House Bills Numbered 4684, 5214, 5381, 5630, 5677 and 6080.**

Labor: **House Bills Numbered 5154, 5668 and 6112.**

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Licensed Activities: **House Bills Numbered 4975, 5517, 5783 and 6252.**

Local Government: **House Bills Numbered 4837, 5295, 5664 and 6380.**

Pensions and Investments: **House Bills Numbered 4644, 4960, 5262 and 5511.**

Public Health: **House Bills Numbered 4703 and 4835.**

Revenue: **House Bills Numbered 4652, 5169 and 6241.**

State Government and Veterans Affairs: **House Bills Numbered 4694, 5124, 5329, 5905, 5956 and 6015.**

Transportation: **House Bills Numbered 156 and 5301.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its April 13, 2010 meeting, reported the following Senate Resolutions have been assigned to the indicated Standing Committees of the Senate:

Education: **Senate Joint Resolution No. 114.**

Environment: **Senate Resolution No. 755.**

Executive: **Senate Joint Resolution Constitutional Amendment No. 98 and Senate Joint Resolution No. 110.**

Human Services: **Senate Joint Resolution No. 115.**

Labor: **Senate Resolution No. 723.**

Public Health: **Senate Joint Resolutions Numbered 112 and 117.**

State Government and Veterans Affairs: **Senate Resolution No. 722.**

Transportation: **Senate Joint Resolution No. 118.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its April 13, 2010 meeting, reported the following House Resolutions have been assigned to the indicated Standing Committees of the Senate:

Education: **House Joint Resolution No. 74.**

Public Health: **House Joint Resolutions Numbered 92 and 104.**

Transportation: **House Joint Resolution No. 80.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its April 13, 2010 meeting, reported that the following Legislative Measure has been approved for consideration:

**Senate Resolution No. 728**

The foregoing resolution was placed on the Secretary's Desk.

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Senator Clayborne, Chairperson of the Committee on Assignments, during its April 13, 2010 meeting, to which was referred **House Bill No. 43** on August 15, 2009, pursuant to Rule 3-9(b), reported that the Committee recommends that the bill be approved for consideration and returned to the calendar in its former position.

The report of the Committee was concurred in.

And **House Bill No. 43** was returned to the order of third reading.

#### COMMITTEE MEETING ANNOUNCEMENTS

The Chair announced the following committees to meet this afternoon, Tuesday, April 13, 2010:

Public Health in Room 212 at 1:45 o'clock p.m.

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

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

The Chair announced the following committees to meet Wednesday, April 14, 2010:

Criminal Law in Room 212 at 9:00 o'clock a.m.

Environment in Room 400 at 9:00 o'clock a.m.

Local Government in Room 409 at 9:00 o'clock a.m.

Licensed Activities in Room 409 at 2:00 o'clock p.m.

State Government & Veterans Affairs in Room 409 at 4:00 o'clock p.m.

The Chair announced the following committee to meet Thursday, April 15, 2010:

Telecommunications & Information Technology in Room 212 at 11:00 o'clock a.m.

Senator Muñoz announced a Democrat caucus to begin immediately upon adjournment.

Senator Syverson announced a Republican caucus to begin immediately upon adjournment.

At the hour of 12:49 o'clock p.m., the Chair announced that the Senate stand adjourned until Wednesday, April 14, at 11:00 o'clock a.m.