



# **SENATE JOURNAL**

**STATE OF ILLINOIS**

**NINETY-SEVENTH GENERAL ASSEMBLY**

**38TH LEGISLATIVE DAY**

**FRIDAY, MAY 6, 2011**

**11:10 O'CLOCK A.M.**

**SENATE**  
**Daily Journal Index**  
**38th Legislative Day**

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The Senate met pursuant to adjournment.  
Senator Jeffrey M. Schoenberg, Evanston, Illinois, presiding.  
Prayer by Pastor Tim Badal, Village Bible Church, Hinckley, Illinois.  
Senator Jacobs led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journal of Thursday, May 5, 2011, be postponed, pending arrival of the printed Journal.  
The motion prevailed.

**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 Assignments:

Committee Amendment No. 1 to Senate Resolution 199

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

Senate Committee Amendment No. 1 to House Bill 1069  
Senate Committee Amendment No. 1 to House Bill 1153  
Senate Committee Amendment No. 1 to House Bill 1195  
Senate Committee Amendment No. 1 to House Bill 1909  
Senate Committee Amendment No. 1 to House Bill 2056  
Senate Committee Amendment No. 1 to House Bill 3033

**MESSAGE FROM THE PRESIDENT**

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

JOHN J. CULLERTON  
SENATE PRESIDENT

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

May 6, 2011

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

Dear Madam Secretary:

Pursuant to Rule 3-5(c), I hereby appoint Senator Don Harmon to temporarily serve as Chairman of the Senate Committee on Assignments. I also appoint Senator Terry Link to temporarily replace Senator James Clayborne as a member of the Senate Committee on Assignments. These appointments will automatically expire upon adjournment of the Senate Committee on Assignments.

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

cc: Senate Minority Leader Christine Radogno

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## REPORTS FROM STANDING COMMITTEES

Senator Silverstein, Chairperson of the Committee on Environment, to which was referred **House Bills Numbered 308, 806, 1093, 1326, 1953, 2001, 2902 and 2903**, reported the same back with the recommendation that the bills do pass.

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

Senator Silverstein, Chairperson of the Committee on Environment, to which was referred **House Bill No. 3620**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

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

Senator Koehler, Chairperson of the Committee on Local Government, to which was referred **House Bills Numbered 177, 179, 1056, 1127, 1303, 1513, 1541, 1563, 1760, 2069, 2101, 2993, 3102, 3152, 3458 and 3550**, reported the same back with the recommendation that the bills do pass.

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

Senator Koehler, Chairperson of the Committee on Local Government, to which was referred **House Bill No. 1359**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

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

Senator Noland, Chairperson of the Committee on Criminal Law, to which was referred **House Bills Numbered 21, 167, 176, 276, 298, 1272, 1929, 2267, 2556, 2590, 3238 and 3273**, reported the same back with the recommendation that the bills do pass.

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

Senator Holmes, Chairperson of the Committee on State Government and Veterans Affairs, to which was referred **House Bills Numbered 93, 332, 350, 464, 1110, 1277, 1316, 1373, 1445, 1537, 1949, 2853, 2875, 2922, 3186, 3275, 3346, 3386 and 3449**, reported the same back with the recommendation that the bills do pass.

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

Senator Haine, Chairperson of the Committee on Insurance, to which was referred **House Bills Numbered 1191, 1287, 1378, 3358, 3405 and 3441**, reported the same back with the recommendation that the bills do pass.

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

Senator Haine, Chairperson of the Committee on Insurance, to which was referred **House Bill No. 1128**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

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

## PRESENTATION OF RESOLUTIONS

### SENATE RESOLUTION NO. 215

Offered by Senator Wilhelmi and all Senators:  
Mourns the death of Brian Christopher Dzurney of Joliet.

### SENATE RESOLUTION NO. 216

Offered by Senator Mulroe and all Senators:  
Mourns the death of Louis J. McKenna of County Derry, Northern Ireland.

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**SENATE RESOLUTION NO. 217**

Offered by Senator Hunter and all Senators:  
Mourns the death of Paul Simmons, Jr.

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

Senator T. Johnson offered the following Senate Resolution, which was referred to the Committee on Assignments:

**SENATE RESOLUTION NO. 218**

WHEREAS, The Midwest Shelter for Homeless Veterans has been established in Illinois as an Illinois not-for-profit corporation and has been designated a 501(c)(3) charitable organization by the U.S. Internal Revenue Service; and

WHEREAS, That organization's mission is to provide transitional services to homeless and disabled veterans of the United States military so that they can return to useful and productive lives; and

WHEREAS, There is an obvious and growing need for such a facility for veterans now returning from the conflicts in Iraq and Afghanistan; and

WHEREAS, The Midwest Shelter for Homeless Veterans has been providing essential services to veterans at its location in Wheaton, Illinois since January of 2007; and

WHEREAS, The members of the Illinois Senate recognize that the State has a responsibility to its homeless and disabled citizens who have served, and will be serving, in the United States military services; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the Illinois Department of Veterans' Affairs to continue to provide technical and financial services to the Midwest Shelter for Homeless Veterans so that the shelter may continue to provide essential services to homeless veterans of the United States military; and be it further

RESOLVED, That a suitable copy of this resolution be delivered to the Director of the Illinois Department of Veterans' Affairs.

**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, to-wit:

SENATE BILL NO. 1357

A bill for AN ACT concerning safety.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 1357

Passed the House, as amended, May 5, 2011.

MARK MAHONEY, Clerk of the House

**AMENDMENT NO. 1 TO SENATE BILL 1357**

AMENDMENT NO. 1. Amend Senate Bill 1357 on page 6, by replacing lines 17 through 22 with

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"subdivision (a)(7.5) of this Section. Successful"; and

on page 23, line 19, by replacing "\$3,000" with "\$2,000".

Under the rules, the foregoing **Senate Bill No. 1357**, with House Amendment No. 1, was referred to the Secretary's Desk.

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, to-wit:

SENATE BILL NO. 1602

A bill for AN ACT concerning regulation.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 1602

Passed the House, as amended, May 5, 2011.

MARK MAHONEY, Clerk of the House

**AMENDMENT NO. 1 TO SENATE BILL 1602**

AMENDMENT NO. 1. Amend Senate Bill 1602 as follows:

on page 1, line 5, by replacing "4, 16, 16.1, 17, 18, and 50" with "4, 9, 16, 16.1, 17, 18, 19, and 50"; and

on page 4, immediately below line 26, by inserting the following:

"(225 ILCS 25/9) (from Ch. 111, par. 2309)

(Section scheduled to be repealed on January 1, 2016)

Sec. 9. Qualifications of Applicants for Dental Licenses. The Department shall require that each applicant for a license to practice dentistry shall:

(a) (Blank).

(b) Be at least 21 years of age and of good moral character.

(c) (1) Present satisfactory evidence of completion of dental education by graduation from a dental college or school in the United States or Canada approved by the Department. The Department shall not approve any dental college or school which does not require at least (A) 60 semester hours of collegiate credit or the equivalent in acceptable subjects from a college or university before admission, and (B) completion of at least 4 academic years of instruction or the equivalent in an approved dental college or school that is accredited by the Commission on Dental Accreditation of the American Dental Association; or

(2) Present satisfactory evidence of completion of dental education by graduation from a dental college or school outside the United States or Canada and provide satisfactory evidence that:

(A) (blank);

(B) the applicant has completed a minimum of 2 academic years of general dental clinical training at a dental college or school in the United States or Canada approved by the Department, however, an accredited advanced dental education program approved by the Department of no less than 2 years may be substituted for the 2 academic years of general dental clinical training and an applicant who was enrolled for not less than one year in an approved clinical program prior to January 1, 1993 at an Illinois dental college or school shall be required to complete only that program; and

(C) the applicant has received certification from the dean of an approved dental college or school in the United States or Canada or the program director of an approved advanced dental education program stating that the applicant has achieved the same level of scientific knowledge and clinical competence as required of all graduates of the college, school, or advanced dental education program.

Nothing in this Act shall be construed to prevent either the Department or any dental college or school from establishing higher standards than specified in this Act.

(d) (Blank).

(e) Present satisfactory evidence that the applicant has passed both parts of the National Board Dental Examination administered by the Joint Commission on National Dental

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Examinations and has successfully completed an examination conducted by one of the following regional testing services: the Central Regional Dental Testing Service, Inc. (CRDTS), the Southern Regional Testing Agency, Inc. (SRTA), the Western Regional Examining Board (WREB), or the North East Regional Board (NERB) , or the Council of Interstate Testing Agencies (CITA). For purposes of this Section, successful completion shall mean that the applicant has achieved a minimum passing score as determined by the applicable regional testing service. The Secretary of the Department may suspend a regional testing service under this subsection (e) if, after proper notice and hearing, it is established that (i) the integrity of the examination has been breached so as to make future test results unreliable or (ii) the test is fundamentally deficient in testing clinical competency.

In determining professional capacity under this Section, any individual who has not been actively engaged in the practice of dentistry, has not been a dental student, or has not been engaged in a formal program of dental education during the 5 years immediately preceding the filing of an application may be required to complete such additional testing, training, or remedial education as the Board may deem necessary in order to establish the applicant's present capacity to practice dentistry with reasonable judgment, skill, and safety.

(Source: P.A. 96-14, eff. 6-19-09; 96-1000, eff. 7-2-10; 96-1222, eff. 7-23-10.); and

on page 20, immediately below line 2, by inserting the following:

"(225 ILCS 25/19) (from Ch. 111, par. 2319)

(Section scheduled to be repealed on January 1, 2016)

Sec. 19. Licensing Applicants from other States. Any person who has been lawfully licensed to practice dentistry, including the practice of a licensed dental specialty, or dental hygiene in another state or territory which has and maintains a standard for the practice of dentistry, a dental specialty, or dental hygiene at least equal to that now maintained in this State, or if the requirements for licensure in such state or territory in which the applicant was licensed were, at the date of his licensure, substantially equivalent to the requirements then in force in this State, and who has been lawfully engaged in the practice of dentistry or dental hygiene for at least 3 of the 5 years immediately preceding the filing of his or her application to practice in this State and who shall deposit with the Department a duly attested certificate from the Board of the state or territory in which he or she is licensed, certifying to the fact of his or her licensing and of his or her being a person of good moral character may, upon payment of the required fee, be granted a license to practice dentistry, a dental specialty, or dental hygiene in this State, as the case may be.

For the purposes of this Section, "substantially equivalent" means that the applicant has presented evidence of completion and graduation from an American Dental Association accredited dental college or school in the United States or Canada, presented evidence that the applicant has passed both parts of the National Board Dental Examination, and successfully completed an examination conducted by a regional testing service. In ~~in~~ computing 3 of the immediately preceding 5 years of practice in another state or territory, any person who left the practice of dentistry to enter the military service and who practiced dentistry while in the military service may count as a part of such period the time spent by him in such service.

Applicants have 3 years from the date of application to complete the application process. If the process has not been completed in 3 years, the application shall be denied, the fee forfeited and the applicant must reapply and meet the requirements in effect at the time of reapplication.

(Source: P.A. 94-409, eff. 12-31-05)."

Under the rules, the foregoing **Senate Bill No. 1602**, with House Amendment No. 1, was referred to the Secretary's Desk.

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 bills of the following titles, to-wit:

SENATE BILL NO. 1336

A bill for AN ACT concerning State government.

SENATE BILL NO. 1360

A bill for AN ACT concerning transportation.

SENATE BILL NO. 1372

A bill for AN ACT concerning civil law.

SENATE BILL NO. 1379

A bill for AN ACT concerning safety.

SENATE BILL NO. 1585

A bill for AN ACT concerning transportation.

Passed the House, May 5, 2011.

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 bills of the following titles, to-wit:

SENATE BILL NO. 1589

A bill for AN ACT concerning criminal law.

SENATE BILL NO. 1612

A bill for AN ACT concerning public aid.

SENATE BILL NO. 1643

A bill for AN ACT concerning education.

SENATE BILL NO. 1668

A bill for AN ACT concerning liquor.

SENATE BILL NO. 1739

A bill for AN ACT concerning criminal law.

Passed the House, May 5, 2011.

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 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. 219

A bill for AN ACT concerning transportation.

HOUSE BILL NO. 1041

A bill for AN ACT concerning employment.

HOUSE BILL NO. 1958

A bill for AN ACT concerning corrections.

HOUSE BILL NO. 3039

A bill for AN ACT concerning insurance.

Passed the House, May 5, 2011.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 219, 1041, 1958 and 3039** 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 a bill of the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 2987

A bill for AN ACT concerning finance.

Passed the House, May 5, 2011.

MARK MAHONEY, Clerk of the House

The foregoing **House Bill No. 2987** was taken up, ordered printed and placed on first reading.

A message from the House by

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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. 24**

WHEREAS, Public transit is essential for the overall economic health and prosperity of the Chicagoland area; and

WHEREAS, Mass transit is an integral, essential part of the strengths that make the Northeastern Illinois region world-class; and

WHEREAS, Many people rely on the services provided by the Regional Transportation Authority, Chicago Transit Authority, Suburban Bus Division, and Commuter Rail Division (Authority and Service Boards) to get them safely and efficiently to their desired destinations; and

WHEREAS, Mass transit should continue to play a central role in our communities by:

- (1) strengthening neighborhoods, government and community services, and business districts and supporting civic events by making them more accessible;
- (2) providing a viable alternative to the automobile for residents who cannot or choose not to drive an automobile;
- (3) reducing traffic congestion, energy consumption, and automobile emissions;
- (4) reducing the need to create additional parking facilities; and
- (5) supporting the independence of the elderly and people with disabilities; and

WHEREAS, Mass transit is essential to creating and sustaining a strong job market; for every dollar invested in public transit, local economies receive \$8 in economic activity; and

WHEREAS, The Authority is the third largest public transportation system in North America and provides more than 2 million rides a day; the services provided by the Authority cover 7,200 route miles in a 6-county region with a population of approximately 8,000,000 people; the combined assets of the Authority are valued at more than \$36 billion and include 5,640 bus and rail cars and 650 vanpool vehicles; and

WHEREAS, The Authority and Service Boards must work cohesively to modernize and maintain the transit system in order to produce a more efficient, convenient, and consumer-friendly transit system; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the House of Representatives' Mass Transit Committee and the Senate's Transportation Committee hold at least one joint hearing no earlier than July 1, 2011 and no later than December 1, 2011 to take testimony from the Authority and the Service Boards concerning the following goals:

- (1) ensure that the Authority and the Service Boards have a strategic capital plan that focuses on reducing overall operating expenditures;
- (2) harness the Authority's and Service Boards' purchasing power to achieve cost savings and improved efficiency wherever possible;
- (3) create a plan to maximize the use of the transit system;
- (4) improve the experience of customers;
- (5) increase the coordination among the Service Boards; and
- (6) create a unified marketing, outreach, and government affairs approach for the Authority and the Service Boards; and be it further

RESOLVED, That prior to the first joint meeting of the committees, the Authority, in conjunction with the Service Boards, must submit a report to the committees setting forth its goals and accomplishments concerning the creation of a more modern and efficient mass transit system; the report must be submitted by no later than July 1, 2011; and be it further

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RESOLVED, That the Authority provide administrative and other support to the committees; and be it further

RESOLVED, That on or before December 31, 2011, the committees must jointly report to the General Assembly their findings concerning the creation of a more modern and efficient mass transit system; and be it further

RESOLVED, That the requirement for reporting to the General Assembly shall be satisfied by filing copies of the report with the Speaker, the Minority Leader, and the Clerk of the House of Representatives, the President, the Minority Leader, and the Secretary of the Senate, and the Legislative Research Unit, as required by Section 3.1 of the General Assembly Organization Act, and filing additional copies with the State Government Report Distribution Center for the General Assembly as required under paragraph (t) of Section 7 of the State Library Act.

Adopted by the House, May 3, 2011.

MARK MAHONEY, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 24 was referred to the Committee on Assignments.

#### **READING BILLS FROM THE HOUSE OF REPRESENTATIVE A FIRST TIME**

**House Bill No. 1041**, sponsored by Senator Sullivan, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 1220**, sponsored by Senator Sandack, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 1589**, sponsored by Senator Jacobs, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 1958**, sponsored by Senator Hutchinson, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 2582**, sponsored by Senator Dillard, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 2987**, sponsored by Senator Hutchinson, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 3039**, sponsored by Senator Jacobs, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 3241**, sponsored by Senator McCarter, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 3276**, sponsored by Senator Lauzen, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 3308**, sponsored by Senator Lauzen, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 3315**, sponsored by Senator Lightford, was taken up, read by title a first time and referred to the Committee on Assignments.

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**House Bill No. 3366**, sponsored by Senator Dillard, was taken up, read by title a first time and referred to the Committee on Assignments.

#### **READING BILLS FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME**

On motion of Senator Rezin, **House Bill No. 6** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Pankau, **House Bill No. 12** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Link, **House Bill No. 91** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Trotter, **House Bill No. 106** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Haine, **House Bill No. 141** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator J. Collins, **House Bill No. 159** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Frerichs, **House Bill No. 166** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Link, **House Bill No. 178** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sullivan, **House Bill No. 189** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Murphy, **House Bill No. 234** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Holmes, **House Bill No. 236** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **House Bill No. 363** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **House Bill No. 585** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Althoff, **House Bill No. 991** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Frerichs, **House Bill No. 1077** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Steans, **House Bill No. 1096** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Holmes, **House Bill No. 1112** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Link, **House Bill No. 1125** was taken up, read by title a second time and ordered to a third reading.

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On motion of Senator Link, **House Bill No. 1130** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Haine, **House Bill No. 1151** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Crotty, **House Bill No. 1152** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Martinez, **House Bill No. 1209** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Mulroe, **House Bill No. 1222** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Wilhelmi, **House Bill No. 1255** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Noland, **House Bill No. 1259** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Noland, **House Bill No. 1260** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Martinez, **House Bill No. 1279** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sullivan, **House Bill No. 1291** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sullivan, **House Bill No. 1295** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Trotter, **House Bill No. 1379** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sandoval, **House Bill No. 1394** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Trotter, **House Bill No. 1425** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Maloney, **House Bill No. 1458** having been printed, was taken up and read by title a second time.

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

**AMENDMENT NO. 1 TO HOUSE BILL 1458**

AMENDMENT NO. 1. Amend House Bill 1458 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Power Agency Act is amended by changing Section 1-10 as follows:

(20 ILCS 3855/1-10)

Sec. 1-10. Definitions.

"Agency" means the Illinois Power Agency.

"Agency loan agreement" means any agreement pursuant to which the Illinois Finance Authority agrees to loan the proceeds of revenue bonds issued with respect to a project to the Agency upon terms providing for loan repayment installments at least sufficient to pay when due all principal of, interest and premium, if any, on those revenue bonds, and providing for maintenance, insurance, and other matters in

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respect of the project.

"Authority" means the Illinois Finance Authority.

"Clean coal facility" means an electric generating facility that uses primarily coal as a feedstock and that captures and sequesters carbon emissions at the following levels: at least 50% of the total carbon emissions that the facility would otherwise emit if, at the time construction commences, the facility is scheduled to commence operation before 2016, at least 70% of the total carbon emissions that the facility would otherwise emit if, at the time construction commences, the facility is scheduled to commence operation during 2016 or 2017, and at least 90% of the total carbon emissions that the facility would otherwise emit if, at the time construction commences, the facility is scheduled to commence operation after 2017. The power block of the clean coal facility shall not exceed allowable emission rates for sulfur dioxide, nitrogen oxides, carbon monoxide, particulates and mercury for a natural gas-fired combined-cycle facility the same size as and in the same location as the clean coal facility at the time the clean coal facility obtains an approved air permit. All coal used by a clean coal facility shall have high volatile bituminous rank and greater than 1.7 pounds of sulfur per million btu content, unless the clean coal facility does not use gasification technology and was operating as a conventional coal-fired electric generating facility on June 1, 2009 (the effective date of Public Act 95-1027).

"Clean coal SNG facility" means a facility that uses a gasification process to produce substitute natural gas, that sequesters at least 90% of the total carbon emissions that the facility would otherwise emit and that uses petroleum coke or coal as a feedstock, with all such coal having a high bituminous rank and greater than 1.7 pounds of sulfur per million btu content.

"Commission" means the Illinois Commerce Commission.

"Costs incurred in connection with the development and construction of a facility" means:

(1) the cost of acquisition of all real property and improvements in connection therewith and equipment and other property, rights, and easements acquired that are deemed necessary for the operation and maintenance of the facility;

(2) financing costs with respect to bonds, notes, and other evidences of indebtedness of the Agency;

(3) all origination, commitment, utilization, facility, placement, underwriting, syndication, credit enhancement, and rating agency fees;

(4) engineering, design, procurement, consulting, legal, accounting, title insurance, survey, appraisal, escrow, trustee, collateral agency, interest rate hedging, interest rate swap, capitalized interest and other financing costs, and other expenses for professional services; and

(5) the costs of plans, specifications, site study and investigation, installation, surveys, other Agency costs and estimates of costs, and other expenses necessary or incidental to determining the feasibility of any project, together with such other expenses as may be necessary or incidental to the financing, insuring, acquisition, and construction of a specific project and placing that project in operation.

"Department" means the Department of Commerce and Economic Opportunity.

"Director" means the Director of the Illinois Power Agency.

"Demand-response" means measures that decrease peak electricity demand or shift demand from peak to off-peak periods.

"Energy efficiency" means measures that reduce the amount of electricity or natural gas required to achieve a given end use.

"Electric utility" has the same definition as found in Section 16-102 of the Public Utilities Act.

"Facility" means an electric generating unit or a co-generating unit that produces electricity along with related equipment necessary to connect the facility to an electric transmission or distribution system.

"Governmental aggregator" means one or more units of local government that individually or collectively procure electricity to serve residential retail electrical loads located within its or their jurisdiction.

"Local government" means a unit of local government as defined in Article VII of Section 1 of the Illinois Constitution.

"Municipality" means a city, village, or incorporated town.

"Person" means any natural person, firm, partnership, corporation, either domestic or foreign, company, association, limited liability company, joint stock company, or association and includes any trustee, receiver, assignee, or personal representative thereof.

"Project" means the planning, bidding, and construction of a facility.

"Public utility" has the same definition as found in Section 3-105 of the Public Utilities Act.

"Real property" means any interest in land together with all structures, fixtures, and improvements thereon, including lands under water and riparian rights, any easements, covenants, licenses, leases,

rights-of-way, uses, and other interests, together with any liens, judgments, mortgages, or other claims or security interests related to real property.

"Renewable energy credit" means a tradable credit that represents the environmental attributes of a certain amount of energy produced from a renewable energy resource.

"Renewable energy resources" includes energy and its associated renewable energy credit or renewable energy credits from wind, solar thermal energy, photovoltaic cells and panels, biodiesel, anaerobic digestion, crops and untreated and unadulterated organic waste biomass, tree waste, hydropower that does not involve new construction or significant expansion of hydropower dams, and other alternative sources of environmentally preferable energy. For purposes of this Act, landfill gas produced in the State is considered a renewable energy resource. "Renewable energy resources" does not include the incineration or burning of tires, garbage, general household, institutional, and commercial waste, industrial lunchroom or office waste, landscape waste other than tree waste, railroad crossties, utility poles, or construction or demolition debris, other than untreated and unadulterated waste wood.

"Revenue bond" means any bond, note, or other evidence of indebtedness issued by the Authority, the principal and interest of which is payable solely from revenues or income derived from any project or activity of the Agency.

"Sequester" means permanent storage of carbon dioxide by injecting it into a saline aquifer, a depleted gas reservoir, or an oil reservoir, directly or through an enhanced oil recovery process that may involve intermediate storage in a salt dome.

"Servicing agreement" means (i) in the case of an electric utility, an agreement between the owner of a clean coal facility and such electric utility, which agreement shall have terms and conditions meeting the requirements of paragraph (3) of subsection (d) of Section 1-75, and (ii) in the case of an alternative retail electric supplier, an agreement between the owner of a clean coal facility and such alternative retail electric supplier, which agreement shall have terms and conditions meeting the requirements of Section 16-115(d)(5) of the Public Utilities Act.

"Substitute natural gas" or "SNG" means a gas manufactured by gasification of hydrocarbon feedstock, which is substantially interchangeable in use and distribution with conventional natural gas.

"Total resource cost test" or "TRC test" means a standard that is met if, for an investment in energy efficiency or demand-response measures, the benefit-cost ratio is greater than one. The benefit-cost ratio is the ratio of the net present value of the total benefits of the program to the net present value of the total costs as calculated over the lifetime of the measures. A total resource cost test compares the sum of avoided electric utility costs, representing the benefits that accrue to the system and the participant in the delivery of those efficiency measures, as well as other quantifiable societal benefits, including avoided natural gas utility costs, to the sum of all incremental costs of end-use measures that are implemented due to the program (including both utility and participant contributions), plus costs to administer, deliver, and evaluate each demand-side program, to quantify the net savings obtained by substituting the demand-side program for supply resources. In calculating avoided costs of power and energy that an electric utility would otherwise have had to acquire, reasonable estimates shall be included of financial costs likely to be imposed by future regulations and legislation on emissions of greenhouse gases.

(Source: P.A. 95-481, eff. 8-28-07; 95-913, eff. 1-1-09; 95-1027, eff. 6-1-09; 96-33, eff. 7-10-09; 96-159, eff. 8-10-09; 96-784, eff. 8-28-09; 96-1000, eff. 7-2-10.)

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

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

On motion of Senator Frerichs, **House Bill No. 1485** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **House Bill No. 1486** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Brady, **House Bill No. 1491** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Maloney, **House Bill No. 1503** was taken up, read by title a second time and ordered to a third reading.

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On motion of Senator Althoff, **House Bill No. 1524** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Althoff, **House Bill No. 1527** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Haine, **House Bill No. 1542** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Link, **House Bill No. 1553** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator J. Collins, **House Bill No. 1560** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Link, **House Bill No. 1593** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Mulroe, **House Bill No. 1651** having been printed, was taken up and read by title a second time.

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

**AMENDMENT NO. 1 TO HOUSE BILL 1651**

AMENDMENT NO. 1. Amend House Bill 1651 as follows:

on page 5, by deleting lines 6 through 13; and

on page 10, line 17, after "5-7," by inserting "6-2,"; and

on page 22, immediately below line 11, by inserting the following:

"(205 ILCS 105/6-2) (from Ch. 17, par. 3306-2)

Sec. 6-2. Procedure to amend articles of incorporation. The procedure to effect an amendment of articles of incorporation shall be as follows:

(a) The board of directors shall adopt a resolution setting forth the proposed amendment and directing that it be submitted to a vote at a meeting of the members, which may be an annual or a special meeting;

(b) The proposed amendment, or a summary of the changes to be effective thereby, shall be set forth in the notice of meeting mailed as prescribed in the Section of this Act concerning Members' Meetings;

(c) The proposed amendment will be adopted upon receiving, in the affirmative, 50% or more of the total number of votes which all members of the association are entitled to cast unless the articles of incorporation set forth, pursuant to Section 2-8 of this Act, a requirement that amendments to the articles of incorporation shall be adopted upon receiving, in the affirmative, two-thirds or more of the total number of votes that all members of the association are entitled to cast; provided that an amendment effecting a retirement of all permanent reserve capital must receive the vote specified in the Section of this Act concerning Retirement or Reduction of Permanent Reserve Capital. A report of proceedings, verified by the president or a vice-president and attested by the secretary of the association and setting forth the notice given and time of mailing thereof, the amendment adopted, the vote thereon and the total number of votes which all members of the association were entitled to cast thereon, shall be filed promptly with the Commissioner;

(d) Each adopted amendment shall be subject to the same inquiry by the Commissioner as the corresponding provision in original articles of incorporation, including (but not limited to) the availability of a proposed new name of the association. If the Commissioner approves an amendment, he shall issue to the association a certificate setting forth the amendment and his approval thereof. The amendment shall become effective when such certificate is recorded in the same manner as the association's articles of incorporation; and

(e) No amendment of articles of incorporation shall affect any existing cause of action either in favor of or against the association or any pending action in which the association shall be a party or the existing rights of persons other than members of the association; and if the amendment has changed the name of the association, no action brought by or against the association under its former name shall be

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abated for that reason.  
(Source: P.A. 89-355, eff. 8-17-95.); and

on page 79, line 7, by replacing "Secretary", with "secretary of the savings bank ~~Secretary~~".

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

On motion of Senator Steans, **House Bill No. 1662** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator A. Collins, **House Bill No. 1686** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Wilhelmi, **House Bill No. 1699** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Noland, **House Bill No. 1706** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Wilhelmi, **House Bill No. 1761** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Brady, **House Bill No. 1852** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Holmes, **House Bill No. 1876** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Cultra, **House Bill No. 1877** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Garrett, **House Bill No. 1889** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Schmidt, **House Bill No. 1956** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sandoval, **House Bill No. 1966** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Haine, **House Bill No. 1985** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **House Bill No. 2023** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hunter, **House Bill No. 2048** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Frerichs, **House Bill No. 2066** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Noland, **House Bill No. 2084** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Haine, **House Bill No. 2093** was taken up, read by title a second time and ordered to a third reading.

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On motion of Senator Wilhelmi, **House Bill No. 2099** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Lightford, **House Bill No. 2401** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator J. Jones, **House Bill No. 2500** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Althoff, **House Bill No. 2777** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Rezin, **House Bill No. 2861** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator J. Collins, **House Bill No. 2874** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Haine, **House Bill No. 2936** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Wilhelmi, **House Bill No. 2976** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator J. Jones, **House Bill No. 3019** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Noland, **House Bill No. 3027** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Haine, **House Bill No. 3035** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **House Bill No. 3036** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **House Bill No. 3037** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **House Bill No. 3038** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Koehler, **House Bill No. 3050** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Martinez, **House Bill No. 3109** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Maloney, **House Bill No. 3115** having been printed, was taken up and read by title a second time.

The following amendments were offered in the Committee on Education, adopted and ordered printed:

**AMENDMENT NO. 1 TO HOUSE BILL 3115**

AMENDMENT NO. 1. Amend House Bill 3115 as follows:

on page 2, line 9, by replacing "secular" with "selected"; and

on page 2, line 10, after "textbooks.", by inserting "The textbooks authorized to be purchased under this

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Section are limited without exception to textbooks that have been preapproved and designated by the State Board of Education for use in any public school and that are secular, non-religious, and non-sectarian. The State Board of Education shall annually publish a list of the textbooks authorized to be purchased under this Section."; and

on page 2, line 18, after "Section", by inserting "and to ensure the religious neutrality of the textbook block grant program, as well as provide for the monitoring of all textbooks authorized in this Section to be purchased directly by State-recognized, nonpublic schools serving students in grades kindergarten through 12".

#### AMENDMENT NO. 2 TO HOUSE BILL 3115

AMENDMENT NO. 2. Amend House Bill 3115 on page 2, by replacing lines 14 through 16 with the following:

"State Board of Education utilizing the total appropriation made for these purposes divided by the most current student enrollment data available."

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

#### MOTION IN WRITING

Senator Murphy submitted the following Motion in Writing:

I moved to suspend Senate Rule 7-9 and that the Senate Committee on Assignments be discharged from further consideration of Floor Amendment #1 to Senate Bill 1405 and that it be approved for consideration.

5/4/11  
DATE

s/Matt Murphy  
SENATOR

The foregoing Motion in Writing was filed with the Secretary and pursuant to Senate Rule 7-4(1), referred to the Committee on Assignments

#### ANNOUNCEMENT ON ATTENDANCE

Senator Murphy announced for the record that Senator Millner was absent due to illness in the family.

#### READING BILLS FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Righter, **House Bill No. 3139** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Maloney, **House Bill No. 3171** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator J. Jones, **House Bill No. 3178** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator J. Jones, **House Bill No. 3179** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **House Bill No. 3184** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Garrett, **House Bill No. 3207** was taken up, read by title a second time and ordered to a third reading.

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On motion of Senator T. Johnson, **House Bill No. 3222** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Pankau, **House Bill No. 3255** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Jones, E. III, **House Bill No. 3281** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Jones, E. III, **House Bill No. 3360** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Althoff, **House Bill No. 3377** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Wilhelmi, **House Bill No. 3403** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Luechtefeld, **House Bill No. 3464** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Holmes, **House Bill No. 3468** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator J. Jones, **House Bill No. 3489** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator A. Collins, **House Bill No. 139** was taken up, read by title 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 73, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

#### **Appointment Message No. 73**

Title of Office: Director

Agency or Other Body: Department of Commerce and Economic Opportunity

Start Date: April 25, 2011

End Date: January 21, 2013

Name: Warren C. Ribley

Residence: 8 Pajim Lane, Springfield, IL 62711

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Annual Compensation: \$142,339

Per diem: Not Applicable

Nominee's Senator: Senator Larry K. Bomke

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

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:

Althoff	Haine	Landek	Rezin
Bivins	Harmon	Lightford	Righter
Bomke	Holmes	Link	Sandack
Brady	Hunter	Luechtefeld	Sandoval
Collins, A.	Hutchinson	Maloney	Schmidt
Collins, J.	Jacobs	Martinez	Schoenberg
Crotty	Johnson, C.	Mulroe	Steans
Cultra	Johnson, T.	Muñoz	Trotter
Dillard	Jones, E.	Murphy	Wilhelmi
Forby	Jones, J.	Noland	Mr. President
Frerichs	Koehler	Pankau	
Garrett	Kotowski	Raoul	

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 74, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

**Appointment Message No. 74**

Title of Office: Director

Agency or Other Body: Illinois Department of Corrections

Start Date: May 2, 2011

End Date: January 21, 2013

Name: Salvador A. Godinez

Residence: 12144 Venetian Way, Orland Park, IL 60467

Annual Compensation: \$150,228

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Per diem: Not Applicable

Nominee's Senator: Senator Christine Radogno

Most Recent Holder of Office: Michael Randle

Superseded Appointment Message: Not Applicable

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 50; NAYS None.

The following voted in the affirmative:

Althoff	Haine	Lightford	Rezin
Bivins	Harmon	Link	Righter
Bomke	Hunter	Luechtefeld	Sandack
Brady	Hutchinson	Maloney	Sandoval
Collins, A.	Jacobs	Martinez	Schmidt
Collins, J.	Johnson, C.	McCann	Schoenberg
Crotty	Johnson, T.	McCarter	Steans
Cultra	Jones, E.	Mulroe	Syverson
Dillard	Jones, J.	Muñoz	Trotter
Duffy	Koehler	Murphy	Wilhelmi
Forby	Kotowski	Noland	Mr. President
Frerichs	LaHood	Pankau	
Garrett	Landek	Raoul	

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 75, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

**Appointment Message No. 75**

Title of Office: Director

Agency or Other Body: Division of Professional Regulation, Department of Financial and Professional Regulation

Start Date: April 26, 2011

End Date: January 21, 2013

Name: Jay Stewart

Residence: 2624 West Wilson Ave., Chicago, IL 60625

Annual Compensation: \$124,090

Per diem: Not Applicable

Nominee's Senator: Senator John J. Cullerton

Most Recent Holder of Office: Daniel E. Bluthardt

[May 6, 2011]

Superseded Appointment Message: Not Applicable

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 2.

The following voted in the affirmative:

Althoff	Harmon	Lightford	Righter
Bivins	Holmes	Link	Sandack
Bomke	Hunter	Luechtefeld	Sandoval
Brady	Hutchinson	Maloney	Schmidt
Collins, A.	Jacobs	Martinez	Schoenberg
Collins, J.	Johnson, C.	McCann	Steans
Crotty	Johnson, T.	Mulroe	Syverson
Cultra	Jones, E.	Muñoz	Trotter
Dillard	Jones, J.	Murphy	Wilhelmi
Forby	Koehler	Noland	Mr. President
Frerichs	Kotowski	Pankau	
Garrett	LaHood	Raoul	
Haine	Landek	Rezin	

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 76, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

**Appointment Message No. 76**

Title of Office: Assistant Director

Agency or Other Body: Department of Healthcare and Family Services

Start Date: April 25, 2011

End Date: January 21, 2013

Name: Sharron D. Matthews

Residence: 4106 W. 216th St., Matteson, IL 60443

Annual Compensation: \$121,090

Per diem: Not Applicable

Nominee's Senator: Senator M. Maggie Crotty

Most Recent Holder of Office: Reappointment

[May 6, 2011]

Superseded Appointment Message: Not Applicable

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; NAY 1; Present 1.

The following voted in the affirmative:

Althoff	Harmon	Lightford	Righter
Bivins	Holmes	Link	Sandack
Bomke	Hunter	Luechtefeld	Sandoval
Brady	Hutchinson	Maloney	Schmidt
Collins, A.	Jacobs	Martinez	Schoenberg
Collins, J.	Johnson, C.	McCann	Steans
Crotty	Johnson, T.	Mulroe	Trotter
Cultra	Jones, E.	Muñoz	Wilhelmi
Dillard	Jones, J.	Murphy	Mr. President
Forby	Koehler	Noland	
Frerichs	Kotowski	Pankau	
Garrett	LaHood	Raoul	
Haine	Landek	Rezin	

The following voted in the negative:

Duffy

The following voted present:

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 77, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

**Appointment Message No. 77**

Title of Office: Assistant Secretary of Operations

Agency or Other Body: Department of Human Services

Start Date: April 25, 2011

End Date: January 21, 2013

Name: Matthew Z. Hammoudeh

Residence: 1035 W. Huron, Unit 603, Chicago, IL 60642

Annual Compensation: \$127,739

Per diem: Not Applicable

Nominee's Senator: Senator Annazette R. Collins

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Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

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 2.

The following voted in the affirmative:

Althoff	Harmon	Lightford	Righter
Bivins	Holmes	Link	Sandack
Bomke	Hunter	Luechtefeld	Sandoval
Brady	Hutchinson	Maloney	Schmidt
Collins, A.	Jacobs	Martinez	Schoenberg
Collins, J.	Johnson, C.	McCann	Steans
Crotty	Johnson, T.	Mulroe	Syverson
Cultra	Jones, E.	Muñoz	Trotter
Dillard	Jones, J.	Murphy	Wilhelmi
Forby	Koehler	Noland	Mr. President
Frerichs	Kotowski	Pankau	
Garrett	LaHood	Raoul	
Haine	Landek	Rezin	

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 78, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

**Appointment Message No. 78**

Title of Office: Assistant Director

Agency or Other Body: Department of Natural Resources

Start Date: April 25, 2011

End Date: January 21, 2013

Name: John D. Rogner

Residence: 14N449 McCormack Road, Elgin, IL 62563

Annual Compensation: \$124,560

Per diem: Not Applicable

Nominee's Senator: Senator Chris Lauzen

Most Recent Holder of Office: Reappointment

[May 6, 2011]

Superseded Appointment Message: Not Applicable

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 2.

The following voted in the affirmative:

Althoff	Harmon	Lauzen	Rezin
Bivins	Holmes	Lightford	Righter
Bomke	Hunter	Link	Sandack
Brady	Hutchinson	Luechtefeld	Sandoval
Collins, A.	Jacobs	Maloney	Schmidt
Collins, J.	Johnson, C.	Martinez	Schoenberg
Crotty	Johnson, T.	McCann	Syverson
Cultra	Jones, E.	Mulroe	Trotter
Dillard	Jones, J.	Muñoz	Wilhelmi
Forby	Koehler	Murphy	Mr. President
Frerichs	Kotowski	Noland	
Garrett	LaHood	Pankau	
Haine	Landek	Raoul	

The following voted present:

Duffy  
McCarter

The motion prevailed.  
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

### CONSIDERATION OF MOTION IN WRITING

Pursuant to Motion in Writing filed on May 5, 2011, Senator Muñoz moved to consider Appointment Messages Numbered 57, 60 and 69 on a single roll call.

The motion prevailed.

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred the Appointment Messages 57, 60 and 69, reported the same back with the recommendation that the Senate advise and consent to the following appointments:

#### **Appointment Message No. 57**

Title of Office: Chairman

Agency or Other Body: Capital Development Board

Start Date: March 28, 2011

End Date: January 19, 2015

Name: Anthony R. Licata

Residence: 176 Sheridan Rd., Highland Park, IL 60035

Annual Compensation: Expenses

[May 6, 2011]

Per diem: Not Applicable

Nominee's Senator: Senator Susan Garrett

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

**Appointment Message No. 60**

Title of Office: Member

Agency or Other Body: Personnel Review Board, Office of the Treasurer

Start Date: March 31, 2011

End Date: March 31, 2017

Name: Dr. Andrea Barthwell

Residence: 815 Lathrop Avenue, River Forest, IL 60305

Annual Compensation: Unsalariated

Per diem: Travel and Other Official Expenses only

Nominee's Senator: Senator Kimberly A. Lightford

Most Recent Holder of Office: Dr. Andrea Barthwell (Reappointment)

Superseded Appointment Message: Not Applicable

**Appointment Message No. 69**

Title of Office: Member

Agency or Other Body: Personnel Review Board, Office of the Treasurer

Start Date: April 6, 2011

End Date: April 6, 2017

Name: Elba Aranda-Suh

Residence: 9844 Gladys Lane, Palos Hills, IL 60465

Annual Compensation: Unsalariated

Per diem: Travel and Other Official Expenses only

Nominee's Senator: Senator Edward D. Maloney

Most Recent Holder of Office: Benjamin Ghess

Superseded Appointment Message: Not Applicable

[May 6, 2011]

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 49; NAYS None; Present 3.

The following voted in the affirmative:

Althoff	Haine	Lauzen	Rezin
Bivins	Harmon	Lightford	Righter
Bomke	Holmes	Link	Sandack
Brady	Hunter	Luechtefeld	Sandoval
Collins, A.	Hutchinson	Maloney	Schmidt
Collins, J.	Jacobs	Martinez	Schoenberg
Crotty	Johnson, T.	McCann	Steans
Cultra	Jones, E.	Mulroe	Trotter
Dillard	Jones, J.	Muñoz	Wilhelmi
Duffy	Koehler	Murphy	Mr. President
Forby	Kotowski	Noland	
Frerichs	LaHood	Pankau	
Garrett	Landek	Raoul	

The following voted present:

Johnson, C.  
McCarter  
Sylverson

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 Schoenberg, presiding.

### 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 passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

#### HOUSE BILL NO. 929

A bill for AN ACT concerning criminal law.

Passed the House, May 6, 2011.

MARK MAHONEY, Clerk of the House

The foregoing **House Bill No. 929** was taken up, ordered printed and placed on first reading.

### READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

**House Bill No. 700**, sponsored by Senator Hunter, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 929**, sponsored by Senators Muñoz - Martinez and Delgado, was taken up, read by title a first time and referred to the Committee on Assignments.

[May 6, 2011]

**House Bill No. 1937**, sponsored by Senator A. Collins, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 219**, sponsored by Senator Cullerton, was taken up, read by title a first time and referred to the Committee on Assignments.

At the hour of 12:30 o'clock p.m., the Chair announced that the Senate stand at ease.

**AT EASE**

At the hour of 12:43 o'clock p.m. the Senate resumed consideration of business.  
Senator Schoenberg, presiding.

**REPORT FROM COMMITTEE ON ASSIGNMENTS**

Senator Harmon, Chairperson of the Committee on Assignments, during its May 6, 2011 meeting, reported the following House Bills have been assigned to the indicated Standing Committees of the Senate:

Commerce: **House Bill No. 3034.**

Criminal Law: **House Bills Numbered 1928, 2581 and 3522.**

Education: **House Bill No. 3223.**

Local Government: **House Bills Numbered 2550 and 2820.**

Senator Harmon, Chairperson of the Committee on Assignments, during its May 6, 2011 meeting, reported the following Resolutions have been assigned to the indicated Standing Committees of the Senate:

Education: **Senate Resolution No. 214.**

Transportation: **House Joint Resolution No. 27.**

Senator Harmon, Chairperson of the Committee on Assignments, during its May 6, 2011 meeting, reported that the Committee recommends that **House Bill No. 1571** be re-referred from the Committee on Education to the Committee on Public Health.

**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. 33**

**RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN**, that when the two Houses adjourn on Friday, May 06, 2011, the House of Representatives stands adjourned until Tuesday, May 10, 2011 at 12:00 o'clock noon, or until the call of the Speaker; and

[May 6, 2011]

the Senate stands adjourned until Monday, May 09, 2011, in perfunctory session; and when it adjourns on that day, it stands adjourned until Tuesday, May 10, 2011, or until the call of the President.

Adopted by the House, May 6, 2011.

MARK MAHONEY, Clerk of the House

By unanimous consent, on motion of Senator Hunter, the foregoing message reporting House Joint Resolution No. 33 was taken up for immediate consideration.

Senator Hunter moved that the Senate concur with the House in the adoption of the resolution.

The motion prevailed.

And the Senate concurred with the House in the adoption of the resolution.

Ordered that the Secretary inform the House of Representatives thereof.

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 bills of the following titles, to-wit:

SENATE BILL NO. 1344

A bill for AN ACT concerning government.

SENATE BILL NO. 1669

A bill for AN ACT concerning transportation.

SENATE BILL NO. 1742

A bill for AN ACT concerning education.

SENATE BILL NO. 1744

A bill for AN ACT concerning education.

SENATE BILL NO. 1754

A bill for AN ACT concerning criminal law.

Passed the House, May 6, 2011.

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 bills of the following titles, to-wit:

SENATE BILL NO. 1805

A bill for AN ACT concerning public health.

SENATE BILL NO. 1828

A bill for AN ACT concerning orders of protection.

SENATE BILL NO. 1833

A bill for AN ACT concerning health.

SENATE BILL NO. 1877

A bill for AN ACT concerning civil law.

SENATE BILL NO. 1894

A bill for AN ACT concerning health facilities.

Passed the House, May 6, 2011.

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 bills of the following titles, to-wit:

SENATE BILL NO. 1913

A bill for AN ACT concerning transportation.

SENATE BILL NO. 1924

A bill for AN ACT concerning the Secretary of State.

[May 6, 2011]

SENATE BILL NO. 1929

A bill for AN ACT concerning safety.  
Passed the House, May 6, 2011.

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 bills of the following titles, to-wit:

SENATE BILL NO. 1950

A bill for AN ACT concerning children.

SENATE BILL NO. 2027

A bill for AN ACT concerning criminal law.

SENATE BILL NO. 2083

A bill for AN ACT concerning business.

SENATE BILL NO. 2143

A bill for AN ACT concerning education.

Passed the House, May 6, 2011.

MARK MAHONEY, Clerk of the House

At the hour of 12:46 o'clock p.m., pursuant to **House Joint Resolution No. 33**, the Chair announced the Senate stand adjourned until Monday, May 9, 2011, in perfunctory session.