

# **SENATE JOURNAL**

# STATE OF ILLINOIS

# NINETY-SEVENTH GENERAL ASSEMBLY

## **75TH LEGISLATIVE DAY**

**Perfunctory Session** 

### **TUESDAY, JANUARY 24, 2012**

### 2:42 O'CLOCK P.M.

NO. 75 [January 24, 2012]

#### SENATE Daily Journal Index 75th Legislative Day

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SJRCA 0041	Constitutional Amendment	
SR 0530	Committee on Assignments	7

The Senate met pursuant to the directive of the President. Pursuant to Senate Rule 2-5(c)2, the Secretary of the Senate conducted the perfunctory session. Silent prayer was observed.

#### MESSAGES FROM THE PRESIDENT

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

JOHN J. CULLERTON SENATE PRESIDENT 327 STATE CAPITOL SPRINGFIELD, IL 62706 217-782-2728

January 24, 2012

Ms. Jillayne Rock Secretary of the Senate Room 403 State House Springfield, IL 62706

Dear Madam Secretary:

Pursuant to Rule 2-10, I am scheduling a Senate Perfunctory Session to convene on Tuesday, January 24, 2012.

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

cc: Senate Minority Leader Christine Radogno

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

JOHN J. CULLERTON SENATE PRESIDENT 327 STATE CAPITOL SPRINGFIELD, IL 62706 217-782-2728

January 24, 2012

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 replace Senator James Clayborne as Chairman of the Senate Committee on Assignments. In addition, I hereby appoint Senator Tony Munoz to replace Senator James Clayborne as a member of the Senate Committee on Assignments and Senator Donne Trotter to temporarily replace Senator Kimberly Lightford as a member of the Senate Committee on Assignments. These appointment 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

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

JOHN J. CULLERTON SENATE PRESIDENT 327 STATE CAPITOL SPRINGFIELD, IL 62706 217-782-2728

January 23, 2012

Ms. Jillayne Rock Secretary of the Senate Room 403, State House Springfield, IL 62706

Dear Madam Secretary:

Pursuant to Senate Rule 3-3, the Senate of the  $97^{th}$  General Assembly adopted SR118 on March 31, 2011 creating the Senate Committee on Procurement. On May 30, 2011, the Senate adopted SR261 which increases the number of members appointed by the Senate President and the Minority Leader of the Senate to five (5) each, rather than three (3) each.

Please be advised that I have appointed the following Senators, effective immediately:

Senator Don Harmon (Co-Chair) Senator Michael Frerichs Senator Toi Hutchinson Senator Anthony Muñoz Senator Jeffrey Schoenberg

If you have any questions, please contact my Chief of Staff, David Gross, at 217.782.3920.

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

cc: Governor Patrick Quinn Senate Republican Leader Christine Radogno House Speaker Michael Madigan House Republican Leader Tom Cross Secretary of State - Index Division Legislative Research Unit Legislative Reference Bureau Clerk of the House

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

JOHN J. CULLERTON SENATE PRESIDENT 327 STATE CAPITOL SPRINGFIELD, IL 62706 217-782-2728

January 19, 2012

Ms. Jillayne Rock

Secretary of the Senate Room 403 State House Springfield, IL 62706

Dear Madam Secretary:

Pursuant to Rule 2-10, I am cancelling the Senate Session scheduled Thursday, February 2, 2012.

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

cc: Senate Minority Leader Christine Radogno

#### MESSAGE FROM THE GOVERNOR

OFFICE OF THE GOVERNOR 207 STATE HOUSE SPRINGFIELD, ILLINOIS 62706

PAT QUINN GOVERNOR

January 23, 2012

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

Mr. President,

CORRECTION: (Message Number ADDED)

On October 14, 2011, Appointment Message 209 nominating Jeffery Tobin to be a member of the Arbitrators for the Illinois Worker's Compensation Commission was delivered to you Honorable Body. As of the date of this letter, is it my understanding that the Senate has not taken action on this nomination.

Please be advised that, the Appointment Message, for which concurrence in and confirmation of your Honorable Body was sought, is hereby withdrawn, effective immediately.

Sincerely, s/Pat Quinn Pat Quinn GOVERNOR

#### **REPORTS RECEIVED**

The Secretary placed before the Senate the following reports:

Report #10 Pursuant to the Taxpayer Accountability and Budget Stabilization Act, January 19, 2012, submitted by the Office of the Auditor General.

Personal Information Protection Act Report, submitted by the Department of Human Services.

DJJ Quarterly Report, January 1, 2012, submitted by the Department of Juvenile Justice.

2010 Suicide Prevention Report, August 2011, submitted by the Department of Public Health.

2011 Hispanic Employment Plan Survey and 2011 African American Employment Plan Survey, submitted by the Office of the Treasurer.

FY 2012 Home Delivered Meals Report, submitted by the Department on Aging.

Illinois Public Retirement Systems, a Report on the Financial Condition of the Chicago, Cook County and Illinois Municipal Retirement Fund Systems of Illinois, submitted by the Commission on Government Forecasting and Accountability.

FY 2011 Career and Technical Education Report, submitted by the Illinois State Board of Education.

Private Business and Vocational Schools School Visitation and Complaint Report, submitted by the Illinois State Board of Education.

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

#### PRESENTATION OF RESOLUTIONS

#### **SENATE RESOLUTION NO. 517**

Offered by Senator Haine and all Senators: Mourns the death of Henry Borella Bollini.

#### **SENATE RESOLUTION NO. 518**

Offered by Senator Haine and all Senators: Mourns the death of Kristen Barnhart.

#### **SENATE RESOLUTION NO. 519**

Offered by Senator Hunter and all Senators: Mourns the death of Elizabeth Hall of Chicago.

#### **SENATE RESOLUTION NO. 520**

Offered by Senator Dillard and all Senators: Mourns the death of Charles S. "Chuck" Morgan of Hinsdale.

#### **SENATE RESOLUTION NO. 521**

Offered by Senator Dillard and all Senators: Mourns the death of John M. Wulfers.

#### **SENATE RESOLUTION NO. 522**

Offered by Senator Dillard and all Senators: Mourns the death of Jack Wallace Lawton.

#### **SENATE RESOLUTION NO. 523**

Offered by Senator Murphy and all Senators: Mourns the death of Gwendolyn Rockingham of North Chicago.

#### **SENATE RESOLUTION NO. 524**

Offered by Senator Forby and all Senators: Mourns the death of William Joseph McGhee of West Frankfort.

#### **SENATE RESOLUTION NO. 525**

Offered by Senator Forby and all Senators: Mourns the death of Gary Wayne Rich of West Frankfort.

#### **SENATE RESOLUTION NO. 526**

Offered by Senator Forby and all Senators:

Mourns the death of Sue Ramsey of Mulkeytown.

#### **SENATE RESOLUTION NO. 527**

Offered by Senator Forby and all Senators: Mourns the death of Mona L. Williams of Benton.

#### **SENATE RESOLUTION NO. 528**

Offered by Senator Forby and all Senators: Mourns the death of Norman Kirkpatrick of Christopher.

#### **SENATE RESOLUTION NO. 529**

Offered by Senator LaHood and all Senators: Mourns the death of Allen W. Vaughn of East Galesburg.

At the direction of the Secretary, the foregoing resolutions were referred to the Resolutions Consent Calendar.

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

#### **SENATE RESOLUTION NO. 530**

WHEREAS, The federal farm bill impacts all Illinoisans; agriculture represents a vital part of both rural and urban economies; and

WHEREAS, There is growing consumer demand from Illinois citizens for locally and regionallyproduced farm and food products; and

WHEREAS, There is growing farmer and entrepreneur interest in meeting the consumer demand for local and regional farm and food products; and

WHEREAS, Local and regional food economies are a vital source of employment in our communities; and

WHEREAS, Supporting public health and protecting our environment are essential to the viability and livability of our communities and our economy; and

WHEREAS, Communities throughout Illinois face multiple health, social, and environmental issues connected to food, including hunger, malnutrition, increasing incidences of obesity, heart disease, type 2 diabetes, and other chronic diseases; and

WHEREAS, Increased access to healthy food is an important tool for communities to address the multifaceted health, social, and environmental issues connected to food; and

WHEREAS, Access to healthy food is increased when local and regional community-based food production, processing, aggregation, distribution, and retail work together to build markets for healthy food; and

WHEREAS, The policies, programs, and funding included in the 2012 Farm Bill will affect how successful Illinois communities can be in developing local and regional food systems that advance the goals of environmental sustainability, economic development, public health, racial and social justice, and emergency preparedness; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge Congress to adopt a farm bill that supports and promotes the development of local and regional food systems; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the members of the Illinois congressional delegation.

Senator Sandack offered the following Senate Joint Resolution, which was ordered printed and referred to the Committee on Assignments:

#### SENATE JOINT RESOLUTION NO. 41 CONSTITUTIONAL AMENDMENT

SC0041

RESOLVED, BY THE SENATE OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend the Illinois Constitution by adding Section 2.5 to Article IV as follows:

#### ARTICLE IV

#### THE LEGISLATURE

SECTION 2.5. TERM LIMITS

No person may hold the office of State Senator or State Representative, or a combination of those offices, for more than 10 consecutive years.

#### SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act.

#### **INTRODUCTION OF BILLS**

SENATE BILL NO. 2822. Introduced by Senator LaHood, a bill for AN ACT concerning land.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2823. Introduced by Senator Luechtefeld, a bill for AN ACT concerning education.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2824. Introduced by Senator Holmes, a bill for AN ACT concerning State government.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2825. Introduced by Senator Brady, a bill for AN ACT concerning transportation.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2826. Introduced by Senator Luechtefeld, a bill for AN ACT concerning transportation.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2827. Introduced by Senator Jones, E. III, a bill for AN ACT concerning State government.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2828. Introduced by Senator Jones, E. III, a bill for AN ACT concerning education.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

**SENATE BILL NO. 2829.** Introduced by Senator Jones, E. III, a bill for AN ACT concerning prepaid debit cards.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2830. Introduced by Senator Jones, E. III, a bill for AN ACT concerning State government.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2831. Introduced by Senator A. Collins, a bill for AN ACT concerning State government.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2832. Introduced by Senator A. Collins, a bill for AN ACT concerning transportation.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2833. Introduced by Senator Luechtefeld, a bill for AN ACT concerning revenue.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2834. Introduced by Senator Koehler, a bill for AN ACT concerning public aid.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2835. Introduced by Senator Jacobs, a bill for AN ACT concerning correctional officers.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2836. Introduced by Senator Koehler, a bill for AN ACT concerning local government.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2837. Introduced by Senator Althoff, a bill for AN ACT concerning the Secretary of State.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2838. Introduced by Senator Koehler, a bill for AN ACT concerning local government.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2839. Introduced by Senator Mulroe, a bill for AN ACT concerning transportation.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2840. Introduced by Senator Mulroe, a bill for AN ACT concerning public aid. The bill was taken up, read by title a first time, ordered printed and referred to the Committee on

Assignments.

SENATE BILL NO. 2841. Introduced by Senator Garrett, a bill for AN ACT concerning transportation.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2842. Introduced by Senator Garrett, a bill for AN ACT concerning transportation.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2843. Introduced by Senator Althoff, a bill for AN ACT concerning transportation.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2844. Introduced by Senator Wilhelmi, a bill for AN ACT concerning corrections.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2845. Introduced by Senator Koehler, a bill for AN ACT concerning local government.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2846. Introduced by Senator Hutchinson, a bill for AN ACT concerning finance.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2847. Introduced by Senator Steans, a bill for AN ACT concerning employment.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2848. Introduced by Senator Steans, a bill for AN ACT concerning civil law.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2849. Introduced by Senator Haine, a bill for AN ACT concerning children.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2850. Introduced by Senator Luechtefeld, a bill for AN ACT concerning education.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2851. Introduced by Senator Bomke, a bill for AN ACT concerning transportation.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2852. Introduced by Senator Bomke, a bill for AN ACT concerning transportation. The bill was taken up, read by title a first time, ordered printed and referred to the Committee on

SENATE BILL NO. 2853. Introduced by Senator Brady, a bill for AN ACT concerning transportation.

Assignments.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2854. Introduced by Senator J. Collins, a bill for AN ACT concerning regulation.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2855. Introduced by Senator J. Collins, a bill for AN ACT concerning regulation.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2856. Introduced by Senator J. Collins, a bill for AN ACT concerning regulation.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2857. Introduced by Senator J. Collins, a bill for AN ACT concerning regulation.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2858. Introduced by Senator J. Collins, a bill for AN ACT concerning health. The bill was taken up, read by title a first time, ordered printed and referred to the Committee on

Assignments.

SENATE BILL NO. 2859. Introduced by Senator J. Collins, a bill for AN ACT concerning health.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2860. Introduced by Senator J. Collins, a bill for AN ACT concerning regulation.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2861. Introduced by Senator Sandoval, a bill for AN ACT concerning transportation.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2862. Introduced by Senator Sandoval, a bill for AN ACT concerning revenue.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2863. Introduced by Senator Duffy, a bill for AN ACT concerning transportation.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

#### **REPORTS FROM COMMITTEE ON ASSIGNMENTS**

Senator Harmon, Chairperson of the Committee on Assignments, during its January 24, 2012 meeting, reported the following Bills have been assigned to the indicated Standing Committees of the Senate:

Agriculture and Conservation: Senate Bill No. 2553.

Commerce: Senate Bill No. 2545.

Criminal Law: Senate Bills Numbered 2520, 2531, 2537, 2538, 2559 and 2560; House Bill No. 3522.

Education: Senate Bills Numbered 2550 and 2566.

Energy: Senate Bills Numbered 2507 and 2526.

Executive: Senate Bills Numbered 2482, 2486, 2513, 2530 and 2535.

Human Services: Senate Bills Numbered 2500, 2567 and 2574.

Insurance: Senate Bills Numbered 2546 and 2577.

Judiciary: Senate Bills Numbered 2492, 2525, 2534, 2536, 2547, 2561 and 2569.

Labor: Senate Bill No. 2551.

Licensed Activities: Senate Bill No. 2575.

Local Government: Senate Bills Numbered 2484 and 2490.

Pensions and Investments: Senate Bills Numbered 2485, 2498 and 2512.

Public Health: Senate Bills Numbered 2509, 2548 and 2580.

Revenue: Senate Bills Numbered 2503, 2517 and 2519.

State Government and Veterans Affairs: Senate Bills Numbered 2491, 2524 and 2533.

Transportation: Senate Bills Numbered 2488, 2493, 2494, 2504, 2527, 2528, 2552, 2568, 2573 and 2579.

Senator Harmon, Chairperson of the Committee on Assignments, during its January 24, 2012 meeting, reported the following Senate Resolutions have been assigned to the indicated Standing Committees of the Senate:

Energy: Senate Resolution No. 437.

Executive: Senate Resolution No. 438; Senate Joint Resolution Constitutional Amendments Numbered 38 and 39.

Higher Education: Senate Resolution No. 435.

Human Services: Senate Resolution No. 507.

Insurance: Senate Resolution No. 432.

Transportation: Senate Resolutions Numbered 398 and 404; Senate Joint Resolution No. 40.

Senator Harmon, Chairperson of the Committee on Assignments, during its January 24, 2012 meeting, reported the following Appointment Messages have been assigned to the indicated Standing Committee of the Senate:

Executive Appointments: Appointment Messages Numbered 71, 104, 105, 106, 107, 108, 109, 110, 125, 126, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 177, 186, 188, 189, 190, 191, 193, 194, 195, 196, 197, 199, 200, 201, 202, 203, 204, 206, 207, 208, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 229, 230, 231, 232, 233, 234, 244, 245, 246, 250, 252, 253, 254, 255, 256, 257, 258, 260, 261, 262, 263, 264, 267, 268, 269, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 291, 292, 293, 294, 295, 296, 297, 298, 299, 301, 302, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354 and 355.

Senator Harmon, Chairperson of the Committee on Assignments, during its January 24, 2012 meeting, to which was referred **Senate Bill No. 1132** on July 23, 2011, pursuant to Rule 3-9(b), reported that the Committee recommends that the bill be approved for consideration and returned to the calendar in its former position.

The report of the Committee was concurred in.

And Senate Bill No. 1132 was returned to the order of third reading.

Senator Harmon, Chairperson of the Committee on Assignments, during its January 24, 2012 meeting, to which was referred **Senate Bill No. 2259** on January 14, 2012, pursuant to Rule 3-9(b), reported that the Committee recommends that the bill be approved for consideration and returned to the calendar in its former position.

The report of the Committee was concurred in.

And Senate Bill No. 2259 was returned to the order of third reading.

Senator Harmon, Chairperson of the Committee on Assignments, during its January 24, 2012 meeting, to which was referred **House Bills Numbered 506 and 735** on January 14, 2012, pursuant to Rule 3-9(b), reported that the Committee recommends that the bills be approved for consideration and returned to the calendar in their former position.

The report of the Committee was concurred in.

And House Bills Numbered 506 and 735 were returned to the order of third reading.

Senator Harmon, Chairperson of the Committee on Assignments, during its January 24, 2012 meeting, to which was referred **Appointment Message No. 1** on January 14, 2012, pursuant to Rule 3-9(b), reported that the Committee recommends that the message be approved for consideration and placed on the Senate Calendar.

Senator Harmon, Chairperson of the Committee on Assignments, during its January 24, 2012 meeting, reported the following Legislative Measure has been assigned to the indicated Standing Committee of the Senate:

Executive:

#### Senate Floor Amendment No. 1 to Senate Bill 1132.

#### **INTRODUCTION OF BILL**

SENATE BILL NO. 2864. Introduced by Senator Muñoz, a bill for AN ACT concerning insurance.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

At the hour of 2:55 o'clock p.m., pursuant to **House Joint Resolution No. 54**, the Chair announced the Senate stand adjourned until Wednesday, January 25, 2012, in perfunctory session, or until the call of the President.