



# **SENATE JOURNAL**

**STATE OF ILLINOIS**

**NINETY-SEVENTH GENERAL ASSEMBLY**

**18TH LEGISLATIVE DAY**

**TUESDAY, MARCH 15, 2011**

**10:02 O'CLOCK A.M.**

**SENATE**  
**Daily Journal Index**  
**18th Legislative Day**

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The Senate met pursuant to adjournment.  
 Senator Antonio Muñoz, Chicago, Illinois, presiding.  
 Prayer by Pastor Rick Hofton, Faith Family Church, Shiloh, Illinois.  
 Senator Jacobs led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journal of Monday, March 14, 2011, be postponed, pending arrival of the printed Journal.  
 The motion prevailed.

### REPORT RECEIVED

The Secretary placed before the Senate the following report:

Report Pursuant to Public Act 87-522 (Flex time), submitted by the Illinois Department of Labor.

The foregoing report was ordered received and placed on file in the Secretary's Office.

### 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. 2 to Senate Bill 106

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 91  
 Senate Committee Amendment No. 1 to Senate Bill 167  
 Senate Committee Amendment No. 2 to Senate Bill 168  
 Senate Committee Amendment No. 3 to Senate Bill 664  
 Senate Committee Amendment No. 1 to Senate Bill 668  
 Senate Committee Amendment No. 1 to Senate Bill 952  
 Senate Committee Amendment No. 2 to Senate Bill 952  
 Senate Committee Amendment No. 2 to Senate Bill 1388  
 Senate Committee Amendment No. 1 to Senate Bill 1539  
 Senate Committee Amendment No. 2 to Senate Bill 1543  
 Senate Committee Amendment No. 1 to Senate Bill 1666  
 Senate Committee Amendment No. 2 to Senate Bill 1821  
 Senate Committee Amendment No. 1 to Senate Bill 2065  
 Senate Committee Amendment No. 1 to Senate Bill 2141  
 Senate Committee Amendment No. 1 to Senate Bill 2149  
 Senate Committee Amendment No. 1 to Senate Bill 2187

### READING BILLS OF THE SENATE A SECOND TIME

On motion of Senator Garrett, **Senate Bill No. 43**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Garrett, **Senate Bill No. 395** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Revenue, adopted and ordered printed:

[March 15, 2011]

**AMENDMENT NO. 1 TO SENATE BILL 395**

AMENDMENT NO. 1. Amend Senate Bill 395, by replacing everything after the enacting clause with the following:

"Section 5. The Property Tax Code is amended by changing Section 10-380 as follows:  
(35 ILCS 200/10-380)

Sec. 10-380. For the taxable years 2006 ~~and thereafter~~ ~~, 2007, 2008, and 2009~~, the chief county assessment officer in the county in which property subject to a PPV Lease is located shall apply the provisions of 10-370(b)(i) and 10-375(c)(i) of this Division 14 in assessing and determining the value of any PPV Lease for purposes of the property tax laws of this State.  
(Source: P.A. 94-974, eff. 6-30-06.)

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

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

On motion of Senator Lauzen, **Senate Bill No. 35**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **Senate Bill No. 1531**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **Senate Bill No. 1652**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **Senate Bill No. 1653**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **Senate Bill No. 1654**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Wilhelmi, **Senate Bill No. 1691**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Wilhelmi, **Senate Bill No. 1694** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Judiciary, adopted and ordered printed:

**AMENDMENT NO. 1 TO SENATE BILL 1694**

AMENDMENT NO. 1. Amend Senate Bill 1694 on page 7, by replacing lines 16 through 25 with the following:

"(a) A deceased person's health care records may be released as authorized by Section 8-802, to the executor or administrator of the person's estate, or to an agent appointed under a power of attorney for health care. When no executor, administrator, or agent exists, and the deceased has not specifically objected to disclosure of his or her records in writing, then a surviving spouse may make a written request for a copy of the deceased spouse's records."; and

on page 8, by replacing line 1 with the following:

"If there is no surviving spouse."; and

on page 8, by replacing lines 3 and 4 with the following:

"written request for a copy of the deceased patient's records."; and

on page 9, line 7, by replacing "estate or" with "estate"; and

on page 9, line 8, by adding before the period ", and the deceased has not specifically objected to disclosure in writing".

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

On motion of Senator Righter, **Senate Bill No. 1761**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Murphy, **Senate Bill No. 1824**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Syverson, **Senate Bill No. 1835**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Brady, **Senate Bill No. 1836** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on State Government and Veterans Affairs, adopted and ordered printed:

**AMENDMENT NO. 1 TO SENATE BILL 1836**

AMENDMENT NO. 1. Amend Senate Bill 1836 as follows:

on page 1, by deleting lines 21 through 23; and

on page 2, by deleting lines 1 and 2.

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

On motion of Senator Althoff, **Senate Bill No. 1972**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Dillard, **Senate Bill No. 2007**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Althoff, **Senate Bill No. 2293**, having been printed, was taken up, read by title a second time and ordered to a third reading.

At the hour of 10:32 o'clock a.m., the Chair announced that the Senate stand at ease.

**AT EASE**

At the hour of 10:41 o'clock a.m., the Senate resumed consideration of business.  
Senator Muñoz, presiding.

**REPORT FROM COMMITTEE ON ASSIGNMENTS**

Senator Clayborne, Chairperson of the Committee on Assignments, during its March 15, 2011 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Agriculture and Conservation: **Senate Committee Amendment No. 2 to Senate Bill 168; Senate Committee Amendment No. 1 to Senate Bill 1637.**

Criminal Law: **Senate Committee Amendment No. 1 to Senate Bill 73; Senate Committee Amendment No. 1 to Senate Bill 1034; Senate Committee Amendment No. 1 to Senate Bill 2286.**

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Environment: **Senate Committee Amendment No. 2 to Senate Bill 1543.**

Executive: **Senate Committee Amendment No. 1 to Senate Bill 31; Senate Committee Amendment No. 2 to Senate Bill 133; Senate Committee Amendment No. 1 to Senate Bill 668; Senate Floor Amendment No. 3 to Senate Bill 1645; Senate Committee Amendment No. 1 to Senate Bill 1812; Senate Committee Amendment No. 2 to Senate Bill 1821; Senate Committee Amendment No. 1 to Senate Bill 2149; Senate Committee Amendment No. 1 to Senate Bill 2218.**

Higher Education: **Senate Committee Amendment No. 1 to Senate Bill 59; Senate Committee Amendment No. 2 to Senate Bill 1773; Senate Committee Amendment No. 1 to Senate Bill 1883.**

Insurance: **Senate Committee Amendment No. 1 to Senate Bill 72; Senate Committee Amendment No. 2 to Senate Bill 1244; Senate Committee Amendment No. 1 to Senate Bill 1545; Senate Committee Amendment No. 1 to Senate Bill 1555.**

Judiciary: **Senate Committee Amendment No. 1 to Senate Bill 1548; Senate Committee Amendment No. 1 to Senate Bill 1996; Senate Committee Amendment No. 1 to Senate Bill 2033; Senate Committee Amendment No. 1 to Senate Bill 2141; Senate Committee Amendment No. 2 to Senate Bill 2171.**

Licensed Activities: **Senate Committee Amendment No. 2 to Senate Bill 140; Senate Committee Amendment No. 1 to Senate Bill 1539; Senate Committee Amendment No. 1 to Senate Bill 1749; Senate Committee Amendment No. 1 to Senate Bill 1919.**

Local Government: **Senate Committee Amendment No. 1 to Senate Bill 167; Senate Committee Amendment No. 1 to Senate Bill 2139.**

Public Health: **Senate Committee Amendment No. 1 to Senate Bill 1945.**

Revenue: **Senate Committee Amendment No. 1 to Senate Bill 2083.**

Transportation: **Senate Committee Amendment No. 1 to Senate Bill 954; Senate Committee Amendment No. 1 to Senate Bill 1312.**

**MESSAGES FROM THE PRESIDENT**

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

JOHN J. CULLERTON  
SENATE PRESIDENT

327 STATE CAPITOL  
SPRINGFIELD, ILLINOIS 62706  
217-782-2728

March 15, 2011

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 Dan Kotowski to temporarily replace Senator Jeff Schoenberg as a member of the Senate Public Health Committee. This appointment will automatically expire upon adjournment of the Senate Public Health Committee.

Sincerely,

[March 15, 2011]

s/John J. Cullerton  
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  
217-782-2728

March 15, 2011

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 Linda Holmes to temporarily replace Senator Gary Forby as a member of the Senate Education Committee. This appointment will automatically expire upon adjournment of the Senate Education Committee.

Sincerely,  
s/John J. Cullerton  
John J. Cullerton  
Senate President

cc: Senate Minority Leader Christine Radogno

At the hour of 10:44 o'clock a.m., the Chair announced that the Senate stand at recess subject to the call of the Chair.

**AFTER RECESS**

At the hour of 6:25 o'clock p.m., the Senate resumed consideration of business.  
Senator Harmon, presiding.

**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 1228  
Senate Committee Amendment No. 1 to Senate Bill 1313  
Senate Committee Amendment No. 1 to Senate Bill 1321  
Senate Committee Amendment No. 2 to Senate Bill 1321  
Senate Committee Amendment No. 1 to Senate Bill 1365  
Senate Committee Amendment No. 2 to Senate Bill 1539  
Senate Committee Amendment No. 2 to Senate Bill 1549  
Senate Committee Amendment No. 1 to Senate Bill 1603  
Senate Committee Amendment No. 1 to Senate Bill 1608  
Senate Committee Amendment No. 1 to Senate Bill 1609  
Senate Committee Amendment No. 1 to Senate Bill 1856

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Senate Committee Amendment No. 2 to Senate Bill 1884  
 Senate Committee Amendment No. 1 to Senate Bill 1903  
 Senate Committee Amendment No. 2 to Senate Bill 2001  
 Senate Committee Amendment No. 3 to Senate Bill 2004  
 Senate Committee Amendment No. 1 to Senate Bill 2064  
 Senate Committee Amendment No. 1 to Senate Bill 2240  
 Senate Committee Amendment No. 1 to Senate Bill 2256

### REPORTS FROM STANDING COMMITTEES

Senator Frerichs, Chairperson of the Committee on Agriculture and Conservation, to which was referred **Senate Bill No. 840**, reported the same back with the recommendation that the bill do pass.

Under the rules, the bill was ordered to a second reading.

Senator Frerichs, Chairperson of the Committee on Agriculture and Conservation, to which was referred **Senate Bills Numbered 168, 664, 1280, 1637 and 1840**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

Under the rules, the bills were ordered to a second reading.

Senator Delgado, Chairperson of the Committee on Public Health, to which was referred **Senate Bills Numbered 1234, 1377 and 1577**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Delgado, Chairperson of the Committee on Public Health, to which was referred **Senate Bills Numbered 40, 1282, 1619, 1805, 1944 and 1945**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

Under the rules, the bills were ordered to a second reading.

Senator Delgado, Chairperson of the Committee on Public Health, to which was referred **Senate Resolution No. 70**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Resolution No. 70** was placed on the Secretary's Desk.

Senator Maloney, Chairperson of the Committee on Higher Education, to which was referred **Senate Bill No. 122**, reported the same back with the recommendation that the bill do pass.

Under the rules, the bill was ordered to a second reading.

Senator Maloney, Chairperson of the Committee on Higher Education, to which was referred **Senate Bills Numbered 59, 1773, 1798 and 1883**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

Under the rules, the bills were ordered to a second reading.

Senator Hunter, Chairperson of the Committee on Human Services, to which was referred **Senate Bills Numbered 103, 1235, 1236, 1279, 1982 and 2046**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Hunter, Chairperson of the Committee on Human Services, to which was referred **Senate Bills Numbered 769, 839, 1622, 1623, 1656, 1833 and 1948**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

Under the rules, the bills were ordered to a second reading.



Senator Wilhelmi, Chairperson of the Committee on Judiciary, to which was referred **Senate Bills Numbered 1294, 1651, 1702, 1746, 1971, 1984 and 1996**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Wilhelmi, Chairperson of the Committee on Judiciary, to which was referred **Senate Bills Numbered 1259, 1548, 1877, 2033 and 2141**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

Under the rules, the bills were ordered to a second reading.

Senator Sandoval, Chairperson of the Committee on Transportation, to which was referred **Senate Bills Numbered 91, 952, 2005, 2064 and 2162**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Sandoval, Chairperson of the Committee on Transportation, to which was referred **Senate Bills Numbered 954, 1258, 1360, 1644, 1803 and 2103**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

Under the rules, the bills were ordered to a second reading.

Senator Meeks, Chairperson of the Committee on Education, to which was referred **Senate Bills Numbered 619 and 620**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Meeks, Chairperson of the Committee on Education, to which was referred **Senate Bills Numbered 79, 621, 1578, 1795, 2134 and 2135**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

Under the rules, the bills were ordered to a second reading.

At the hour of 6:28 o'clock p.m., the Chair announced the Senate stand adjourned until Wednesday, March 16, 2011, at 9:30 o'clock a.m.