



# **SENATE JOURNAL**

**STATE OF ILLINOIS**

**NINETY-SEVENTH GENERAL ASSEMBLY**

**9TH LEGISLATIVE DAY**

**THURSDAY, FEBRUARY 17, 2011**

**10:45 O'CLOCK A.M.**

**SENATE**  
**Daily Journal Index**  
**9th Legislative Day**

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The Senate met pursuant to adjournment.  
Senator Don Harmon, Oak Park, Illinois, presiding.  
Prayer by Pastor John Standard, Springfield Bible Church, Springfield, Illinois.  
Senator Maloney led the Senate in the Pledge of Allegiance.

Senator Crotty moved that reading and approval of the Journal of Wednesday, February 16, 2011, be postponed, pending arrival of the printed Journal.  
The motion prevailed.

### **REPORT RECEIVED**

The Secretary placed before the Senate the following report:

State Fire Marshal 2010 Annual Report, Partnering with the Fire Service to Protect Illinois, submitted by the State Fire Marshal.

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

### **LEGISLATIVE MEASURES FILED**

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

Senate Committee Amendment No. 1 to Senate Bill 39

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

Senate Floor Amendment No. 1 to Senate Bill 42

### **PRESENTATION OF RESOLUTIONS**

#### **SENATE RESOLUTION NO. 64**

Offered by Senator Mulroe and all Senators:  
Mourns the death of Thomas D. Mahoney of Edison Park.

By unanimous consent, the foregoing resolution was referred to the Resolutions Consent Calendar.

Senator McCarter offered the following Senate Resolution, which was referred to the Committee on Assignments:

#### **SENATE RESOLUTION NO. 63**

WHEREAS, Recent media reports indicate that since 2008, nearly \$10 million in State taxpayer funds has been awarded in workers' compensation payments to more than 230 employees at the Menard Correctional Center who contended they were injured through repetitive trauma caused by operating manual cell locking mechanisms; and

WHEREAS, Recent media reports also indicate that approximately 25% of the arbitrators employed by the Illinois Workers' Compensation Commission have received workers' compensation awards, including nearly \$50,000 to the arbitrator who approved many of the workers' compensation settlements to the employees at the Menard Correctional Center; and

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WHEREAS, According to the Illinois Workers' Compensation Commission, many of these payments were "uncontested settlements" and information regarding the payments or process of awarding the payments is not included in a database maintained by the Commission, therefore, the public did not have access to information regarding these awards; and

WHEREAS, Recent media reports indicate that due to a tragic 2007 crash involving then-State trooper Matt Mitchell, he is seeking workers' compensation because of injuries suffered in the wreck; and

WHEREAS, Recent media reports also indicate that Illinois Workers' Compensation Commission arbitrator Jennifer Teague took steps to conceal a public hearing regarding the workers' compensation claim by Matt Mitchell from the public; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we call upon the U.S. Attorney or the Federal Bureau of Investigation, or both, to conduct an investigation of awards approved by the Illinois Workers' Compensation Commission for claims filed by employees of Menard Correctional Center and arbitrators employed by the Commission from 2008 to the present; and be it further

RESOLVED, That we call upon the U.S. Attorney or the Federal Bureau of Investigation, or both, to conduct an investigation of actions by Jennifer Teague regarding a hearing for a workers' compensation claim by former State trooper Matt Mitchell; and be it further

RESOLVED, That the Illinois Workers' Compensation Commission and any other State agency, entity, or person that may have information relevant to this investigation shall cooperate fully and promptly with the process; and be it further

RESOLVED, That copies of this resolution be presented to the United States Attorney's Office for the Southern District of Illinois and the Federal Bureau of Investigation.

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

On motion of Senator Murphy, as chief co-sponsor pursuant to Senate Rule 5-1(b)(ii), Senate Joint Resolution Constitutional Amendment No. 13 having been printed, was again taken, read in full a second time and ordered to a third reading.

### **REPORT FROM STANDING COMMITTEE**

Senator Muñoz, 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 appointment messages.

The motion prevailed.

### **EXECUTIVE SESSION**

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred the Appointment Message 2, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

To be Director of the Illinois Department of Insurance for a term commencing February 7, 2011 and ending January 21, 2013:

Michael McRaith  
3353 N. Greenview Ave., Chicago, IL, 60657

Annual Salary: \$135,100

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Appointee's Senator: Senator John Cullerton

Senator Muñoz 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 45; NAYS None; Present 1.

The following voted in the affirmative:

Bivins	Haine	Link	Righter
Bomke	Harmon	Luechtefeld	Sandack
Brady	Holmes	Maloney	Schmidt
Clayborne	Hutchinson	Martinez	Steans
Collins	Johnson, C.	McCarter	Sullivan
Crotty	Johnson, T.	Millner	Syverson
Cultra	Jones, J.	Mulroe	Trotter
Delgado	Koehler	Muñoz	Wilhelmi
Dillard	Kotowski	Noland	Mr. President
Forby	Landek	Pankau	
Frerichs	Laufen	Radogno	
Garrett	Lightford	Rezin	

The following voted present:

Duffy

The motion prevailed.

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

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred the Appointment Message 6, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

To be Director of the Illinois Department of Human Rights for a term commencing January 31, 2011 and ending January 21, 2013:

Rocco Claps  
413 S. Riverside Dr., Villa Park, IL 60181

Annual Salary: \$115,613

Appointee's Senator: Senator Ronald Sandack

Senator Muñoz 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 46; NAYS None; Present 2.

The following voted in the affirmative:

Bivins	Haine	Lightford	Rezin
Bomke	Harmon	Link	Righter
Brady	Holmes	Luechtefeld	Sandack
Clayborne	Hutchinson	Maloney	Sandoval
Collins	Jacobs	Martinez	Schmidt
Crotty	Johnson, C.	McCann	Steans
Cultra	Johnson, T.	Millner	Sullivan

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Delgado	Jones, J.	Mulroe	Trotter
Dillard	Koehler	Muñoz	Wilhelmi
Forby	Kotowski	Noland	Mr. President
Frerichs	Landek	Pankau	
Garrett	Lauzen	Radogno	

The following voted present:

Duffy  
McCarter

The motion prevailed.

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

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred the Appointment Message 7, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

To be Secretary of the Illinois Department of Transportation for a term commencing January 31, 2011 and ending January 21, 2013:

Gary Hannig  
918 East Union Ave., Litchfield, IL 62056

Annual Salary: \$150,228

Appointee's Senator: Senator William McCann

Senator Muñoz 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 44; NAYS None; Present 1.

The following voted in the affirmative:

Bivins	Haine	Luechtefeld	Risinger
Bomke	Holmes	Maloney	Sandack
Brady	Hutchinson	Martinez	Schmidt
Clayborne	Jacobs	McCann	Steans
Collins	Johnson, C.	Millner	Sullivan
Crotty	Johnson, T.	Mulroe	Trotter
Cultra	Jones, J.	Muñoz	Wilhelmi
Delgado	Koehler	Noland	Mr. President
Dillard	Kotowski	Pankau	
Forby	Landek	Radogno	
Frerichs	Lauzen	Rezin	
Garrett	Link	Righter	

The following voted present:

Duffy

The motion prevailed.

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

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred the Appointment Message 8, reported the same back with the recommendation that the Senate advise and

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consent to the following appointment:

To be Director of the Illinois Department of Healthcare and Family Services for a term commencing January 31, 2011 and ending January 21, 2013:

Julie Hamos  
1640 Maple Ave., Apt. 1004, Evanston, IL 60201

Annual Salary: \$142,339

Appointee's Senator: Senator Jeffrey Schoenberg

Senator Muñoz 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 49; NAYS None; Present 1.

The following voted in the affirmative:

Bivins	Harmon	Luechtefeld	Risinger
Bomke	Holmes	Maloney	Sandack
Brady	Hutchinson	Martinez	Sandoval
Clayborne	Jacobs	McCann	Schmidt
Collins	Johnson, C.	Millner	Steans
Crotty	Johnson, T.	Mulroe	Sullivan
Cultra	Jones, J.	Muñoz	Syverson
Delgado	Koehler	Murphy	Trotter
Dillard	Kotowski	Noland	Wilhelmi
Forby	Landek	Pankau	Mr. President
Frerichs	Lauzen	Radogno	
Garrett	Lightford	Rezin	
Haine	Link	Righter	

The following voted present:

Duffy

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred the Appointment Message 9, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

To be Director of the Illinois Department of Children and Family Services for a term commencing January 31, 2011 and ending January 21, 2013:

Erwin McEwen  
43 East 90th St., Chicago, IL 60619

Annual Salary: \$150,228

Appointee's Senator: Senator Donne Trotter

Senator Muñoz 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 46; NAYS None; Present 1.

The following voted in the affirmative:

Bivins	Haine	Lightford	Righter
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Bomke	Harmon	Link	Risinger
Brady	Holmes	Maloney	Sandack
Clayborne	Hutchinson	Martinez	Sandoval
Collins	Jacobs	Millner	Schmidt
Crotty	Johnson, C.	Mulroe	Steans
Cultra	Johnson, T.	Muñoz	Sullivan
Delgado	Jones, J.	Murphy	Trotter
Dillard	Koehler	Noland	Wilhelmi
Forby	Kotowski	Pankau	Mr. President
Frerichs	Landek	Radogno	
Garrett	Lauzen	Rezin	

The following voted present:

Duffy

The motion prevailed.

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

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred the Appointment Message 10, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

To be Secretary of the Illinois Department of Human Services for a term commencing January 31, 2011 and ending January 21, 2013:

Michelle Saddler  
1580 Sherman Ave., Unit 910, Evanston, IL 60201

Annual Salary: \$150,228

Appointee's Senator: Senator Jeffrey Schoenberg

Senator Muñoz 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 47; NAYS None; Present 1.

The following voted in the affirmative:

Bivins	Haine	Lightford	Rezin
Bomke	Harmon	Link	Righter
Brady	Holmes	Luechtefeld	Risinger
Clayborne	Hutchinson	Maloney	Sandack
Collins	Jacobs	Martinez	Schmidt
Crotty	Johnson, C.	Millner	Steans
Cultra	Johnson, T.	Mulroe	Sullivan
Delgado	Jones, J.	Muñoz	Syverson
Dillard	Koehler	Murphy	Trotter
Forby	Kotowski	Noland	Wilhelmi
Frerichs	Landek	Pankau	Mr. President
Garrett	Lauzen	Radogno	

The following voted present:

Duffy

The motion prevailed.

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

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred the Appointment Message 11, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

To be Director of the Illinois Department of Natural Resources for a term commencing February 7, 2011 and ending January 21, 2013:

Marc Miller  
1608 S. Park Ave., Springfield, IL, 62704

Annual Salary: \$133,273

Appointee's Senator: Senator Larry Bomke

Senator Muñoz 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 47; NAYS None; Present 1.

The following voted in the affirmative:

Bivins	Haine	Lightford	Righter
Bomke	Harmon	Link	Risinger
Brady	Holmes	Luechtefeld	Sandack
Clayborne	Hutchinson	Maloney	Sandoval
Collins	Jacobs	Martinez	Schmidt
Crotty	Johnson, C.	Millner	Steans
Cultra	Johnson, T.	Mulroe	Sullivan
Delgado	Jones, J.	Muñoz	Syverson
Dillard	Koehler	Noland	Trotter
Forby	Kotowski	Pankau	Wilhelmi
Frerichs	Landek	Radogno	Mr. President
Garrett	Lauzen	Rezin	

The following voted present:

Duffy

The motion prevailed.

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

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred the Appointment Message 12, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

To be Director of the Illinois Department of Veterans' Affairs for a term commencing February 7, 2011 and ending January 21, 2013:

Daniel W. Grant  
868 Cherokee Dr., Springfield, IL, 62711

Annual Salary: \$115,613

Appointee's Senator: Senator Larry Bomke

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Senator Muñoz 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 47; NAYS None; Present 1.

The following voted in the affirmative:

Bivins	Haine	Link	Righter
Bomke	Harmon	Luechtefeld	Risinger
Brady	Holmes	Maloney	Sandack
Clayborne	Hutchinson	Martinez	Sandoval
Collins	Johnson, C.	McCann	Schmidt
Crotty	Johnson, T.	Millner	Steans
Cultra	Jones, J.	Mulroe	Sullivan
Delgado	Koehler	Muñoz	Syverson
Dillard	Kotowski	Noland	Trotter
Forby	Landek	Pankau	Wilhelmi
Frerichs	Lauzen	Radogno	Mr. President
Garrett	Lightford	Rezin	

The following voted present:

Duffy

The motion prevailed.

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

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred the Appointment Message 13, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

To be Director of the Illinois Department of Juvenile Justice for a term commencing February 7, 2011 and ending January 21, 2013:

Arthur Bishop  
1836 S. 11th Ave., Maywood, IL, 60153

Annual Salary: \$120,325

Appointee's Senator: Senator Kimberly Lightford

Senator Muñoz 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 47; NAYS None; Present 1.

The following voted in the affirmative:

Bivins	Haine	Link	Righter
Bomke	Harmon	Luechtefeld	Risinger
Brady	Holmes	Maloney	Sandack
Clayborne	Hutchinson	Martinez	Sandoval
Collins	Johnson, C.	McCann	Schmidt
Crotty	Johnson, T.	Millner	Steans
Cultra	Jones, J.	Mulroe	Sullivan
Delgado	Koehler	Muñoz	Syverson
Dillard	Kotowski	Murphy	Trotter
Forby	Landek	Noland	Wilhelmi

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Frerichs Garrett	Lauzen Lightford	Pankau Rezin	Mr. President
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The following voted present:

Duffy

The motion prevailed.

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

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred the Appointment Message 14, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

To be Secretary of the Illinois Department of Financial and Professional Regulation for a term commencing February 7, 2011 and ending January 21, 2013:

Brent E. Adams  
3232 N. Halsted St., D-710, Chicago, IL, 60657

Annual Salary: \$135,100

Appointee's Senator: Senator John Cullerton

Senator Muñoz 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 48; NAYS None; Present 1.

The following voted in the affirmative:

Bivins	Harmon	Maloney	Sandack
Bomke	Holmes	Martinez	Sandoval
Brady	Hutchinson	McCann	Schmidt
Clayborne	Johnson, C.	Millner	Steans
Collins	Johnson, T.	Mulroe	Sullivan
Crotty	Jones, J.	Muñoz	Syverson
Cultra	Koehler	Murphy	Trotter
Delgado	Kotowski	Noland	Wilhelmi
Dillard	Landek	Pankau	Mr. President
Forby	Lauzen	Radogno	
Frerichs	Lightford	Rezin	
Garrett	Link	Righter	
Haine	Luechtefeld	Risinger	

The following voted present:

Duffy

The motion prevailed.

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

Pursuant to Motion in Writing filed on February 16, 2011, Senator Muñoz moved to compile the following Appointment Messages to be acted on together by a single vote of the Senate.

AM's 3, 4, and 5 (University of Illinois Board of Trustees)

and

AM's 15, 16, 17, 18, 19, 20, 21, and 22 (Health Information Exchange Authority).

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The motion prevailed.

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred the Appointment Messages 3, 4, 5, 15, 16, 17, 18, 19, 20, 21 and 22, reported the same back with the recommendation that the Senate advise and consent to the following appointments:

**Appointment Message No. 3**

To be a member of the University of Illinois Board of Trustees for a term commencing January 19, 2011 and ending January 16, 2017:

Ricardo Estrada  
4011 W. Warwick Ave., Chicago, IL 60641

Unsalaries

Appointee's Senator: Senator Iris Y. Martinez

**Appointment Message No. 4**

To be a member of the University of Illinois Board of Trustees for a term commencing January 19, 2011 and ending January 16, 2017:

Patricia Brown Holmes  
6737 S. Bennett Ave., Chicago, IL 60649

Unsalaries

Appointee's Senator: Senator Kwame Raoul

**Appointment Message No. 5**

To be a member of the University of Illinois Board of Trustees for a term commencing January 17, 2011 and ending January 16, 2017:

Karen Hasara  
1919 Montana Dr., Springfield, IL 62704

Unsalaries

Appointee's Senator: Senator Larry K. Bomke

**Appointment Message No. 15**

To be a director of the Illinois Health Information Exchange Authority for a term commencing February 7, 2011 and ending February 7, 2012:

Mark R. Neaman, FACHE  
1085 Ashley Rd., Lake Forest, IL 60045

Unsalaries

Appointee's Senator: Senator Susan Garrett

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**Appointment Message No. 16**

To be a director of the Illinois Health Information Exchange Authority for a term commencing February 7, 2011 and ending February 7, 2012:

Bechara Choucair, M.D.  
1630 W. Winona St., Chicago, IL 60640

Unsalariated

Appointee's Senator: Senator Heather Steans

**Appointment Message No. 17**

To be a director of the Illinois Health Information Exchange Authority for a term commencing February 7, 2011 and ending February 7, 2012:

Robert B. Wellman, M.D.  
1101 Country Lane, Champaign, IL 61821

Unsalariated

Appointee's Senator: Senator Michael Frerichs

**Appointment Message No. 18**

To be a director of the Illinois Health Information Exchange Authority for a term commencing February 7, 2011 and ending February 7, 2013:

David G. Holland, CIO  
113 Jeremy Dr., Carterville, IL, 62918

Unsalariated

Appointee's Senator: Senator Gary Forby

**Appointment Message No. 19**

To be a director of the Illinois Health Information Exchange Authority for a term commencing February 7, 2011 and ending February 7, 2013:

William E. Kobler, M.D.  
6729 Millbrook Dr., Rockford, IL, 61108

Unsalariated

Appointee's Senator: Senator Brad Burzynski

**Appointment Message No. 20**

To be a director of the Illinois Health Information Exchange Authority for a term commencing February 7, 2011 and ending February 7, 2013:

Nicholas E. Panomitros, DDS, MA  
531 Greenleaf Ave., Wilmette, IL, 60091

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Unsalariesd

Appointee's Senator: Senator Jeffrey Schoenberg

**Appointment Message No. 21**

To be a director of the Illinois Health Information Exchange Authority for a term commencing February 7, 2011 and ending February 7, 2014:

Cheryl Rucker-Whitaker, M.D., MPH  
7030 S. Euclid Ave., Chicago, IL, 60649

Unsalariesd

Appointee's Senator: Senator Kwame Raoul

**Appointment Message No. 22**

To be a director of the Illinois Health Information Exchange Authority for a term commencing February 7, 2011 and ending February 7, 2014:

Nancy M. Newby, PhD, FACHE  
570 E. Park Lane, Nashville, IL, 62263

Unsalariesd

Appointee's Senator: Senator David Luechtefeld

Senator Muñoz 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 44; NAY 1; Present 1.

The following voted in the affirmative:

Bivins	Haine	Martinez	Sandack
Bomke	Holmes	McCann	Sandoval
Brady	Johnson, C.	Millner	Schmidt
Clayborne	Johnson, T.	Mulroe	Steans
Collins	Jones, J.	Muñoz	Sullivan
Crotty	Koehler	Murphy	Syverson
Cultra	Kotowski	Noland	Trotter
Delgado	Landek	Pankau	Mr. President
Dillard	Lightford	Radogno	
Forby	Link	Rezin	
Frerichs	Luechtefeld	Righter	
Garrett	Maloney	Risinger	

The following voted in the negative:

Lauzen

The following voted present:

Duffy

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The motion prevailed.

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

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

Senator Harmon, presiding.

### READING BILLS OF THE SENATE A SECOND TIME

On motion of Senator Steans, **Senate Bill No. 24**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Maloney, **Senate Bill No. 1226**, having been printed, was taken up, read by title a second time and ordered to a third reading.

### SENATE BILL TABLED

Senator Maloney moved that **Senate Bill No. 136** be ordered to lie on the table.

The motion to table prevailed.

### READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Forby, **Senate Bill No. 4**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 50; NAYS None.

The following voted in the affirmative:

Bivins	Haine	Luechtefeld	Righter
Bomke	Harmon	Maloney	Risinger
Brady	Holmes	Martinez	Sandack
Clayborne	Hutchinson	McCann	Sandoval
Collins	Johnson, C.	McCarter	Schmidt
Crotty	Johnson, T.	Millner	Steans
Cultra	Jones, J.	Mulroe	Sullivan
Delgado	Koehler	Muñoz	Syverson
Dillard	Kotowski	Murphy	Trotter
Duffy	Landek	Noland	Wilhelmi
Forby	Lauzen	Pankau	Mr. President
Frerichs	Lightford	Radogno	
Garrett	Link	Rezin	

This bill, having received the vote of a constitutional majority 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 and ask their concurrence therein.

On motion of Senator Garrett, **Senate Bill No. 38**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 49; NAYS None.

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The following voted in the affirmative:

Bivins	Haine	Luechtefeld	Risinger
Bomke	Harmon	Maloney	Sandack
Brady	Holmes	Martinez	Sandoval
Clayborne	Hutchinson	McCann	Schmidt
Collins	Johnson, C.	McCarter	Steans
Crotty	Johnson, T.	Millner	Sullivan
Cultra	Jones, J.	Mulroe	Syverson
Delgado	Koehler	Muñoz	Trotter
Dillard	Kotowski	Murphy	Wilhelmi
Duffy	Landek	Noland	Mr. President
Forby	Lauzen	Pankau	
Frerichs	Lightford	Radogno	
Garrett	Link	Rezin	

This bill, having received the vote of a constitutional majority 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 and ask their concurrence therein.

On motion of Senator Kotowski, **Senate Bill No. 107**, having been transcribed and typed and all amendments adopted thereto having been printed, 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 45; NAYS 3.

The following voted in the affirmative:

Bivins	Harmon	Martinez	Sandack
Bomke	Holmes	McCann	Sandoval
Brady	Hutchinson	McCarter	Schmidt
Clayborne	Johnson, C.	Millner	Steans
Collins	Johnson, T.	Mulroe	Sullivan
Crotty	Koehler	Muñoz	Syverson
Delgado	Kotowski	Murphy	Trotter
Dillard	Landek	Noland	Wilhelmi
Forby	Lightford	Pankau	Mr. President
Frerichs	Link	Radogno	
Garrett	Luechtefeld	Rezin	
Haine	Maloney	Righter	

The following voted in the negative:

Cultra  
Duffy  
Lauzen

This bill, having received the vote of a constitutional majority 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 and ask their concurrence therein.

On motion of Senator Frerichs, **Senate Bill No. 154**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 50; NAYS None.

The following voted in the affirmative:

Bivins	Haine	Luechtefeld	Righter
Bomke	Harmon	Maloney	Risinger
Brady	Holmes	Martinez	Sandack
Clayborne	Hutchinson	McCann	Sandoval
Collins	Johnson, C.	McCarter	Schmidt
Crotty	Johnson, T.	Millner	Steans
Cultra	Jones, J.	Mulroe	Sullivan
Delgado	Koehler	Muñoz	Syverson
Dillard	Kotowski	Murphy	Trotter
Duffy	Landek	Noland	Wilhelmi
Forby	Lauzen	Pankau	Mr. President
Frerichs	Lightford	Radogno	
Garrett	Link	Rezin	

This bill, having received the vote of a constitutional majority 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 and ask their concurrence therein.

#### **ANNOUNCEMENT ON ATTENDANCE**

Senator Murphy announced for the record that Senator Althoff was absent.

Senator Murphy asked and obtained unanimous consent for a Republican caucus to begin immediately upon adjournment.

#### **RESOLUTIONS CONSENT CALENDAR**

##### **SENATE RESOLUTION NO. 53**

Offered by Senator Lauzen and all Senators:  
Mourns the death of Barbara Wesby of Aurora.

##### **SENATE RESOLUTION NO. 54**

Offered by Senator McCarter and all Senators:  
Mourns the death of former State Representative and State Senator A.C. “Junie” Bartulis.

##### **SENATE RESOLUTION NO. 55**

Offered by Senator Schmidt and all Senators:  
Mourns the death of Patricia Ann “Pat” Schintgen of Antioch.

##### **SENATE RESOLUTION NO. 57**

Offered by Senator Murphy and all Senators:  
Mourns the death of Jeffrey Drake Butterfield of Palatine.

##### **SENATE RESOLUTION NO. 60**

Offered by Senator Forby and all Senators:  
Mourns the death of Jerry D. Vick of Johnston City.

##### **SENATE RESOLUTION NO. 61**

[February 17, 2011]

Offered by Senator Forby and all Senators:  
Mourns the death of Geraldine M. "Gerry" Maleski of Herrin.

**SENATE RESOLUTION NO. 62**

Offered by Senator Link and all Senators:  
Mourns the death of Sandra J. "Sandy" Connor of Springfield.

**SENATE RESOLUTION NO. 64**

Offered by Senator Mulroe and all Senators:  
Mourns the death of Thomas D. Mahoney of Edison Park.

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

**PRESENTATION OF RESOLUTION**

Senator Clayborne offered the following Senate Joint Resolution and, having asked and obtained unanimous consent to suspend the rules for its immediate consideration, moved its adoption:

**SENATE JOINT RESOLUTION NO. 21**

**RESOLVED, BY THE SENATE OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN,** that when the two Houses adjourn on Thursday, February 17, 2011, the Senate stands adjourned until Wednesday, February 23, 2011, in perfunctory session; and when it adjourns on that day, it stands adjourned until Tuesday, March 01, 2011, at 1:00 o'clock p.m., or until the call of the President; and the House of Representatives stands adjourned until Tuesday, February 22, 2011, at 12:00 o'clock noon, and when it adjourns on that day, it stands adjourned until Wednesday, February 23, 2011, and when it adjourns on that day, it stands adjourned until Thursday, February 24, 2011, and when it adjourns on that day, it stands adjourned until Tuesday, March 01, 2011, or until the call of the Speaker.

The motion prevailed.

And the resolution was adopted.

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

**COMMUNICATION**

**ILLINOIS STATE SENATE  
DON HARMON  
ASSISTANT MAJORITY LEADER  
STATE SENATOR - 39TH DISTRICT**

February 17, 2011

The Honorable Jillayne Rock  
Secretary of the Senate  
Room 403 Capitol Building  
Springfield, IL 62704

Madame Secretary:

The Senate today consented to the appointment by the Governor of the Secretary of the Illinois Department of Transportation ("IDOT") and of members of the Board of Trustees of the University of Illinois.

[February 17, 2011]

Other lawyers in the law firm that employs me provide legal services to IDOT and the University of Illinois. Accordingly, to avoid the appearance of conflict of interest, I abstained from voting on the question of the confirmation of the appointees and I hereby disclose that fact to the Senate.

Sincerely,  
s/Don Harmon  
Don Harmon

At the hour of 12:09 o'clock p.m., pursuant to **Senate Joint Resolution No. 21**, the Chair announced the Senate stand adjourned until Wednesday, February 23, 2011, in perfunctory session.

[February 17, 2011]