



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-FIFTH GENERAL ASSEMBLY

104TH LEGISLATIVE DAY

FRIDAY, OCTOBER 12, 2007

10:56 O'CLOCK A.M.

SENATE
Daily Journal Index
104th Legislative Day

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The Senate met pursuant to adjournment.
Senator Debbie DeFrancesco Halvorson, Crete, Illinois, presiding.

Senator Hunter moved that reading and approval of the Journal of Thursday, October 11, 2007, be postponed, pending arrival of the printed Journal.
The motion prevailed.

LEGISLATIVES MEASURES FILED

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

Senate Floor Amendment No. 6 to House Bill 315
Senate Floor Amendment No. 2 to House Bill 1334
Senate Floor Amendment No. 1 to House Bill 4149

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION 391

Offered by Senator Watson and all Senators:
Mourns the death of Howard E. Brown of Decatur.

SENATE RESOLUTION 392

Offered by Senator Lauzen and all Senators:
Mourns the death of Michael C. Jenkins

SENATE RESOLUTION 393

Offered by Senator Lauzen and all Senators:
Mourns the death of Wilbur W. Williams of Seneca.

SENATE RESOLUTION 394

Offered by Senator Lauzen and all Senators:
Mourns the death of Roy Fair of Sugar Grove.

SENATE RESOLUTION 395

Offered by Senator Lauzen and all Senators:
Mourns the death of John Rogers of Downers Grove, formerly of River Forest.

SENATE RESOLUTION 396

Offered by Senator Lauzen and all Senators:
Mourns the death of Sally Boynton of Aurora.

SENATE RESOLUTION 397

Offered by Senator Dillard and all Senators:
Mourns the death of Carmen S. DiGiovine of Naperville.

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

INTRODUCTION OF BILL

SENATE BILL NO. 1870. Introduced by Senator Brady, 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 Rules.

[October 12, 2007]

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. 21

WHEREAS, Article I, Section 11 of the Illinois Constitution states "All penalties shall be determined both according to the seriousness of the offense AND WITH THE OBJECTIVE OF RESTORING THE OFFENDER TO USEFUL CITIZENSHIP" (emphasis added); and

WHEREAS, Illinois is one of only 11 states that has life without parole sentences and one of only 6 states where all life sentences are without parole; and

WHEREAS, Thirty years ago only a handful of prisoners in Illinois served sentences longer than 30 years; this year approximately 4,000 Illinois prisoners have sentences of 30 years or more, including C number prisoners, amounting to about 10% of all Illinois prisoners; and

WHEREAS, In Illinois at least 500 people each year are sentenced as lifers or long-term prisoners; and

WHEREAS, With the growth of truth in sentencing laws and increased use of life without parole sentences, the number of long-term prisoners will grow exponentially; and

WHEREAS, It costs at least one million dollars to confine a person in prison for 30 years; and

WHEREAS, It is estimated that close to half of those lifers and long-term prisoners will never be released from prison if current policies stay in place; and

WHEREAS, The recidivism rate for long-termers is the lowest of any group of prisoners; and

WHEREAS, A large number of lifers and long-term prisoners are sentenced under the accountability theory and not for the actual commission of the crime, and some are first time offenders; and

WHEREAS, Community crime prevention programs, not harsher prison sentences are responsible for the decline in crime rates; and

WHEREAS, Numerous innocent people have been wrongly convicted in Illinois; and

WHEREAS, Many countries no longer impose sentences of life without parole; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there is created the Long-Term Prisoners Study Committee, hereinafter referred to as the Committee, consisting of 17 members appointed as follows:

- (1) Three members appointed by the President of the Senate;
- (2) Two members appointed by the Minority Leader of the Senate;
- (3) Three members appointed by the Speaker of the House of Representatives;
- (4) Two members appointed by the Minority Leader of the House of Representatives;
- (5) One member appointed by the Attorney General;
- (6) One member appointed by the Governor;
- (7) One member appointed by the Cook County State's Attorney;
- (8) One member appointed by the Office of the Cook County Public Defender;
- (9) One member appointed by the Office of the State Appellate Defender;
- (10) One member appointed by the Office of the State's Attorneys Appellate Prosecutor; and

[October 12, 2007]

(11) One member appointed by the Director of Corrections; and be it further

RESOLVED, That the Department of Corrections shall provide staff and administrative support to the Committee; and be it further

RESOLVED, That the Committee shall study and examine issues related to prisoners sentenced to life without parole and prisoners sentenced to terms in excess of 30 years; and be it further

RESOLVED, That the Committee in its deliberations shall always give priority to public safety and the best use of State funds; and be it further

RESOLVED, That the Committee shall hold public hearings and present a report of its findings and recommendations to the 95th General Assembly before December 31, 2007.

Adopted by the House, April 19, 2007.

MARK MAHONEY, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 21 was referred to the Committee on Rules.

MOTION IN WRITING

Senator Link submitted the following Motion in Writing:

I move that House Bill 664 do pass, notwithstanding the specific recommendations of the Governor.

DATE: 10/10/07

s/Terry Link
Senator

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

REPORT FROM STANDING COMMITTEE

Senator Hendon, Chairperson of the Committee on Executive Appointments, moved that the Senate resolve itself into Executive Session to consider the report of that Committee relative to the Governor's Message appointments.

The motion prevailed.

EXECUTIVE SESSION

Senator Hendon, Chairperson of the Committee on Executive Appointments, to which was referred the Governor's Message to the Senate of May 25, 2007, reported the same back with the recommendation that the Senate advise and consent to the following appointments:

ILLINOIS EMERGENCY MANAGEMENT AGENCY

To be Assistant Director of the Illinois Emergency Management Agency for a term commencing May 21, 2007 and ending January 19, 2009:

Joseph G. Klinger
Salaried

Senator Hendon moved that the Senate advise and consent to the foregoing appointments. And on that motion, a call of the roll was had resulting as follows:

[October 12, 2007]

Yeas 54; Nays None.

The following voted in the affirmative:

Althoff	Forby	Lightford	Righter
Bomke	Frerichs	Link	Risinger
Bond	Garrett	Luechtefeld	Ronen
Brady	Haine	Maloney	Rutherford
Burzynski	Halvorson	Martinez	Sandoval
Clayborne	Harmon	Meeks	Schoenberg
Collins	Hendon	Millner	Silverstein
Crotty	Holmes	Munoz	Sullivan
Cullerton	Hultgren	Murphy	Trotter
Dahl	Hunter	Noland	Watson
DeLeo	Jacobs	Pankau	Wilhelmi
Delgado	Jones, J.	Peterson	Mr. President
Demuzio	Koehler	Radogno	
Dillard	Kotowski	Raoul	

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointments.

Senator Hendon, Chairperson of the Committee on Executive Appointments, to which was referred the Governor's Message to the Senate of September 17, 2007, reported the same back with the recommendation that the Senate advise and consent to the following appointments:

HEALTHCARE AND FAMILY SERVICES, ILLINOIS DEPARTMENT OF

To be Assistant Director of the Department of Healthcare and Family Services for a term commencing July 3, 2007 and ending January 19, 2009:

Sharron D. Matthews
Salaried

PORT DISTRICT BOARD, ILLINOIS INTERNATIONAL

To be a member of the Illinois International Port District Board for a term commencing August 21, 2007 and ending June 1, 2010:

Dean T. Maragos
Salaried

PRISONER REVIEW BOARD

To be a member of the Prisoner Review Board for a term commencing August 20, 2007 and ending January 21, 2013:

Thomas L. Johnson
Salaried

STATE POLICE MERIT BOARD

To be a member of the State Police Merit Board for a term commencing August 30, 2007 and ending March 21, 2013:

Kenneth A. Schloemer
Salaried

[October 12, 2007]

TOLL HIGHWAY AUTHORITY, ILLINOIS STATE

To be a member of the Illinois State Toll Highway Authority for a term commencing August 30, 2007 and ending May 1, 2011:

Thomas R. Canham
Salaried

To be Chair of the Illinois State Toll Highway Authority for a term commencing August 30, 2007 and ending May 1, 2011:

John P. Mitola
Salaried

TRANSPORTATION, ILLINOIS DEPARTMENT OF

To be Secretary of the Illinois Department of Transportation for a term commencing September 14, 2007 and ending January 19, 2009:

Milton R. Sees
Salaried

VETERANS' AFFAIRS, ILLINOIS DEPARTMENT OF

To be Assistant Director of the Illinois Department of Veterans' Affairs for a term commencing August 23, 2007 and ending January 19, 2009:

Sergio Estrada, Jr.
Salaried

WORKERS' COMPENSATION COMMISSION

To be a member of the Workers' Compensation Commission for a term commencing August 16, 2007 and ending January 17, 2011:

David L. Gore, Jr.
Salaried

To be a member of the Workers' Compensation Commission for a term commencing September 1, 2007 and ending January 17, 2011:

Kevin W. Lamborn
Salaried

To be a member of the Workers' Compensation Commission for a term commencing August 16, 2007 and ending January 17, 2011:

Molly C. Mason
Salaried

To be Chair of the Workers' Compensation Commission for a term commencing August 16, 2007 and ending January 17, 2011:

Dennis R. Ruth
Salaried

Senator Hendon moved that the Senate advise and consent to the foregoing appointments.
And on that motion, a call of the roll was had resulting as follows:

[October 12, 2007]

Yeas 56; Nays None.

The following voted in the affirmative:

Althoff	Forby	Link	Ronen
Bomke	Frerichs	Luechtefeld	Rutherford
Bond	Garrett	Maloney	Sandoval
Brady	Haine	Martinez	Schoenberg
Burzynski	Halvorson	Meeks	Sieben
Clayborne	Harmon	Millner	Silverstein
Collins	Hendon	Munoz	Sullivan
Cronin	Holmes	Murphy	Trotter
Crotty	Hultgren	Noland	Watson
Cullerton	Hunter	Pankau	Wilhelmi
Dahl	Jacobs	Peterson	Mr. President
DeLeo	Jones, J.	Radogno	
Delgado	Koehler	Raoul	
Demuzio	Kotowski	Righter	
Dillard	Lightford	Risinger	

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointments.

Senator Hendon, Chairperson of the Committee on Executive Appointments, to which was referred the Governor's Message to the Senate of October 4, 2007, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

PUBLIC HEALTH, ILLINOIS DEPARTMENT OF

To be Director of the Department of Public Health for a term commencing October 1, 2007 and ending January 19, 2009:

Damon T. Arnold, M.D., M.P.H.
Salaried

Senator Hendon moved that the Senate advise and consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

Yeas 56; Nays None.

The following voted in the affirmative:

Althoff	Forby	Link	Ronen
Bomke	Frerichs	Luechtefeld	Rutherford
Bond	Garrett	Maloney	Sandoval
Brady	Haine	Martinez	Schoenberg
Burzynski	Halvorson	Meeks	Sieben
Clayborne	Harmon	Millner	Silverstein
Collins	Hendon	Munoz	Sullivan
Cronin	Holmes	Murphy	Trotter
Crotty	Hultgren	Noland	Watson
Cullerton	Hunter	Pankau	Wilhelmi
Dahl	Jacobs	Peterson	Mr. President
DeLeo	Jones, J.	Radogno	
Delgado	Koehler	Raoul	
Demuzio	Kotowski	Righter	
Dillard	Lightford	Risinger	

[October 12, 2007]

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Hendon, Chairperson of the Committee on Executive Appointments, to which was referred the Governor's Message to the Senate of October 11, 2007, reported the same back with the recommendation that the Senate advise and consent to the following appointments:

TOLL HIGHWAY AUTHORITY, ILLINOIS STATE

To be a member of the Illinois State Tollway Authority for a term commencing October 11, 2007 and ending May 1, 2011:

David R. Andalcio
Salaried

To be a member of the Illinois State Toll Highway Authority for a term commencing October 11, 2007 and ending May 1, 2009:

James Banks
Salaried

Senator Hendon moved that the Senate advise and consent to the foregoing appointments. And on that motion, a call of the roll was had resulting as follows:

Yeas 56; Nays None.

The following voted in the affirmative:

Althoff	Forby	Link	Ronen
Bomke	Frerichs	Luechtefeld	Rutherford
Bond	Garrett	Maloney	Sandoval
Brady	Haine	Martinez	Schoenberg
Burzynski	Halvorson	Meeks	Sieben
Clayborne	Harmon	Millner	Silverstein
Collins	Hendon	Munoz	Sullivan
Cronin	Holmes	Murphy	Trotter
Crotty	Hultgren	Noland	Watson
Cullerton	Hunter	Pankau	Wilhelmi
Dahl	Jacobs	Peterson	Mr. President
DeLeo	Jones, J.	Radogno	
Delgado	Koehler	Raoul	
Demuzio	Kotowski	Righter	
Dillard	Lightford	Risinger	

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointments.

Senator Hendon, Chairperson of the Committee on Executive Appointments, to which was referred the Governor's Message to the Senate of May 25, 2007, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

GUARDIANSHIP AND ADVOCACY COMMISSION

To be a member of the Guardianship and Advocacy Commission for a term commencing May 21, 2007 and ending June 30, 2009:

Representative Kathleen A. Ryg

[October 12, 2007]

Non-Salaried

Senator Hendon moved that the Senate advise and consent to the foregoing appointment. And on that motion, a call of the roll was had resulting as follows:

Yeas 56; Nays None.

The following voted in the affirmative:

Althoff	Forby	Link	Ronen
Bomke	Frerichs	Luechtefeld	Rutherford
Bond	Garrett	Maloney	Sandoval
Brady	Haine	Martinez	Schoenberg
Burzynski	Halvorson	Meeks	Sieben
Clayborne	Harmon	Millner	Silverstein
Collins	Hendon	Munoz	Sullivan
Cronin	Holmes	Murphy	Trotter
Crotty	Hultgren	Noland	Watson
Cullerton	Hunter	Pankau	Wilhelmi
Dahl	Jacobs	Peterson	Mr. President
DeLeo	Jones, J.	Radogno	
Delgado	Koehler	Raoul	
Demuzio	Kotowski	Righter	
Dillard	Lightford	Risinger	

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Hendon, Chairperson of the Committee on Executive Appointments, to which was referred the Governor's Message to the Senate of September 17, 2007, reported the same back with the recommendation that the Senate advise and consent to the following appointments:

MEDICAL DISTRICT COMMISSION AT SPRINGFIELD, ILLINOIS

To be a member of the Illinois Medical District Commission at Springfield for a term commencing July 5, 2007 and ending June 30, 2011:

Bradley James Schaive
Non-Salaried

NORTHEASTERN ILLINOIS UNIVERSITY BOARD OF TRUSTEES

To be a member of the Northeastern Illinois University Board of Trustees for a term commencing August 30, 2007 and ending January 17, 2011:

Omar Duque
Non-salaried

TICKET FOR A CURE BOARD

To be a member of the Ticket for a Cure Board for a term commencing August 16, 2007:

Senator Mattie Hunter
Non-salaried

Senator Hendon moved that the Senate advise and consent to the foregoing appointments. And on that motion, a call of the roll was had resulting as follows:

[October 12, 2007]

Yeas 53; Nays None; Present 1.

The following voted in the affirmative:

Althoff	Forby	Link	Risinger
Bomke	Frerichs	Luechtefeld	Ronen
Bond	Garrett	Maloney	Rutherford
Brady	Haine	Martinez	Sandoval
Burzynski	Halvorson	Meeks	Schoenberg
Clayborne	Harmon	Millner	Sieben
Collins	Hendon	Munoz	Silverstein
Cronin	Holmes	Murphy	Sullivan
Crotty	Hultgren	Noland	Watson
Cullerton	Jacobs	Pankau	Wilhelmi
Dahl	Jones, J.	Peterson	Mr. President
DeLeo	Koehler	Radogno	
Delgado	Kotowski	Raoul	
Demuzio	Lightford	Righter	

The following voted present:

Hunter

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointments.

Senator Hendon, Chairperson of the Committee on Executive Appointments, to which was referred the Governor's Message to the Senate of October 4, 2007, reported the same back with the recommendation that the Senate advise and consent to the following appointments:

FINANCE AUTHORITY, ILLINOIS

To be a member of the Illinois Finance Authority for a term commencing September 20, 2007 and ending July 21, 2008:

April D. Verrett
Non-salaried

MEDICAL DISCIPLINARY BOARD

To be a member of the Illinois Medical Disciplinary Board for a term commencing September 19, 2007 and ending January 1, 2010:

Robert Fernandez
Non-salaried

To be a member of the Illinois Medical Disciplinary Board for a term commencing September 19, 2007 and ending January 1, 2008:

Homero Tristan
Non-salaried

WORKERS' COMPENSATION ADVISORY BOARD

To be a member of the Workers' Compensation Advisory Board for a term commencing September 20, 2007 and ending January 17, 2011:

Philip J. Gruber

[October 12, 2007]

Non-salaried

Senator Hendon moved that the Senate advise and consent to the foregoing appointments. And on that motion, a call of the roll was had resulting as follows:

Yeas 56; Nays None.

The following voted in the affirmative:

Althoff	Forby	Link	Ronen
Bomke	Frerichs	Luechtefeld	Rutherford
Bond	Garrett	Maloney	Sandoval
Brady	Haine	Martinez	Schoenberg
Burzynski	Halvorson	Meeks	Sieben
Clayborne	Harmon	Millner	Silverstein
Collins	Hendon	Munoz	Sullivan
Cronin	Holmes	Murphy	Trotter
Crotty	Hultgren	Noland	Watson
Cullerton	Hunter	Pankau	Wilhelmi
Dahl	Jacobs	Peterson	Mr. President
DeLeo	Jones, J.	Radogno	
Delgado	Koehler	Raoul	
Demuzio	Kotowski	Righter	
Dillard	Lightford	Risinger	

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointments.

On motion of Senator Hendon, the Executive Session arose and the Senate resumed consideration of business.

Senator Halvorson, presiding.

CONSIDERATION OF HOUSE BILL VETOED BY THE GOVERNOR

Pursuant to the Motion in Writing filed on Wednesday, October 10, 2007 and journalized Friday, October 12, 2007, Senator Link moved that **House Bill No. 664** 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 55; Nays 1.

The following voted in the affirmative:

Althoff	Dillard	Kotowski	Raoul
Bomke	Forby	Lightford	Righter
Bond	Frerichs	Link	Risinger
Brady	Garrett	Luechtefeld	Ronen
Burzynski	Haine	Maloney	Rutherford
Clayborne	Halvorson	Martinez	Sandoval
Collins	Harmon	Meeks	Schoenberg
Cronin	Hendon	Millner	Sieben
Crotty	Holmes	Munoz	Silverstein
Cullerton	Hultgren	Murphy	Sullivan
Dahl	Hunter	Noland	Trotter
DeLeo	Jacobs	Pankau	Watson
Delgado	Jones, J.	Peterson	Wilhelmi
Demuzio	Koehler	Radogno	

[October 12, 2007]

The following voted in the negative:

Mr. President

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.

Senator Syverson asked and obtained unanimous consent for the Journal to reflect his affirmative vote on **Senate Bill No. 664**.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Hendon, **House Bill No. 4144**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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 56; Nays 1.

The following voted in the affirmative:

Althoff	Forby	Link	Rutherford
Bomke	Frerichs	Luechtefeld	Sandoval
Bond	Garrett	Maloney	Schoenberg
Brady	Haine	Martinez	Sieben
Burzynski	Halvorson	Meeks	Silverstein
Clayborne	Harmon	Millner	Sullivan
Collins	Hendon	Munoz	Syverson
Cronin	Holmes	Noland	Trotter
Crotty	Hultgren	Pankau	Watson
Cullerton	Hunter	Peterson	Wilhelmi
Dahl	Jacobs	Radogno	Mr. President
DeLeo	Jones, J.	Raoul	
Delgado	Koehler	Righter	
Demuzio	Kotowski	Risinger	
Dillard	Lightford	Ronen	

The following voted in the negative:

Murphy

This bill, having received the vote of three-fifths 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.

On motion of Senator Forby, **House Bill No. 4148**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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 57; Nays None.

The following voted in the affirmative:

Althoff	Forby	Link	Ronen
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Bomke	Frerichs	Luechtefeld	Rutherford
Bond	Garrett	Maloney	Sandoval
Brady	Haine	Martinez	Schoenberg
Burzynski	Halvorson	Meeks	Sieben
Clayborne	Harmon	Millner	Silverstein
Collins	Hendon	Munoz	Sullivan
Cronin	Holmes	Murphy	Syverson
Crotty	Hultgren	Noland	Trotter
Cullerton	Hunter	Pankau	Watson
Dahl	Jacobs	Peterson	Wilhelmi
DeLeo	Jones, J.	Radogno	Mr. President
Delgado	Koehler	Raoul	
Demuzio	Kotowski	Righter	
Dillard	Lightford	Risinger	

This bill, having received the vote of three-fifths 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.

REPORT FROM RULES COMMITTEE

Senator Halvorson, Chairperson of the Committee on Rules, reported that the following Legislative Measures have been approved for consideration:

Senate Floor Amendment No. 6 to House Bill 315
Senate Floor Amendment No. 1 to House Bill 4149

The foregoing floor amendments were placed on the Secretary's Desk.

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

At the hour of 12:10 o'clock p.m., the Chair announced that the Senate stand at recess subject to the call of the Chair.

AFTER RECESS

At the hour of 12:32 o'clock p.m., the Senate resumed consideration of business.
 Senator Halvorson, presiding.

MOTIONS IN WRITING

Senator Trotter submitted the following Motion in Writing:

I move that the following items in House Bill 3866 do pass, notwithstanding the item veto of the Governor:

<u>Page(s)</u>	<u>Lines</u>
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551	8-11
559	9
1160	1-5
1165	6-10
1168	16-20

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1393

16-22

DATE: 10/12/07

s/Donne Trotter
Senator

Senator Garrett submitted the following Motion in Writing:

I move that the item on page 227, lines 17-20 of House Bill 3866 do pass, notwithstanding the item veto of the Governor.

DATE: 10/12/07

s/Susan Garrett
Senator

Senator Haine submitted the following Motion in Writing:

I move that the item on page 329, line 24 of House Bill 3866 do pass, notwithstanding the item veto of the Governor.

DATE: 10/3/07

s/William R. Haine
Senator

Senator Watson submitted the following Motion in Writing:

I move that the following item of House Bill 3866 do pass, notwithstanding the item veto of the Governor.

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36	15-18
36	19-21 and
37	1
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62	8-11
62	16-19
114	22 and
115	1-6
115	7-10
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201	16-19
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269	6-7
272	22-24 and

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329 24
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DATE: 10-10-07

s/Frank Watson
 Senator

Senator Watson submitted the following Motion in Writing:

I move that the following items of the House Bill 3866 do pass, notwithstanding the item veto of the Governor.

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DATE: 10-10-07

s/Frank Watson
 Senator

Senator Trotter submitted the following Motion in Writing:

I move that the following items in House Bill 3866 be restored, notwithstanding the item reduction of the Governor:

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[October 12, 2007]

DATE: 10-12-07

s/Donne Trotter
Senator

Senator Haine submitted the following Motion in Writing:

I move that the item on page 698, line 14 of House Bill 3866 be restored, notwithstanding the item reduction of the Governor.

DATE: 10-3-07

s/William R. Haine
Senator

Senator Watson submitted the following Motion in Writing:

I move that the following items of House Bill 3866 be restored, notwithstanding the item reduction of the Governor.

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[October 12, 2007]

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DATE: 10-12-07

s/Frank Watson

[October 12, 2007]

Senator

Senator Watson submitted the following Motion in Writing:

I move that the following items of House Bill 3866 be restored, notwithstanding the item reduction of the Governor:

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[October 12, 2007]

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DATE: 10-12-07

s/Frank Watson
Senator

The foregoing Motions in Writing were filed with the Secretary and placed on the Senate Calendar.

RESOLUTIONS CONSENT CALENDAR

SENATE RESOLUTION 384

Offered by Senator Harmon and all Senators:
Mourns the death of Dick Glennie of Oak Park.

SENATE RESOLUTION 385

Offered by Senator Haine and all Senators:
Mourns the death of Rosalie Taul of Alton.

SENATE RESOLUTION 386

Offered by Senator Haine and all Senators:
Mourns the death of Michael "Mike" L. Eckhard, Sr., of Alton.

SENATE RESOLUTION 387

Offered by Senator E. Jones and all Senators:
Mourns the death of George E. Sangmeister of Mokena.

SENATE RESOLUTION 389

Offered by Senator E. Jones and all Senators:
Mourns the death of Floyd Carroll.

SENATE RESOLUTION 390

Offered by Senator Hunter and all Senators:
Mourns the death of Steve Williams.

SENATE RESOLUTION 391

Offered by Senator Watson and all Senators:
Mourns the death of Howard E. Brown of Decatur.

SENATE RESOLUTION 392

Offered by Senator Lauzen and all Senators:
Mourns the death of Michael C. Jenkins

SENATE RESOLUTION 393

Offered by Senator Lauzen and all Senators:
Mourns the death of Wilbur W. Williams of Seneca.

SENATE RESOLUTION 394

Offered by Senator Lauzen and all Senators:
Mourns the death of Roy Fair of Sugar Grove.

SENATE RESOLUTION 395

Offered by Senator Lauzen and all Senators:
Mourns the death of John Rogers of Downers Grove, formerly of River Forest.

SENATE RESOLUTION 396

Offered by Senator Lauzen and all Senators:
Mourns the death of Sally Boynton of Aurora.

SENATE RESOLUTION 397

Offered by Senator Dillard and all Senators:
Mourns the death of Carmen S. DiGiovine of Naperville.

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

HOUSE BILL RECALLED

On motion of Senator Forby, **House Bill No. 4149** was recalled from the order of third reading to the order of second reading.

Senator Righter had an inquiry of the Chair to determine if the Secretary had received paperwork regarding his removal as a sponsor of House Bill 4149.

The Chair stated that the Secretary had received the paperwork.

Senator Forby offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO HOUSE BILL 4149

AMENDMENT NO. _____. Amend House Bill 4149, on page 1, below line 12, by inserting the following:

“Section 20. In addition to all other amounts appropriated for this purpose, the amount of \$7,172,100, or so much thereof as maybe necessary, is appropriated from the General Revenue Fund to the Department of Corrections for expenses related to Personal Services for frontline staff.

Section 25. In addition to all other amounts appropriated for this purpose, the amount of \$1,302,200, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Corrections for expenses related to the cost of Retirement Contributions for frontline staff.

Section 30. In addition to all other amounts appropriated for this purpose, the amount of \$548,100, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Corrections for expenses related to the cost of Social Security Contributions for frontline staff.

Section 35. In addition to all other amounts appropriated for this purpose, the amount of \$1,793,300, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Human Services for expenses related to Personal Services in the Division of Human Capital Development for frontline staff.

Section 40. In addition to all other amounts appropriated for this purpose, the amount of \$297,700, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Human Services for expenses related to the cost of Retirement Contributions in the Division of Human Capital Development for frontline staff.

Section 45. In addition to all other amounts appropriated for this purpose, the amount of \$137,200, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Human Services for expenses related to Social Security Contributions in the Division of Human Capital Development for frontline staff.

Section 50. In addition to all other amounts appropriated for this purpose, the amount of \$4,360,600, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Human Services for expenses related to Personal Services in state operated facilities for frontline staff.

[October 12, 2007]

Section 55. In addition to all other amounts appropriated for this purpose, the amount of \$724,200, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Human Services for expenses related to the cost of Retirement Contributions in state operated facilities for frontline staff.

Section 60. In addition to all other amounts appropriated for this purpose, the amount of \$333,700, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Human Services for expenses related to Social Security Contribution in state operated facilities for frontline staff.

Section 65. In addition to all other amounts appropriated for this purpose, the amount of \$1,769,900, or so much thereof as maybe necessary, is appropriated from the General Revenue Fund to the Department of Juvenile Justice for expenses related to Personal Services for frontline staff.

Section 70. In addition to all other amounts appropriated for this purpose, the amount of \$323,300, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Juvenile Justice for expenses related to the cost of Retirement Contributions for frontline staff.

Section 75. In addition to all other amounts appropriated for this purpose, the amount of \$135,400, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Juvenile Justice for expenses related to the cost of Social Security Contributions for frontline staff.

Section 99. This Act takes effect upon becoming law.”.

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the bill, as amended, was ordered to a third reading.

READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Forby, **House Bill No. 4149**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the negative by the following vote:

Yeas 33; Nays 4; Present 18.

The following voted in the affirmative:

Bond	Garrett	Kotowski	Schoenberg
Clayborne	Haine	Lightford	Silverstein
Collins	Halvorson	Link	Sullivan
Crotty	Harmon	Maloney	Trotter
Cullerton	Hendon	Martinez	Wilhelmi
DeLeo	Holmes	Meeks	Mr. President
Delgado	Hunter	Noland	
Demuzio	Jacobs	Raoul	
Forby	Koehler	Ronen	

The following voted in the negative:

Brady	Righter
Cronin	Rutherford

The following voted present:

[October 12, 2007]

Althoff	Hultgren	Murphy	Sieben
Bomke	Jones, J.	Pankau	Syverson
Burzynski	Luechtefeld	Radogno	Watson
Dahl	Millner	Risinger	
Dillard	Munoz	Sandoval	

This roll call verified.

This bill, having failed to receive the vote of three-fifths of the members elected, was declared lost, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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 concurred with the Senate in the passage of a bill of the following title, the Governor's specific recommendation for change notwithstanding, to-wit:

SENATE BILL 46

A bill for AN ACT concerning government.

Passed the House, October 10, 2007, by a three-fifths vote.

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 passage of a bill of the following title, the Governor's specific recommendation for change notwithstanding, to-wit:

SENATE BILL 215

A bill for AN ACT concerning regulation.

Passed the House, October 10, 2007, by a three-fifths vote.

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 passage of a bill of the following title, the Governor's specific recommendation for change notwithstanding, to-wit:

SENATE BILL 314

A bill for AN ACT concerning roads.

Passed the House, October 10, 2007, by a three-fifths vote.

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 passage of a bill of the following title, the Governor's specific recommendation for change notwithstanding, to-wit:

SENATE BILL 593

A bill for AN ACT concerning civil law.

Passed the House, October 10, 2007, by a three-fifths vote.

[October 12, 2007]

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 passage of a bill of the following title, the Governor's specific recommendation for change notwithstanding, to-wit:

SENATE BILL 641

A bill for AN ACT concerning education.

Passed the House, October 10, 2007, by a three-fifths vote.

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 passage of a bill of the following title, the veto of the Governor notwithstanding, to-wit:

SENATE BILL 599

A bill for AN ACT concerning local government.

Passed the House, October 10, 2007, by a three-fifths vote.

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 passage of a bill of the following title, the Governor's specific recommendation for change notwithstanding, to-wit:

SENATE BILL 229

A bill for AN ACT concerning civil law.

Passed the House, October 11, 2007, by a three-fifths vote.

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 passage of a bill of the following title, the Governor's specific recommendation for change notwithstanding, to-wit:

SENATE BILL 544

A bill for AN ACT concerning regulation.

Passed the House, October 11, 2007, by a three-fifths vote.

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 passage of a bill of the following title, the Governor's specific recommendation for change notwithstanding, to-wit:

SENATE BILL 764

A bill for AN ACT concerning State government.

Passed the House, October 11, 2007, by a three-fifths vote.

[October 12, 2007]

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 passage of a bill of the following title, the Governor's specific recommendation for change notwithstanding, to-wit:

SENATE BILL 1201

A bill for AN ACT concerning local government.

Passed the House, October 11, 2007, by a three-fifths vote.

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 passage of a bill of the following title, the Governor's specific recommendation for change notwithstanding, to-wit:

SENATE BILL 1366

A bill for AN ACT concerning regulation.

Passed the House, October 11, 2007, by a three-fifths vote.

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 passage of a bill of the following title, the Governor's specific recommendation for change notwithstanding, to-wit:

SENATE BILL 1553

A bill for AN ACT concerning public employee benefits.

Passed the House, October 11, 2007, by a three-fifths vote.

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 passage of a bill of the following title, the Governor's specific recommendation for change notwithstanding, to-wit:

SENATE BILL 1664

A bill for AN ACT concerning health.

Passed the House, October 11, 2007, by a three-fifths vote.

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 passage of a bill of the following title, the veto of the Governor notwithstanding, to-wit:

SENATE BILL 121

A bill for AN ACT concerning criminal law.

Passed the House, October 11, 2007, by a three-fifths vote.

[October 12, 2007]

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 passage of a bill of the following title, the veto of the Governor notwithstanding, to-wit:

SENATE BILL 186

A bill for AN ACT concerning local government.
Passed the House, October 11, 2007, by a three-fifths vote.

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 passage of a bill of the following title, the veto of the Governor notwithstanding, to-wit:

SENATE BILL 247

A bill for AN ACT concerning municipalities.
Passed the House, October 11, 2007, by a three-fifths vote.

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 passage of a bill of the following title, the veto of the Governor notwithstanding, to-wit:

SENATE BILL 262

A bill for AN ACT concerning gaming.
Passed the House, October 11, 2007, by a three-fifths vote.

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 passage of a bill of the following title, the veto of the Governor notwithstanding, to-wit:

SENATE BILL 285

A bill for AN ACT concerning local government.
Passed the House, October 11, 2007, by a three-fifths vote.

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 passage of a bill of the following title, the veto of the Governor notwithstanding, to-wit:

SENATE BILL 514

A bill for AN ACT concerning transportation.

[October 12, 2007]

Passed the House, October 11, 2007, by a three-fifths vote.

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 passage of a bill of the following title, the veto of the Governor notwithstanding, to-wit:

SENATE BILL 627

A bill for AN ACT concerning State government.

Passed the House, October 11, 2007, by a three-fifths vote.

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 passage of a bill of the following title, the veto of the Governor notwithstanding, to-wit:

SENATE BILL 735

A bill for AN ACT concerning local government.

Passed the House, October 11, 2007, by a three-fifths vote.

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 passage of a bill of the following title, the veto of the Governor notwithstanding, to-wit:

SENATE BILL 835

A bill for AN ACT concerning local government.

Passed the House, October 11, 2007, by a three-fifths vote.

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 passage of a bill of the following title, the veto of the Governor notwithstanding, to-wit:

SENATE BILL 1011

A bill for AN ACT concerning criminal law.

Passed the House, October 11, 2007, by a three-fifths vote.

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 passage of a bill of the following title, the veto of the Governor notwithstanding, to-wit:

SENATE BILL 1344

[October 12, 2007]

A bill for AN ACT concerning business.
Passed the House, October 11, 2007, by a three-fifths vote.

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 passage of a bill of the following title, the veto of the Governor notwithstanding, to-wit:

SENATE BILL 1463

A bill for AN ACT concerning education.
Passed the House, October 11, 2007, by a three-fifths vote.

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 passage of a bill of the following title, the Governor's specific recommendation for change notwithstanding, to-wit:

SENATE BILL 774

A bill for AN ACT concerning State government.
Passed the House, October 12, 2007, by a three-fifths vote.

MARK MAHONEY, Clerk of the House

A message from the House by
Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of the following joint resolution, to-wit:

SENATE JOINT RESOLUTION NO. 17

Concurred in by the House, October 12, 2007.

MARK MAHONEY, Clerk of the House

A message from the House by
Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of the following joint resolution, to-wit:

SENATE JOINT RESOLUTION NO. 59

Concurred in by the House, October 12, 2007.

MARK MAHONEY, Clerk of the House

A message from the House by
Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of the following joint resolution, to-wit:

SENATE JOINT RESOLUTION NO. 71

Concurred in by the House, October 12, 2007.

MARK MAHONEY, Clerk of the House

[October 12, 2007]

At the hour of 2:04 o'clock p.m., the Chair announced that the Senate stand adjourned until Wednesday, October 17, 2007, in perfunctory session.