



# **SENATE JOURNAL**

**STATE OF ILLINOIS**

**NINETY-FIFTH GENERAL ASSEMBLY**

**131ST LEGISLATIVE DAY**

**WEDNESDAY, FEBRUARY 27, 2008**

**12:33 O'CLOCK P.M.**

**SENATE**  
**Daily Journal Index**  
**131st Legislative Day**

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The Senate met pursuant to adjournment.  
Senator Terry Link, Waukegan, Illinois, presiding.

The Journal of Thursday, February 21, 2008, 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.

### **REPORTS RECEIVED**

The Secretary placed before the Senate the following reports:

Report pursuant to the Lead Poisoning Prevent Act, submitted by the Bond County State's Attorney.

DJJ Quarterly Report to the Legislature, January 1, 2008, submitted by the Department of Juvenile Justice.

Certificate of Disabilities Annual Report, submitted by the Department of Financial and Professional Regulation.

Criminal Justice Information Authority's 2007 Annual Report, submitted by the Criminal Justice Information Authority.

The foregoing reports were ordered received and placed on file in the Secretary's Office.

### **LEGISLATIVE MEASURES FILED**

The following Committee amendment to the Senate Resolution listed below has been filed with the Secretary and referred to the Committee on Rules:

Senate Committee Amendment No. 1 to Senate Resolution 481

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

Senate Committee Amendment No. 1 to Senate Bill 1850  
Senate Committee Amendment No. 1 to Senate Bill 1893  
Senate Committee Amendment No. 1 to Senate Bill 1925  
Senate Committee Amendment No. 1 to Senate Bill 1930  
Senate Committee Amendment No. 2 to Senate Bill 1930  
Senate Committee Amendment No. 1 to Senate Bill 1979  
Senate Committee Amendment No. 1 to Senate Bill 2005  
Senate Committee Amendment No. 1 to Senate Bill 2016  
Senate Committee Amendment No. 1 to Senate Bill 2033  
Senate Committee Amendment No. 1 to Senate Bill 2149  
Senate Committee Amendment No. 1 to Senate Bill 2222  
Senate Committee Amendment No. 1 to Senate Bill 2300  
Senate Committee Amendment No. 1 to Senate Bill 2314

### **MESSAGE FROM THE PRESIDENT**

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

[February 27, 2008]

EMIL JONES, JR.  
SENATE PRESIDENT

327 STATE CAPITOL  
Springfield, Illinois 62706

February 25, 2008

Ms. Deborah Shipley  
Secretary of the Senate  
Room 403 State House  
Springfield, IL 62706

Dear Madam Secretary:

Pursuant to Senate Rule 2-10, please be advised that I am canceling session for Tuesday, February 26, 2008. The Senate will convene at 12:00 noon on Wednesday, February 27, 2008.

Sincerely,  
s/Emil Jones, Jr.  
Senate President

cc: Senate Republican Leader Frank Watson

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

EMIL JONES, JR.  
SENATE PRESIDENT

327 STATE CAPITOL  
Springfield, Illinois 62706

February 27, 2008

Ms. Deborah Shipley  
Secretary of the Senate  
Room 403 State House  
Springfield, IL 62706

Dear Madam Secretary:

Pursuant to Senate Rule 3-5(c), I hereby appoint Senator James DeLeo to replace Senator Debbie Halvorson as a member and Chairman of the Rules Committee. This appointment is effective immediately.

Very truly yours,  
s/Emil Jones, Jr.  
Senate President

cc: Senate Minority Leader Frank Watson

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

EMIL JONES, JR.  
SENATE PRESIDENT

327 STATE CAPITOL  
Springfield, Illinois 62706

February 27, 2008

Ms. Deborah Shipley  
Secretary of the Senate  
403 State House

[February 27, 2008]

Springfield, IL 62706

Dear Madam Secretary:

Pursuant to Senate Rule 3-2(c), I hereby appoint Senator Deanna Demuzio to replace Senator James Clayborne as a member of the Insurance Committee. This appointment is effective immediately.

Very truly yours,  
s/Emil Jones, Jr.  
Senate President

cc: Senate Minority Leader Frank Watson

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

EMIL JONES, JR.  
SENATE PRESIDENT

327 STATE CAPITOL  
Springfield, Illinois 62706

February 27, 2008

Ms. Deborah Shipley  
Secretary of the Senate  
403 State House  
Springfield, IL 62706

Dear Madam Secretary:

Pursuant to Senate Rule 3-2(c), I hereby appoint Senator Jacqueline Collins to replace Senator Martin Sandoval as a member of the Local Government Committee. This appointment is effective immediately.

Very truly yours,  
s/Emil Jones, Jr.  
Senate President

cc: Senate Minority Leader Frank Watson

**PRESENTATION OF RESOLUTIONS**

**SENATE RESOLUTION 555**

Offered by Senator Koehler and all Senators:  
Mourns the death of Herman L. Cornish of Peoria.

**SENATE RESOLUTION 556**

Offered by Senator Lightford and all Senators:  
Mourns the death of Ruthie Jean Jackson of Maywood.

**SENATE RESOLUTION 557**

Offered by Senator Lightford and all Senators:  
Mourns the death of Terri R. Jackson of Springfield.

**SENATE RESOLUTION 558**

Offered by Senator Link and all Senators:  
Mourns the death of Norma Jean Robison of Waukegan.

**SENATE RESOLUTION 559**

Offered by Senator Radogno and all Senators:

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Mourns the death of Bob Barnes of LaGrange Highlands.

**SENATE RESOLUTION 560**

Offered by Senator Murphy and all Senators:

Mourns the death of Brother Robert Ruhl of Arlington Heights.

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

**MESSAGES FROM THE HOUSE**

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

Mr. President -- I am directed to inform the Senate that the House of Representatives has 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. 83**

WHEREAS, It is highly fitting that the Illinois General Assembly pays honor and respect to the truly great individuals who served our country in its time of greatest need; and

WHEREAS, George Rogers Clark was born on November 19, 1752 in Albemarle County near Shadwell, Virginia; he passed away at the age of 66 on February 13, 1818 in Jefferson County, Kentucky; and

WHEREAS, As with most children of the time, George Rogers Clark was tutored at home; he eventually became a farmer and surveyor; and

WHEREAS, In 1777, as the American Revolutionary War intensified in the territory west of the colonies, George Rogers Clark was commissioned as a Lieutenant Colonel in the Virginia militia and was authorized to capture the British posts in the region; and

WHEREAS, During the winter of 1778, British soldiers, French volunteers, and Indian warriors under the direction of British Lt. Governor Henry Hamilton, captured Fort Sackville located at Vincennes, in what is now known as Indiana; and

WHEREAS, Under George Rogers Clark's determined leadership and direction, a force of approximately 170 men made an incredible eighteen-day trek from Kaskaskia, through the freezing flood waters of the undeveloped Illinois countryside, to Fort Sackville; and

WHEREAS, Upon arriving at nightfall on the evening of February 23, 1779, George Rogers Clark surrounded the enemy with his men and masterfully displayed sufficient flags for an army of 500 men, thus giving the impression of having a much larger army than he actually had; and

WHEREAS, Along with other military maneuvers, George Rogers Clark's men continued firing at the fort and discharging explosives under the walls of Fort Sackville; and

WHEREAS, The British Flag would not be raised above Fort Sackville on the morning of February 25, 1779, as Lt. Governor Hamilton and his garrison marched out of the fort and surrendered to American Colonel George Rogers Clark; and

WHEREAS, George Rogers Clark's recapture of Fort Sackville at Vincennes is credited by historians as confounding the British plans to attack the newly formed United Colonies, as well as the British war efforts from the west; and

WHEREAS, Without George Rogers Clark's brilliant military actions, General George Washington

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would have faced a debilitating war on two fronts that might well have changed the outcome of the American Revolution; and

WHEREAS, As a result of George Rogers Clark's successful battles, the British ceded to the United States a vast area of land west of the Appalachian Mountains, which includes the present states of Ohio, Indiana, Illinois, Michigan, Wisconsin, and the eastern portion of Minnesota; and

WHEREAS, George Rogers Clark was a peerless military leader, who knew his enemy as well as he knew his own men; and

WHEREAS, The virtues that George Rogers Clark exhibited transcended his era; his actions during times of great distress serve as a reminder that acts of truly great heroes should be recognized and preserved for future generations; and

WHEREAS, The United States National Park Service maintains a George Rogers Clark National Historical Park and a beautiful George Rogers Clark Memorial in Vincennes, directly across the Wabash River from Illinois on what is believed to be the site of Fort Sackville; and

WHEREAS, A portion of U.S. Route 50 extends from Salem to Vincennes, Indiana, and most closely represents the path that Clark and his men took after marching north from Kaskaskia; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the portion of U.S. Route 50, extending east between Salem and the Indiana border at Vincennes, be designated the George Rogers Clark Memorial Highway; and be it further

RESOLVED, That the Illinois Department of Transportation is requested to erect at suitable locations, consistent with State and federal regulations, appropriate plaques or signs giving notice of the name of the George Rogers Clark Memorial Highway; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the Secretary of the U.S. Department of Transportation, the Secretary of the Illinois Department of Transportation, and the Mayors of Lawrenceville, Bridgeport, Sumner, Claremont, Olney, Clay City, Noble, Flora, Xenia, Iuka, and Salem.

Adopted by the House, February 20, 2008.

MARK MAHONEY, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 83 was referred to the Committee on Rules.

A message from the House by

Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 4093

A bill for AN ACT concerning appropriations.

HOUSE BILL NO. 4182

A bill for AN ACT concerning local government.

Passed the House, February 21, 2008.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 4093 and 4182** were taken up, ordered printed and placed on first reading.

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A message from the House by

Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 4129

A bill for AN ACT concerning regulation.

HOUSE BILL NO. 4189

A bill for AN ACT concerning government.

HOUSE BILL NO. 4216

A bill for AN ACT concerning State government.

HOUSE BILL NO. 4228

A bill for AN ACT concerning appropriations.

HOUSE BILL NO. 4255

A bill for AN ACT concerning regulation.

HOUSE BILL NO. 4283

A bill for AN ACT concerning local government.

HOUSE BILL NO. 4288

A bill for AN ACT concerning legislative member initiatives.

HOUSE BILL NO. 4350

A bill for AN ACT concerning local government.

HOUSE BILL NO. 4353

A bill for AN ACT concerning local government.

HOUSE BILL NO. 4407

A bill for AN ACT concerning regulation.

Passed the House, February 22, 2008.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 4129, 4189, 4216, 4228, 4255, 4283, 4288, 4350, 4353 and 4407** were taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 4459

A bill for AN ACT concerning appropriations.

HOUSE BILL NO. 4522

A bill for AN ACT concerning education.

Passed the House, February 26, 2008.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 4459 and 4522** were taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mahoney, Clerk:

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

**SENATE JOINT RESOLUTION NO. 85**

Concurred in by the House, February 22, 2008.

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**REPORT FROM RULES COMMITTEE**

Senator DeLeo, Chairperson of the Committee on Rules, during its February 27, 2008 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Agriculture and Conservation: **SENATE BILL 2407.**

Education: **Senate Committee Amendment No. 1 to Senate Resolution 483; SENATE BILLS 2352, 2379, 2387, 2402, 2482, 2487 and 2500.**

Environment and Energy: **SENATE BILLS 2370, 2390 and 2410.**

Executive: **SENATE BILLS 2399 and 2472.**

Financial Institutions: **SENATE BILL 2338.**

Housing and Community Affairs: **Senate Committee Amendment No. 1 to Senate Bill 1979; SENATE BILL 2434.**

Human Services: **SENATE BILLS 2336, 2504 and 2505.**

Insurance: **SENATE BILL 2486.**

Judiciary Civil Law: **SENATE BILL 2436.**

Judiciary Criminal Law: **SENATE BILLS 2349, 2354, 2366, 2382, 2396, 2401, 2426, 2429, 2452, 2488, 2494 and 2509.**

Labor: **Senate Committee Amendment No. 1 to Senate Bill 1878; SENATE BILLS 2375, 2397, 2437 and 2460.**

Licensed Activities: **SENATE BILLS 2330 and 2424.**

Local Government: **Senate Committee Amendment No. 1 to Senate Bill 2005; Senate Committee Amendment No. 1 to Senate Bill 2033; Senate Committee Amendment No. 1 to Senate Bill 2314; SENATE BILLS 2353 and 2422.**

Public Health: **Senate Committee Amendment No. 1 to Senate Resolution 481; Senate Committee Amendment No. 1 to Senate Bill 1925; Senate Committee Amendment No. 1 to Senate Bill 2300; SENATE BILLS 2348, 2444, 2461, 2464, 2468, 2473, 2475 and 2492.**

Revenue: **SENATE BILLS 2334, 2342, 2398 and 2474.**

State Government and Veterans Affairs: **Senate Committee Amendment No. 1 to Senate Bill 1850; Senate Committee Amendment No. 1 to Senate Bill 1930; Senate Committee Amendment No. 2 to Senate Bill 1930; Senate Committee Amendment No. 1 to Senate Bill 2149; SENATE BILLS 2332, 2378 and 2404.**

**READING BILLS OF THE SENATE A SECOND TIME**

On motion of Senator Schoenberg, **Senate Bill No. 1863**, having been printed, was taken up, read by title a second time and ordered to a third reading.

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On motion of Senator Harmon, **Senate Bill No. 1872**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Forby, **Senate Bill No. 1874**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sieben, **Senate Bill No. 1990**, 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. 1992**, 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. 2049**, having been printed, was taken up, read by title a second time and ordered to a third reading.

At the hour of 12:55 o'clock p.m., the Chair announced that the Senate stand adjourned until Thursday, February 28, 2008, at 2:00 o'clock p.m.