

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

37th Legislative Day

5/5/2011

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PRESIDING OFFICER: (SENATOR TROTTER)

The regular Session of the 97th General Assembly will please come to order. Will the Members please be at their desk? And will our guests in the galleries please rise? The invocation today will be given by Pastor Shaun Lewis from the Capitol Commission, here in Springfield, Illinois. Pastor.

PASTOR SHAUN LEWIS:

(Prayer by Pastor Shaun Lewis)

PRESIDING OFFICER: (SENATOR TROTTER)

Please remain standing for the Pledge of Allegiance. Senator Jacobs, please lead us in the Pledge.

SENATOR JACOBS:

(Pledge of Allegiance, led by Senator Jacobs)

PRESIDING OFFICER: (SENATOR TROTTER)

Madam Secretary, Reading and Approval of the Journal.

SECRETARY ROCK:

Senate Journal of Wednesday, May 4th, 2011.

PRESIDING OFFICER: (SENATOR TROTTER)

Senator Hunter.

SENATOR HUNTER:

Mr. President, I move to postpone the reading and approval of the Journal just read by the Secretary, pending arrival of the printed transcript.

PRESIDING OFFICER: (SENATOR TROTTER)

Senator Hunter moves to postpone the reading and approval of the Journal, pending arrival of the printed transcripts. There being no objection, so ordered. Madam Secretary, Committee Reports.

SECRETARY ROCK:

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Senator Maloney, Chairperson of the Committee on Higher Education, reports House Bills 166, 1503 and 1876 Do Pass.

Senator Wilhelmi, Chairperson of the Committee on Judiciary, reports House Bills 141, 178, 991, 1209, 1233, 1255, 1379, 1553, 1699, 1948, 1985, 2048, 2066 and 3041 Do Pass.

Senator Hunter, Chairperson of the Committee on Human Services, reports House Bill -- House Bills 91, 106, 275, 1077, 1152, 1259, 1425, 1426, 1485, 1524, 1552, 1662, 1707, 2019, 2020, 2043, 2084, 2093, 2099, 2936, 2976, 3207 and 3468 Do Pass.

PRESIDING OFFICER: (SENATOR TROTTER)

Madam Secretary, Resolutions.

SECRETARY ROCK:

Senate Resolution 214, offered by Senator Righter.

It is substantive.

PRESIDING OFFICER: (SENATOR TROTTER)

Resolutions Consent Calendar {sic}. Madam Secretary, Messages.

SECRETARY ROCK:

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 27.

It's offered by Senator Syverson. It was adopted by the House May 3rd, 2011. Mark Mahoney, Clerk of the House. It is substantive, Mr. President.

PRESIDING OFFICER: (SENATOR TROTTER)

Messages for the House. House Bills 1st Reading.

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SECRETARY ROCK:

House Bill 1226, offered by Senator Wilhelmi.

(Secretary reads title of bill)

House Bill 2550, offered by Senator Sandack.

(Secretary reads title of bill)

1st Reading of these House bills.

PRESIDING OFFICER: (SENATOR TROTTER)

Madam Secretary, Committee Report.

SECRETARY ROCK:

Senator Muñoz, Chairman of the Committee on Executive Appointments, reports the following: Appointment Messages 57, 60, 69, 73, 74, 75, 76, 77 and 78 recommended Do Advise and Consent.

PRESIDING OFFICER: (SENATOR TROTTER)

All Members at the sound of my voice please come to the Senate Floor. We're getting ready to go to 2nd Readings. All Members at the sound of my voice please come to the Senate Floor. We're getting ready to go to 2nd Reading. All Members please come to the Floor. We're getting ready to start 2nd Readings. All Members come to the Senate Floor. On the bottom of page 55 of the Calendar is the Order of House Bills 2nd Reading. We have House Bill 6. Senator, do you wish to proceed? Out of the record. Turning to page 56. House Bill 103. Senator Garrett, do you wish to proceed? Out of the record. House Bill 144. Senator Althoff, do you wish to proceed? Out of the record. House Bill 204. Senator Radogno, do you wish to proceed? Out of the record. House Bill 279. Senator Delgado. Out of the record. House Bill 1096. Senator Steans. Out of the record. House Bill 1130. Senator Link.

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Out of the record. House Bill 1163. Senator Jacobs. Out of the record. House Bill 1170. Leader Sullivan. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 1170.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR TROTTER)

3rd Reading. House Bill 1338. Senator Delgado. Out of the record. House Bill 1380. Senator Delgado. Out of the record. Senate Bill -- House Bill 1427. Senator Wilhelmi. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 1427.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR TROTTER)

3rd Reading. House Bill 1531. Senator Delgado. Out of the record. House Bill 1562. Senator Johnson. Madam -- Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 1562.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR TROTTER)

3rd Reading. House Bill 1657. Senator Althoff. Madam

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Secretary, read the bill.

SECRETARY ROCK:

House Bill 1657.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR TROTTER)

3rd Reading. House Bill 1658. Senator Radogno. Out of the record. House Bill 1683. Senator Frerichs. Out -- no. Please, Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 1683.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR TROTTER)

3rd Reading. House Bill 1684. Senator Holmes. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 1684.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR TROTTER)

3rd Reading. House Bill 1709. Senator Kotowski. Out of the record. House Bill 1719. Senator Raoul. Out of the record. House Bill 1724. Senator Sullivan. Madam Secretary, read the bill.

SECRETARY ROCK:

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House Bill 1724.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR TROTTER)

3rd Reading. House Bill 1956. Senator Schmidt. Out of the record. Senator Harmon, for what purpose do you rise?

SENATOR HARMON:

I have an introduction to make, Mr. President.

PRESIDING OFFICER: (SENATOR TROTTER)

Make your introduction.

SENATOR HARMON:

Thank you. I have on the Senate Floor with me today a Page for a Day, Jean Paul Milano. He is twelve years old and joining our Page crew for the day. His mother is Mary Milano, the Director of the Guardianship and Advocacy Commission, with whom I've worked for quite some time. So I'd ask you all to join me in welcoming Jean Paul here to the Senate.

PRESIDING OFFICER: (SENATOR TROTTER)

Will the Senate please greet our new Page for the Day? Thank you very much. Welcome to the Illinois Senate. House Bill -- proceeding with House Bill 2804. Senator J. Jones. Out of the record. House Bill 2861. Senator Rezin. Out of the record. House Bill 3019. Senator Jones. Out of the record. Senator Murphy, what -- what purpose do you rise?

SENATOR MURPHY:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR TROTTER)

State your point.

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SENATOR MURPHY:

My personal privilege cup runneth over today, Mr. President. Not only do I have two Pages, Kellie Halloran and Abby Iuorio today, but I also have the seventh-grade class from St. Theresa School in Palatine here in the gallery on the Republican side. And I'd appreciate the Senate giving all of these fine Palatine residents -- I -- I don't want to steal Senator Schoenberg's thunder with "Evanston Day", but it kind of feels like "Palatine Day" here. If we could give them all a warm Senate welcome, that'd sure be appreciated.

PRESIDING OFFICER: (SENATOR TROTTER)

Please welcome all these great citizens from Palatine, Illinois. Please stand and be recognized. Please stand. Thank you. Continuing on, we have House Bill 3134. Senator Raoul. Out of the record. House Bill 3155. Senator Koehler. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 3155.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR TROTTER)

3rd Reading. House Bill 3178. Senator Jones. Out of the record. House Bill 3253. Senator Frerichs. Wish to proceed? Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 3253.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments

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reported.

PRESIDING OFFICER: (SENATOR TROTTER)

3rd Reading. House Bill 3314. Senator Frerichs. You wish to proceed? Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 3314.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR TROTTER)

3rd Reading. With leave of the Body, we'll go back to House Bill 1338. Senator Delgado. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 1338.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR TROTTER)

3rd Reading. House Bill 1380. Senator Delgado. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 1380.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Public Health adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR TROTTER)

Are there any further amendments to be {sic} approved for consideration?

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SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR TROTTER)

3rd Reading. Turning to top of the page 58, we have House Bill 3332. Senator Link. On House Bill 3332, Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 3332.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR TROTTER)

3rd Reading. House Bill 3334. Senator Raoul. Out of the record. House Bill 3360. Senator E. Jones. Out of the record. House Bill 3376. Senator Raoul. Out of the record. House Bill 3406. Senator Hutchinson. Out of the record. House Bill 3414. Senator Sullivan. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 3414.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR TROTTER)

3rd Reading. House Bill 3513. Senator Crotty. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill -- 3513.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments

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reported.

PRESIDING OFFICER: (SENATOR TROTTER)

3rd Reading. House Bill 3591. Senator Mulroe. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 3591.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR TROTTER)

3rd Reading. With leave of the Body, we will return to House Bill 1531. Senator Delgado, you wish to proceed? Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 1531.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR TROTTER)

3rd Reading. Senate will stand at ease for a moment as we prepare some paperwork. (at ease) Senator Murphy.

SENATOR MURPHY:

Purposes of announcement, Mr. President.

PRESIDING OFFICER: (SENATOR TROTTER)

State your purpose.

SENATOR MURPHY:

Just ask that the record reflect that Senator Millner is home again today due to a -- an illness in the family and just ask that the record reflect that and -- and that his absence be

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deemed excused.

PRESIDING OFFICER: (SENATOR TROTTER)

The record will reflect his absence. Thank you very much. The Senate will stand at ease for a few minutes to allow the Committee on Assignments to meet. The members of the Committee on Assignments will come to President's Anteroom immediately. The Senate will stand at ease. (at ease) The Senate will come to order. Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to the Appropriations II Committee - House Bill 2167; refer to the Criminal Law Committee - House Bill 1069, House Bill 3283, House Bill -- 3284, House Bill 3285, House Bill 3293, House Bill 3390, and House Bill 3486; refer to the Education Committee - House Joint Resolution 7; refer to the Energy Committee - House Bill 2896; refer to the Executive Committee - House Bill 2259, House Bill 3343, and House Bill 3500; refer to the Higher Education Committee - House Bill 466; refer to the Judiciary Committee - House Bill 3335; refer to the Labor Committee - House Bill 3428; refer to the Pensions and Investments Committee - House Bill 3375; refer to the Public Health Committee - House Joint Resolution 13; refer to the State Government and Veterans Affairs Committee - House Bill 3411, Senate Resolution 199, and Senate Resolution -- excuse me, 204; refer to the Transportation Committee - Senate Joint Resolution 31, House Joint Resolution 25, and House Joint Resolution 28; re-referred from the Judiciary Committee to the Criminal Law Committee - House Bill 3005; re-refer from the Executive

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Committee to the Assignments Committee - Floor Amendment 2 to Senate Bill 270.

Signed by Senator James F. Clayborne, Chairman.

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to the Appropriations II Committee - Floor Amendment 5 to Senate Bill 2458; refer to the Environment Committee - Committee Amendment 1 to House Bill 3620; refer to the Higher Education Committee - Committee Amendment 1 to House Bill 1079; and Be Approved for Consideration - Floor Amendment 2 to Senate Bill 270.

Signed by Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR TROTTER)

Senator Schoenberg, for what purpose do you rise?

SENATOR SCHOENBERG:

Thank you, Mr. President. I rise on a point of personal privilege.

PRESIDING OFFICER: (SENATOR TROTTER)

State your point.

SENATOR SCHOENBERG:

Mr. President, Ladies and Gentlemen of the Senate, today is a great day for the parents of many of the school children in Evanston, because we have not one, but two schools from Evanston School -- Evanston/Skokie School District 65 who are here. You met earlier with our -- my friends and neighbors from the Haven Middle School. I'd like to introduce the -- directly behind me in the gallery is the eighth-grade class from the Dr. Bessie Rhodes School. My children either attended or are currently attending this school. It's one of the top schools in Illinois.

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The teachers are great. The kids are brilliant, and please give them all a warm Senate greeting. Thank you.

PRESIDING OFFICER: (SENATOR TROTTER)

Will our guests rise and be welcomed by the Illinois Senate? Please rise. Senator Jones, for what purpose do you rise?

SENATOR J. JONES:

Thank you, Mr. President. A point of personal privilege.

PRESIDING OFFICER: (SENATOR TROTTER)

State your point.

SENATOR J. JONES:

Up in the -- up in the gallery, right up here, I have three constituents from Jefferson County - Jack Flood; his wife, Joan; and their son, Daniel - visiting the Capitol today. So we welcome you to -- to Springfield. And want the Senate to give them a round of -- of applause.

PRESIDING OFFICER: (SENATOR TROTTER)

Welcome to the Illinois Senate. Please welcome, Members, the people -- good friends of Senator Jones. The Senate will stand in recess to the call of the Chair. First, we will have Committee Reports and committee hearings. The Executive Committee will meet at 1 o'clock in Room 212. Licensed Activities will meet at 1 o'clock, Room 409. Revenue will meet at 1 o'clock in Room 400. Energy will meet at 3:30, Room 212. Financial Institutions, 3:30, Room 400. Criminal Law will meet at 4:30, Room 212. Environment will meet at 4:30, Room 400. And Local Government, at 4:30, Room 409. There are also two 11 o'clock hearings. One will be Education in Room 409 and Transportation will meet in Room 400 at 11 a.m. The Senate will

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stand in recess to the call of the Chair. After committee meetings, the Senate will reconvene to receive committee reports. The Senate stands in recess.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senate will come to order. Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Sandoval, Chairperson of the Committee on Transportation, reports House Bills 236, 585, 1112, 1151, 1222, 1295, 1377, 1573, 1593, 1761, 1889, 1966, 2270, 2836, 2874, 2937, 2938, 3139, 3331, 3403, and 3597 Do Pass.

Senator Meeks, Chairperson of the Committee on Education, reports House Bills 12, 139, 189, 1415, 1706, 2397, 2401, 3027, 3035, 3109, 3171, 3179, 3222, 3281, 3464, and 3489 Do Pass; House Bills 200, 1216, 2870, and 3115 Do Pass, as Amended; and House Joint Resolution 4 Be Adopted, as Amended.

Senator Hutchinson, Chairperson of the Committee on Revenue, reports House Bills 234, 363, 1486, 1527, and 2500 Do Pass.

Senator Martinez, Chairperson of the Committee on Licensed Activities, reports House Bills 220, 274, 711, 1125, 1279, 1394, 1398, 1494, 1702, 1877, 1973 {sic}, 2023, 2777, 3255 Do Pass.

Senator Harmon, Chairperson of the Committee on Executive, reports House Bills 79, 268, 1192, 1291, 1491, 1542, 1686, 1852, 3158, 3184, 3329, 3377, and 3450 Do Pass.

Senator Jacobs, Chairperson of the Committee on Energy,

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reports House Bills 1260, 1368, 1487, 1703, 1865, 3036, 3037, 3038, 3182 Do Pass; and House Bill 1458 Do Pass, as Amended.

Senator Collins, Chairperson of the Committee on Financial Institution {sic}, reports House Bills 159, 1560, and 3050 Do Pass; and House Bill 1651 Do Pass, as Amended.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Madam Secretary, are there any written motions regarding Executive Appointments?

SECRETARY ROCK:

Yes, Mr. President. Senator Muñoz has filed a motion to compile Appointment Messages 57, 60 and 69.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Madam Secretary, please print that motion on the Calendar. There being no further business to come before the Senate, the Senate stands adjourned to the hour of 11 a.m. on the 6th day of May, 2011. The Senate stands adjourned.