

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

90th Legislative Day

3/6/2012

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PRESIDING OFFICER: (SENATOR CROTTY)

The regular -- regular Session of the 97th General Assembly will please come to order. Will the Members please be at their desks? Will the -- will our guests in the galleries please rise? The invocation today will be given by Colonel Daniel Krumrei, Parkway Christian Church, Springfield, Illinois. Colonel.

COLONEL DANIEL KRUMREI:

(Prayer by Colonel Daniel Krumrei)

PRESIDING OFFICER: (SENATOR CROTTY)

Please remain standing for the Pledge of Allegiance. Senator Jacobs.

SENATOR JACOBS:

(Pledge of Allegiance, led by Senator Jacobs)

PRESIDING OFFICER: (SENATOR CROTTY)

We would like to thank Colonel Daniel Krumrei for his service to our country. Mr. Secretary, Reading and Approval of the Journal.

SECRETARY ANDERSON:

Senate Journal of Thursday, March 1st, 2012.

PRESIDING OFFICER: (SENATOR CROTTY)

Senator Hunter.

SENATOR HUNTER:

Madam 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 CROTTY)

Senator Hunter moves to postpone the reading and the approval of the general -- the Journal, pending arrival of the

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printed transcripts. There being no objection, so ordered. Mr. Secretary, Resolutions.

SECRETARY ANDERSON:

Senate Resolution 639, offered by Senator Dillard and all Members.

It's -- it's a death resolution, Madam President.

PRESIDING OFFICER: (SENATOR CROTTY)

Resolutions Consent Calendar.

SECRETARY ANDERSON:

Senate Joint Resolution 62, offered by Senator Sandoval. It's substantive.

PRESIDING OFFICER: (SENATOR CROTTY)

Introduction of Senate Bills.

SECRETARY ANDERSON:

Senate Bill 3909, offered by Senator Sandoval.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR CROTTY)

Mr. Secretary, Messages from the House.

SECRETARY ANDERSON:

A Message from the House by Mr. Mapes, 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 4037.

Passed the House, March 1st, 2012. Timothy D. Mapes, Clerk of the House.

A Message from the House by Mr. Mapes, Clerk.

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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 68.

Offered by Senator Radogno. And adopted by the House, March 1st, 2012. Timothy D. Mapes, Clerk of the House. It is substantive, Mr. -- Madam President.

PRESIDING OFFICER: (SENATOR CROTTY)

Mr. Secretary, Appointment Messages.

SECRETARY ANDERSON:

Appointment Message 405

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.

To be a Member of the Metropolitan Pier and Exposition Board:

Ronald E. Powell

Annual Compensation: Expenses

I have like Messages for the following:

Appointment Message 406 - Robert G. Reiter, Jr.;
Appointment Message 407 - Carmen H. Lonstein; Appointment
Message 408 - Becky Strzechowski.

PRESIDING OFFICER: (SENATOR CROTTY)

Will the Members please come to the Senate Floor? Senate's going to stand at ease until we have more of our members from

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the Assignments here, then we'll go into Assignments. So everyone please come to the Senate Floor. (at ease) The Senate will come to order. Point of an announcement: I'd like to remind everyone that this Friday, March 9th, is the deadline for reporting all substantive Senate bills from committees. If you have bills in committees, this is the final week to have them heard before the deadline. That was a committee deadline report. Senator Frerichs, for what reason do you rise?

SENATOR FRERICHS:

For a point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR CROTTY)

State your point.

SENATOR FRERICHS:

Yesterday in the State of Illinois, we celebrated Casimir Pulaski Day. And in honor of Casimir Pulaski, today Senator Kotowski has pierogies and kielbasas in his office and I'm sure would love to welcome you to celebrate Casimir Pulaski Day.

PRESIDING OFFICER: (SENATOR CROTTY)

Senator Kotowski, for what purpose do you rise?

SENATOR KOTOWSKI:

I appreciate Senator Frerichs' sentiments. Casimir Pulaski was a revolutionary war hero and -- and he's the father of the American cavalry. And what inspired me about Senator Frerichs' remarks is that he actually forecasted that I -- I might have pierogies and polish sausage in my office. I have not purchased them yet, but it sounds to me like I'm going to have to at some point today in order to fulfill his promise and covenant that he's made with the people of this august Chamber. Thank you.

PRESIDING OFFICER: (SENATOR CROTTY)

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So will all of our Members please leave Senator Kotowski's office if you're waiting for food and come to the Senate Floor? Will the Committee on Assignments please come up to the President's Anteroom - Committee of {sic} Assignments? The Senate will be at ease while the Committee on Assignments meets. Senate is at ease. (at ease) The Senate will come to order. Mr. Secretary, Committee Reports.

SECRETARY ANDERSON:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to Agriculture and Conservation Committee - Committee Amendment No. 1 to Senate Bill 3264, Committee Amendment No. 2 to Senate Bill 3271; refer to Commerce Committee - Committee Amendment No. 1 to Senate Bill 3341, Floor Amendment 3 to Senate Bill 3402; refer to Criminal Law Committee - Committee -- Committee Amendment 1 to Senate Bill 2537, Committee Amendment 1 to Senate Bill 2888, Committee Amendment 1 to Senate Bill 2899, Floor Amendment 1 to Senate Bill 3258, Floor Amendment 2 to Senate Bill 3258, Committee Amendment 1 to Senate Bill 3344, Committee Amendment 1 to Senate Bill 3345, Committee Amendment 1 to Senate Bill 3346, Committee Amendment 1 to Senate Bill 3359, Committee Amendment 2 to Senate Bill 3359, Committee Amendment 1 to Senate Bill 3584, Committee Amendment 2 to Senate Bill 3638, Committee -- Floor Amendment 1 to Senate Bill 3693, Committee Amendment 1 to Senate Bill 3814, Committee Amendment 1 to Senate Bill 3824; refer to Education Committee - Committee Amendment 1 to Senate Bill 3374, Committee Amendment 1 to Senate Bill 3394, Committee Amendment 2 to Senate Bill 3408, Committee Amendment 3 to Senate Bill 3408, Committee Amendment -

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- Amendment 1 to Senate Bill 3495; refer to Energy Committee - Committee Amendment No. 3 to Senate Bill 2526, Committee -- Committee Amendment 1 to Senate Bill 3283; refer to Environment Committee - Committee Amendment 1 to Senate Bill 2882, Committee Amendment 1 to Senate Bill 3728; refer to Executive Committee - Floor Amendment 1 to Senate Bill 275, Committee Amendment 2 to Senate Bill 2491, Committee Amendment 2 to Senate Bill 2575, Committee Amendment 1 to Senate Bill 2900, Floor Amendment 2 to Senate Bill 3146, Committee Amendment 1 to Senate Bill 3201, Committee Amendment 1 to Senate Bill 3332, Committee Amendment 1 to Senate Bill -- 3497 and Committee Amendment 1 to Senate Bill 3773; refer to Executive Appointments Committee - Appointment Messages 365 through 408; refer to Financial Institutions Committee - Committee Amendment 1 to Senate Bill 1844, Committee Amendment 2 to Senate Bill 3217, Committee Amendment 1 to Senate Bill 3243, Floor Amendment 1 to Senate Bill 3523, Committee Amendment 1 to Senate Bill 3752; refer to Gaming Committee - Committee Amendment 3 to Senate Bill 2962; refer to Higher Education Committee - Committee Amendment 1 to Senate Bill 3635; refer to Human Services Committee - Committee Amendment 1 to Senate Bill 2554, Committee Amendment 1 to Senate Bill -- Senate Bill 2578, Committee Amendment 1 to Senate Bill 2840, Committee Amendment 1 to Senate Bill 2887, Committee Amendment 1 to Senate Bill 2933, Committee Amendment 1 to Senate Bill 3246, Committee Amendment 1 to Senate Bill 3546, Committee Amendment 1 to Senate Bill 3601; refer to Insurance Committee - Floor Amendment 1 to Senate Bill 679, Committee Amendment 1 to Senate Bill 2877, Committee Amendment 2 to Senate Bill 2877, Committee Amendment 3 to Senate Bill 2877, Committee Amendment 1 to Senate Bill 2885,

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Committee Amendment 1 to Senate Bill 2960, Committee Amendment 1 to Senate Bill 3192, Committee Amendment 1 to Senate Bill 3233, Committee Amendment 1 to Senate Bill 3432 -- 3242; refer to Judiciary Committee - Committee Amendment 2 to Senate Bill 2545, Floor Amendment 3 to Senate Bill 2569, Committee Amendment 2 to Senate Bill 2849, Committee Amendment 1 to Senate Bill 2879, Floor Amendment 2 to Senate Bill 2897, Committee Amendment 1 to Senate Bill 3200, Floor Amendment 1 to Senate Bill 3415, Floor Amendment 1 to Senate Bill 3572, Committee Amendment 1 to Senate Bill 3592, Committee Amendment 1 to Senate Bill 3666, Committee Amendment 1 to -- Senate Bill 3764, Committee Amendment 1 to Senate Bill 3813, Committee Amendment 1 to Senate Bill 3823; refer to Labor Committee - Committee Amendment No. 1 to Senate Bill 2551, Committee Amendment 1 to Senate Bill 2636, Committee Amendment 1 to Senate Bill 2847, Committee Amendment 1 to Senate Bill 3232; refer to Licensed Activities Committee - Committee Amendment No. 1 to Senate Bill 2935, Committee Amendment No. 1 to Senate -- Senate Bill 2936, Floor Amendment 1 to Senate Bill 3171, Committee Amendment 1 to Senate Bill 3197, Committee Amendment 1 to Senate Bill 3513, Committee Amendment 2 to Senate Bill 3513, Committee Amendment 1 to Senate Bill 3514, Committee Amendment 1 to Senate Bill 3538, Committee Amendment 1 to Senate Bill 3574, Committee Amendment 2 to Senate Bill 3574, Committee Amendment No. 3 to Senate Bill 3574; refer to Local Government Committee - Committee Amendment 1 to Senate Bill 2895, Committee Amendment 1 to Senate Bill 2959, Floor Amendment 1 to Senate Bill 3183, Floor Amendment 2 to Senate Bill 3183 and Committee Amendment No. 2 to Senate Bill 3633; refer to Pensions and Investments Committee - Floor Amendment 1 to Senate Bill 3168;

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refer to Procurement Committee - Committee Amendment 1 to Senate Bill 3802; refer to Public Health Committee - Committee Amendment 1 to Senate Bill 2509, Committee Amendment 1 to Senate Bill 2580, Committee Amendment 2 to Senate Bill 2945, Floor Amendment 2 to Senate Bill 3261, Committee Amendment 2 {sic} to Senate Bill 3269, Committee Amendment 1 to Senate Bill 3329, Committee Amendment 1 to Senate Bill 3587, Committee Amendment 1 to Senate Bill 3614, Committee Amendment 1 to Senate Bill 3727; refer to Revenue Committee - Floor Amendment 1 to Senate Bill 179, Floor Amendment 1 to Senate Bill 408, Committee Amendment 1 to Senate Bill 3149, Floor Amendment 1 to Senate Bill 3314, Committee Amendment 1 to Senate Bill 3619, Committee Amendment 1 to Senate Bill 3723; refer to State Government and Veterans Affairs Committee - Committee Amendment 1 to Senate Bill 3564, Committee Amendment No. 1 to Senate Bill 3746; refer to Transportation Committee - Floor Amendment 1 to Senate Bill 963, Committee Amendment 5 to Senate Bill 2488, Committee Amendment 1 to Senate Bill 2843, Committee Amendment 1 to Senate Bill 3336, Committee Amendment 1 to Senate Bill 3487 -- Committee Amendment 1 to Senate Bill 3487, Committee Amendment 1 to Senate Bill 3505, Committee Amendment 2 to Senate Bill 3530 and Committee Amendment 2 to Senate Bill 3618; Be Approved for Consideration - Senate Bill 774, Senate Bill 966, House Bill 3188.

Correction: For Public Health Committee, it should be Committee Amendment No. 1 to Senate Bill 3269.

Signed, Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR CROTTY)

Senator Cultra, for what purpose do you rise?

SENATOR CULTRA:

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Point of personal privilege.

PRESIDING OFFICER: (SENATOR CROTTY)

State your point.

SENATOR CULTRA:

With me today, I have the Mayor of Dwight. He's here concerned about the Dwight Correctional facility, which the Governor has proposed to close. Mayor Wilkey. And in the gallery with Mayor Wilkey, also from Dwight, is Mike Piper. I would like you to give them a warm Springfield welcome.

PRESIDING OFFICER: (SENATOR CROTTY)

Mayor Wilkey, welcome to the Senate Floor. Senator Forby, for what purpose do you rise?

SENATOR FORBY:

For an update.

PRESIDING OFFICER: (SENATOR CROTTY)

State your update.

SENATOR FORBY:

As everybody knows, last week I had a tornado go through my district. And everybody down home, they -- wants to thank you for the prayers that you done last week. It's something that people think, you know, never happens to your district, but it's something that did happen, and it was -- you just never believe it till you see it. There was six people that got killed and about a hundred and fifty got hurt. So it's building back. And we got everybody buried this week, so the people that -- they need your prayers to get -- get over that, and the rest of the people that are building back are in need of help. But I just want to brag on the State of Illinois a little bit. I've never seen so many people to come together. The Governor was down

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there the first day. IEMA, the firefighters, every -- every entity - IDNR - everybody that you could see, they was there on the line. We had people all over the State of Illinois. We even had people from Joplin, Missouri, lined up down there, in lines for two blocks, lined up, "Where can we go work? What can we do? Where can we help people?" You know the first day they showed up and people walked up to their houses, says, "We're here to help you." And the guy -- the people said, "Well we can't pay you." Said, "We don't want no money. We're just here to help." It's been unbelievable to see the help and how people come together down there. It's terrible, you know, you have to do this when it's -- make everybody come together. It's a shame we can't be this way all the time. But I just want to thank the State of Illinois and everybody for what you've done and everything. I'm starting -- another thing I'm doing is -- people's calling me, what can I do, this that and the other. I'm starting an account up for the -- the rebuild of Southern Illinois. The -- I -- the -- I've already got from the Operators and Engineers; they've already gave me twenty-five thousand dollars for an account. So we're going to have an account for anybody that would be interested to help -- help in that. And I've already talked to the mayors and the county boards and the fire departments and everything. They're all getting together to see where the best place for this money to go to. So anybody who wants to help, they can. I got that fund set up. We're going to give it to the needy down there. Every bit -- every bit of it goes to somebody that needs help down there. So I just want to thank everybody for their prayers and what they done in the State of Illinois. Thank you very much.

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PRESIDING OFFICER: (SENATOR CROTTY)

Thank you, Senator Forby, and our thoughts and prayers are going to remain with all those affected by the storm. Senator Sullivan, for what purpose do you rise?

SENATOR SULLIVAN:

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

PRESIDING OFFICER: (SENATOR CROTTY)

State your point.

SENATOR SULLIVAN:

Thank you very much. Ladies and Gentlemen, I actually have two announcements today. The first one is a reminder or, I guess, a notice that the 10th Annual Sullivan Caucus Celebration is going to be held March 21st - that's on a Wednesday evening - at the Dublin Pub, which is just south of the Capitol here. That's our 10th Annual Sullivan Caucus St. Patrick's Day Celebration, March 21st, in the evening. I'm not sure of the hour, but I think it's 5:30 to 9:30, maybe somewhere in that range. And, again, that's at the Dublin Pub, which is just south. My second announcement is, I have two guests here with me today, Madam President, Ladies and Gentlemen. I have with me Claire Jolcover and -- and Cesar Salas. They are both seniors at Western Illinois University in Macomb. Claire is studying Social Work, and Cesar is studying -- he's a Political Science major. I don't know if Senators Millner and Garrett -- Senator Garrett, Claire is a constituent of yours. And, Senator Millner, if you're on the Floor, Cesar is a constituent of yours. But these two young people have -- spending the day with me and I'd like everybody to welcome them here to the Illinois State Senate.

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PRESIDING OFFICER: (SENATOR CROTTY)

Claire and Cesar, welcome to the Senate Floor. Senator Maloney. Would all the Members please give Senator Maloney his attention -- your attention?

SENATOR MALONEY:

Thank you, Madam President.

PRESIDING OFFICER: (SENATOR CROTTY)

Staff -- excuse me. Staff, will you please go to the rear of the Chamber? Senator Maloney.

SENATOR MALONEY:

Thank you, Madam President. Regrettably, I have to make an announcement that so many of us had to make, I think, too often in the last couple of years. Constituent of mine, United States Marine Corporal Conner Lowry, was killed in action in Afghanistan last Thursday. Conner was a gunner on a Humvee. The circumstances under which the death occurred are currently under investigation. And I have to tell everybody in this Chamber, this one hit a little closer to home, literally. Conner lived across the alley from me for six years, from the time he was about twelve years old to eighteen years old, when my wife and I moved just down the street. I have to tell you, too, when I first met Conner, he was about twelve years old and I caught him red-handed doing a Halloween prank right in my back yard. And I -- I -- I caught him, and he was a little afraid I was going to get the authorities involved, and I said, "Conner, the only authority I'm going to get involved here is your mother", I said, because I would -- if I -- as a parent, I would want to know. And so I brought him to his mom to take care of it, and, boy, did she take care of it. We were very good friends ever

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since. Conner attended St. John Fisher Grade School, where all my children went. He also went to -- graduated from Brother Rice High School in 2006, where I was the Assistant Principal at the time. And, incredibly, he was a classmate of Private Jared Stanker, a young man who was killed in action in 2009. Conner made the decision to join the Marines after two years of college, saying, quote, to his mother, that "I want to do something for myself and do something for my country." He was four months from getting home. So I would ask the Senate to please remember Conner with a moment of silence and please pray for his family, who buries him this weekend. Thank you, Madam President.

PRESIDING OFFICER: (SENATOR CROTTY)

Will everyone please stand for a moment of silence?
(Moment of silence observed) Thank you, Senator Maloney. There being no further business to come before the Senate, the Senate stands adjourned until the hour of 11:45 a.m. on the 7th day of March, 2012. The Senate stands adjourned.