



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-SEVENTH GENERAL ASSEMBLY

34TH LEGISLATIVE DAY

Perfunctory Session

WEDNESDAY, APRIL 27, 2011

3:53 O'CLOCK P.M.

SENATE
Daily Journal Index
34th Legislative Day

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HB 3129	First Reading	8
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The Senate met pursuant to adjournment.
Pursuant to Senate Rule 2-5(c)2, the Secretary of the Senate conducted the perfunctory session.
Silent prayer was observed.

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

April 27, 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 John Cullerton to temporarily replace Senator James Clayborne as chairman of the Senate Committee on Assignments. I also appoint Senator John Sullivan to temporarily replace Senator Don Harmon 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

COMMUNICATIONS FROM THE MINORITY LEADER

**CHRISTINE RADOGNO
SENATE REPUBLICAN LEADER · 41st DISTRICT**

April 27, 2011

Ms. Jillayne Rock
Secretary of the Senate
403 Capitol Building
Springfield, Illinois 62706

Dear Madam Secretary:

Pursuant to Senate Rule 3-2(c), I am temporarily appointing Senator Larry Bomke to replace Senator Kirk Dillard as Minority Spokesperson of the Committee on Assignments.

This appointment is effective immediately and shall expire at the adjournment of the Committee on Assignments on April 27, 2011.

Sincerely,
s/Christine Radogno

[April 27, 2011]

Christine Radogno
Senate Republican Leader

cc: Senate President John Cullerton
Assistant Secretary of the Senate Scott Kaiser

CHRISTINE RADOGNO
SENATE REPUBLICAN LEADER · 41st DISTRICT

April 27, 2011

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

Dear Madam Secretary:

Pursuant to Rule 3-2(c), I am making the following temporary appointments to the Senate Redistricting Committee.

Senator Tim Bivins shall replace Senator Dan Duffy

These appointments shall become **effective** on **Wednesday, April 27th** and shall **expire** at **6:00pm on Thursday, April 28th**.

Sincerely,
s/Christine Radogno
Christine Radogno
Senate Republican Leader

cc: Senate President John Cullerton
Assistant Secretary of the Senate Scott Kaiser

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 181

Offered by Senator Millner and all Senators:
Mourns the death of Officer Thomas Gesiorski.

SENATE RESOLUTION NO. 182

Offered by Senator Millner and all Senators:
Mourns the death of Corporal Cesar Velazquez.

SENATE RESOLUTION NO. 183

Offered by Senator Millner and all Senators:
Mourns the death of Officer Casey Tristano.

SENATE RESOLUTION NO. 184

Offered by Senator Millner and all Senators:
Mourns the death of Officer Thor Odin Soderberg.

SENATE RESOLUTION NO. 185

Offered by Senator Millner and all Senators:
Mourns the death of Senior Parole Agent Ellane Aimiuwu.

SENATE RESOLUTION NO. 186

Offered by Senator Millner and all Senators:

[April 27, 2011]

Mourns the death of Officer Frank Dannenberg.

SENATE RESOLUTION NO. 187

Offered by Senator Millner and all Senators:
Mourns the death of Officer Harold Kegler.

SENATE RESOLUTION NO. 188

Offered by Senator Millner and all Senators:
Mourns the death of Officer Frank Nye.

SENATE RESOLUTION NO. 189

Offered by Senator Millner and all Senators:
Mourns the death of Chief William Thomas Bauer.

SENATE RESOLUTION NO. 190

Offered by Senator Millner and all Senators:
Mourns the death of Officer Michael Ray Bailey, Sr.

SENATE RESOLUTION NO. 191

Offered by Senator Millner and all Senators:
Mourns the death of Officer Thomas E. Wortham IV.

SENATE RESOLUTION NO. 192

Offered by Senator Millner and all Senators:
Mourns the death of Officer John G. Sweitz.

SENATE RESOLUTION NO. 193

Offered by Senator Millner and all Senators:
Mourns the death of Officer Dwayne Parks.

SENATE RESOLUTION NO. 194

Offered by Senator Millner and all Senators:
Mourns the death of Officer George Bruckert.

SENATE RESOLUTION NO. 195

Offered by Senator Millner and all Senators:
Mourns the death of Sergeant Alan J. Haymaker.

SENATE RESOLUTION NO. 196

Offered by Senator Millner and all Senators:
Mourns the death of Correctional Officer Tracey Cooper.

SENATE RESOLUTION NO. 197

Offered by Senator Millner and all Senators:
Mourns the death of Officer Jeremy John Hubbard.

SENATE RESOLUTION NO. 198

Offered by Senator Millner and all Senators:
Mourns the death of Officer Michael Ronald Flisk.

SENATE RESOLUTION NO. 200

Offered by Senator Lauzen and all Senators:
Mourns the death of Frank R. Ardelean of Aurora.

SENATE RESOLUTION NO. 201

Offered by Senator Schoenberg and all Senators:
Mourns the death of Carl Myrent of Wilmette.

SENATE RESOLUTION NO. 202

Offered by Senator Schoenberg and all Senators:
Mourns the death of Fred Bondy of Wilmette.

SENATE RESOLUTION NO. 203

Offered by Senator Murphy and all Senators:
Mourns the death of Nancy Ellison of Crystal Lake.

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

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

SENATE RESOLUTION NO. 199

WHEREAS, Small business growth is at the heart of any economic recovery as most new jobs are created by small businesses; and

WHEREAS, Minority-owned and women-owned small businesses (M/WBEs) are particularly important drivers of job growth for African-Americans and Latinos who experience disproportionately high unemployment rates; and

WHEREAS, It has long been a strategic objective of the State of Illinois to support the development of minority-owned and women-owned businesses through the M/WBE programs for State procurement, particularly in construction; and

WHEREAS, During the recent credit crunch, one of the single largest barriers to growth for women-owned and minority-owned construction businesses has been bonding requirements and the very stringent financial terms imposed upon M/WBE businesses by the bonding companies; and

WHEREAS, It is not uncommon for a bonding company to require a construction company to deposit half the amount of the total value of a construction contract in an escrow account in order for the bonding company to sell to the construction company a performance bond for the project; and

WHEREAS, As M/WBE construction firms tend not to be heavily capitalized, the rates charged to the M/WBE firms by the bonding companies tend to be far higher than the rates charged to large legacy firms; and

WHEREAS, The purpose of a bond requirement is to financially reimburse the State in the event of default by the construction company, not to suppress competition or enrich bond companies; and

WHEREAS, There may be more efficient alternative methods to protect the State from any financial loss in the event of lack of performance by M/WBE firms on a construction project; and

WHEREAS, The members of the Federation of Women Contractors, the Hispanic American Construction Industry Association, and the Illinois Black Chamber of Commerce believe that the current state of the bond market and the bond requirements are among very significant impediments to growth; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the Department of Commerce and Economic Opportunity consider whether a surety program successfully administered years ago be resurrected in order to provide a financial guarantee to bonding companies for projects conducted by M/WBE firms in order to lower the costs to M/WBE firms and increase their access to capital; and be it further

RESOLVED, That the Department of Insurance, which regulates bond issuing companies, consider
[April 27, 2011]

how it can help identify and encourage bond companies to participate in a program for M/WBE construction firms; and be it further

RESOLVED, That the Department of Transportation and the Capital Development Board review their bonding requirements for M/WBE participants in light of the actual number of defaults by M/WBE companies over the last 5 years to determine whether the bonding requirements are more stringent than necessary to protect against risk; and be it further

RESOLVED, That the Department of Commerce and Economic Opportunity, the Department of Insurance, the Department of Transportation, and the Capital Development Board report to the General Assembly with recommendations to reform bonding requirements for M/WBE firms in public construction projects by January 15, 2012.

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

SENATE RESOLUTION NO. 204

WHEREAS, Children's interstitial lung disease includes a group of rare life-threatening lung diseases in children that may lead to progressive, incurable lung scarring or life-long lung problems; and

WHEREAS, Certain children's interstitial lung diseases can progress quickly, often causing disability or death within first two years of life; and

WHEREAS, Children's interstitial lung diseases are one of the leading causes of lung transplantation in children, due to scarring and an irreversible loss of the lung tissue's ability to transport oxygen; and

WHEREAS, Children's interstitial lung disease is not the same as adult interstitial lung disease; and

WHEREAS, Children's interstitial lung diseases are caused by poorly understood genetic abnormalities that affect families, infection, bleeding in the lungs, autoimmune diseases, or abnormal lung development; and

WHEREAS, Children's interstitial lung diseases are often mis-diagnosed or under-diagnosed; and

WHEREAS, There is no proven cure or treatment for children's interstitial lung diseases; and

WHEREAS, Limited funding is available for these rare lung problems in children; and

WHEREAS, A need has been identified to increase research funding, awareness, and detection of these mis-diagnosed and under-diagnosed disorders, as well as all incarnations of children's interstitial lung disease; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we recognize the need to pursue research into the causes, a treatment, and an eventual cure for children's interstitial lung disease; and be it further

RESOLVED, That we support the work of advocates and organizations in educating, supporting, and providing hope for individuals who suffer from children's interstitial lung disease; and be it further

RESOLVED, That we congratulate advocates and organizations for their efforts to educate the public about children's interstitial lung disease, while funding research to help find a cure for this disorder; and be it further

RESOLVED, That we designate the first week of May as Children's Interstitial Lung Disease Awareness Week in the State of Illinois.

[April 27, 2011]

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 785, sponsored by Senator Mulroe, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 1153, sponsored by Senator Wilhelmi, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 1297, sponsored by Senator Clayborne, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 1521, sponsored by Senator Crotty, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 1717, sponsored by Senator Harmon, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 1730, sponsored by Senator Hutchinson, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2167, sponsored by Senator Steans, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2595, sponsored by Senator J. Collins, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2955, sponsored by Senator Hutchinson, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2956, sponsored by Senator Martinez, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3129, sponsored by Senator Wilhelmi, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3172, sponsored by Senator J. Jones, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3274, sponsored by Senator McCann, was taken up, read by title a first time and referred to the Committee on Assignments.

APPOINTMENT MESSAGES

Appointment Message No. 73

To the Honorable Members of the Senate, Ninety-Seventh General Assembly:

I, Pat Quinn, Governor, am nominating and, by and with the advice and consent of the Senate, appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

Title of Office: Director

Agency or Other Body: Department of Commerce and Economic Opportunity

Start Date: April 25, 2011

[April 27, 2011]

End Date: January 21, 2013

Name: Warren C. Ribley

Residence: 8 Pajim Lane, Springfield, IL 62711

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

Appointment Message No. 74

To the Honorable Members of the Senate, Ninety-Seventh General Assembly:

I, Pat Quinn, Governor, am nominating and, by and with the advice and consent of the Senate, appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

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

Per diem: Not Applicable

Nominee's Senator: Senator Christine Radogno

Most Recent Holder of Office: Michael Randle

Superseded Appointment Message: Not Applicable

Appointment Message No. 75

To the Honorable Members of the Senate, Ninety-Seventh General Assembly:

I, Pat Quinn, Governor, am nominating and, by and with the advice and consent of the Senate, appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

Title of Office: Director

[April 27, 2011]

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

Superseded Appointment Message: Not Applicable

Appointment Message No. 76

To the Honorable Members of the Senate, Ninety-Seventh General Assembly:

I, Pat Quinn, Governor, am nominating and, by and with the advice and consent of the Senate, appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

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

Superseded Appointment Message: Not Applicable

Appointment Message No. 77

To the Honorable Members of the Senate, Ninety-Seventh General Assembly:

I, Pat Quinn, Governor, am nominating and, by and with the advice and consent of the Senate,
[April 27, 2011]

appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

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

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

Appointment Message No. 78

To the Honorable Members of the Senate, Ninety-Seventh General Assembly:

I, Pat Quinn, Governor, am nominating and, by and with the advice and consent of the Senate, appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

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 McCornack Road, Elgin, IL 62563

Annual Compensation: \$124,560

Per diem: Not Applicable

Nominee's Senator: Senator Chris Lauzen

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

Under the rules, the foregoing Appointment Messages were referred to the Committee on Assignments.

[April 27, 2011]

At the hour of 3:59 o'clock p.m., the Chair announced that the Senate stand at recess subject to the call of the Chair.

AFTER RECESS

At the hour of 4:22 o'clock p.m., the Senate resumed consideration of business.
The Secretary of the Senate, presiding.

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Cullerton, Chairperson of the Committee on Assignments, during its April 27, 2011 meeting, reported the following House Bills have been assigned to the indicated Standing Committees of the Senate:

Agriculture and Conservation: **House Bills Numbered 1163, 1170, 1657 and 1683.**

Commerce: **House Bill No. 1224.**

Criminal Law: **House Bills Numbered 21, 167, 196, 276, 277, 295 and 1554.**

Education: **House Bills Numbered 12, 78, 139, 189, 200, 287, 1197, 1216 and 1415.**

Energy: **House Bills Numbered 1260 and 1458.**

Environment: **House Bill No. 1326.**

Executive: **House Bills Numbered 79, 111, 197, 267, 268, 1101, 1192, 1375, 1404, 1491, 1528 and 1686.**

Executive Appointments: **Appointment Messages Numbered 73, 74, 75, 76, 77 and 78.**

Financial Institutions: **House Bill No. 1560.**

Higher Education: **House Bills Numbered 166, 1079 and 1503.**

Human Services: **House Bills Numbered 91, 106, 275, 1259, 1425, 1485, 1488, 1524 and 1591.**

Insurance: **House Bills Numbered 1128, 1378 and 1577.**

Judiciary: **House Bills Numbered 141, 178, 1233, 1255, 1553, 1604, 1698 and 1699.**

Labor: **House Bills Numbered 297 and 1427.**

Licensed Activities: **House Bills Numbered 220, 274, 1125, 1279 and 1494.**

Local Government: **House Bills Numbered 177, 179, 242, 1127, 1303, 1324, 1339, 1359, 1541, 1563 and 1605.**

Pensions and Investments: **House Bills Numbered 144 and 1471.**

Public Health: **House Bills Numbered 103, 143, 204, 279, 299, 1095, 1096, 1338, 1391, 1463, 1489, 1514, 1531, 1562, 1658 and 1663.**

Revenue: **House Bills Numbered 234, 1215, 1486, 1518 and 1527.**

State Government and Veterans Affairs: **House Bills Numbered 93, 237, 464, 1100, 1156, 1277, 1298, 1316, 1445, 1484, 1537 and 1547.**

[April 27, 2011]

Transportation: **House Bills Numbered 147, 173, 236, 1112, 1151, 1222, 1256, 1315, 1377, 1573 and 1593.**

Senator Cullerton, Chairperson of the Committee on Assignments, during its April 27, 2011 meeting, reported the following House Bills have been assigned to the indicated Standing Committees of the Senate:

Agriculture and Conservation: **House Bills Numbered 6, 1724, 2094, 2804, 2861, 3019 and 3178.**

Appropriations II: **House Bill No. 326.**

Commerce: **House Bills Numbered 2073, 3091, 3289, 3406, 3414 and 3513.**

Criminal Law: **House Bills Numbered 176, 180, 263, 298, 1237, 1241, 1253, 1254, 1272, 1307, 1748, 1929, 2053, 2267, 2556, 2590, 2935, 3033, 3238, 3273, 3300, 3365, 3408 and 3431.**

Education: **House Bills Numbered 190, 1706, 2086, 2397, 2401, 2870, 3022, 3027, 3035, 3109, 3115, 3171, 3179, 3222, 3281, 3440, 3464 and 3489.**

Energy: **House Bills Numbered 230, 1368, 1487, 1703, 1865, 3036, 3037, 3038 and 3182.**

Environment: **House Bills Numbered 308, 806, 1093, 1953, 2001, 2056, 2902, 2903, 3371 and 3620.**

Executive: **House Bills Numbered 309, 390, 1091, 1193, 1291, 1293, 1353, 1444, 1542, 1716, 1825, 1852, 1857, 1960, 2009, 3096, 3103, 3131, 3158, 3184, 3329, 3342, 3377, 3450, 3459 and 3611.**

Financial Institutions: **House Bills Numbered 159, 1651, 3050 and 3257.**

Higher Education: **House Bills Numbered 1710, 1876, 1957, 2051 and 3220.**

Human Services: **House Bills Numbered 286, 653, 1077, 1152, 1426, 1470, 1552, 1656, 1659, 1662, 1707, 2019, 2020, 2043, 2084, 2093, 2099, 2936, 2976, 2982, 3010, 3207 and 3468.**

Insurance: **House Bills Numbered 224, 1129, 1191, 1267, 1284, 1287, 1870, 2249, 3236, 3358, 3405, 3441 and 3462.**

Judiciary: **House Bills Numbered 19, 186, 192, 991, 1209, 1379, 1549, 1712, 1909, 1948, 1985, 2048, 2066, 2362, 2558, 3005, 3012, 3025, 3041, 3478 and 3636.**

Labor: **House Bills Numbered 1709, 2927, 3237, 3314 and 3360.**

Licensed Activities: **House Bills Numbered 711, 1394, 1398, 1490, 1702, 1723, 1877, 1973, 2023, 2777 and 3255.**

Local Government: **House Bills Numbered 1056, 1218, 1513, 1576, 1760, 1981, 2069, 2101, 2554, 2555, 2974, 2993, 3102, 3152, 3372, 3425, 3458 and 3550.**

Pensions and Investments: **House Bills Numbered 1719, 1872, 1956, 3076, 3253, 3332, 3334, 3376 and 3591.**

Public Health: **House Bills Numbered 161, 1130, 1162, 1380, 1534, 1600, 1684, 1708, 1888, 3090, 3134 and 3155.**

Revenue: **House Bills Numbered 212, 363, 1355, 1645, 1866, 1882, 1883, 1926, 2313, 2500 and 2991.**

[April 27, 2011]

State Government and Veterans Affairs: **House Bills Numbered 332, 350, 1110, 1195, 1373, 1949, 2095, 2853, 2875, 2922, 3186, 3188, 3275, 3346, 3386 and 3449.**

Transportation: **House Bills Numbered 585, 880, 1295, 1385, 1462, 1761, 1884, 1889, 1966, 2265, 2270, 2836, 2842, 2874, 2937, 2938, 3047, 3139, 3256, 3331, 3403 and 3597.**

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 concurred with the Senate in the adoption of the following joint resolution, to-wit:

SENATE JOINT RESOLUTION NO. 27

Concurred in by the House, April 27, 2011.

MARK MAHONEY, Clerk of the House

At the hour of 4:33 o'clock p.m., pursuant to **House Joint Resolution No. 30**, the Chair announced the Senate stand adjourned until Tuesday, May 3, 2011, at 10:00 o'clock a.m.