

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

5/8/2012

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PRESIDING OFFICER: (SENATOR SULLIVAN)

The regular Session of the 97th General Assembly will please come to order. Will all the Members be at their desks? Will our guests in the galleries please rise? The invocation today will be given by Pat McManus, House of Praise Family Church, Aurora, Illinois. Pastor.

PASTOR PAT McMANUS:

(Prayer by Pastor Pat McManus)

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Please remain standing for the Pledge of Allegiance. Senator Jacobs, to lead us in the Pledge.

SENATOR JACOBS:

(Pledge of Allegiance, led by Senator Jacobs)

PRESIDING OFFICER: (SENATOR SULLIVAN)

Mr. Secretary, Reading and Approval of the Journal.

SECRETARY ANDERSON:

Senate Journal of Thursday, May 3rd, 2012.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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 SULLIVAN)

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

SECRETARY ANDERSON:

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Senate Resolution 746, offered by Senator Koehler and all Members.

It's a death resolution, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Resolutions Consent Calendar. Mr. Secretary, Introduction of Senate Bills.

SECRETARY ANDERSON:

Senate Bill 3917, offered by Senator Kotowski.

(Secretary reads title of bill)

1st Reading of the -- of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Mr. Secretary, House Bills 1st Reading.

SECRETARY ANDERSON:

House Bill 5630, offered by Senator Althoff.

(Secretary reads title of bill)

1st Reading of this House bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Mr. Secretary, Resolutions.

SECRETARY ANDERSON:

Senate Resolution 747, offered by Senator Frerichs.

It's substantive {sic}, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Pat Keating, with WLS-TV Chicago, requests permission to videotape. Seeing no objection, so ruled {sic}. Ladies and Gentlemen, for an announcement. Will all Members within the sound of my voice please come to the Senate Floor immediately? Will all Members within the sound of my voice please come to the Senate Floor? We will be going to substantive action shortly. Ladies and Gentlemen, if you will turn to page 18 of your

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printed Calendar, on the Order of House Bills 2nd Reading - page 18, on the middle of the page, House Bills 2nd Reading. With leave of the Body, we will skip over the first one and go to House Bill 411. Senator Raoul. Senator Raoul, on 411. Out of the record. House Bill 587. Senator Hutchinson. Senator Hutchinson, on 587. Out of the record. House Bill 1261. Senator Sandoval. Out of the record. House Bill 1404. Senator -- Leader Clayborne, on 1404. Do you wish to move that to 3rd? Mr. Secretary, read the bill.

SECRETARY ANDERSON:

House Bill 1404.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

Are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Next up on the Calendar - Ladies and Gentlemen, we're on -- towards the bottom of page 18 of the printed Calendar, on the Order of House Bills 2nd Reading - we have House Bill 1473. Senator Delgado. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

House Bill 1473.

(Secretary reads title of bill)

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

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reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. On the bottom of the page, we have House Bill 2562. Senator Bivins. Senator Bivins. Out of the record. Turn to the top of page 19, and we have House Bill 2984. Leader Clayborne, on 2984. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

House Bill 2984.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Education adopted Amendment No. 2.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Mr. Secretary, are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Next up on the Calendar, we have House Bill 3091. Senator Emil Jones. Senator Jones, on 3091. Out of the record. House Bill 3611. Senator Koehler. Senator Dave Koehler, on 3611. Out of the record. House Bill 3779. President Cullerton. President Cullerton, on 3779. Out of the record. House Bill 3875. Leader Muñoz. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

House Bill 3875.

(Secretary reads title of bill)

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

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PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. House Bill 3893. Leader Crotty. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

House Bill 3893.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Human Services adopted Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Mr. Secretary, are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Next up on the Calendar - Ladies and Gentlemen, we're on the middle of page 19 of your printed Calendar, on the Order of House Bills 2nd Reading - we have House Bill 3985. Senator Steans. Senator Steans. Out of the record. House Bill 4003. Leader Lightford. Senator Lightford. Out of the record. House Bill 4022. Senator Hutchinson. Senator Hutchinson, on 4022. Out of the record. House Bill 4031. Senator Raoul. Senator Raoul, on 4031. Out of the record. House Bill 4036. Senator Kotowski. Out of the record. House Bill 4076. Senator Martinez. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

House Bill 4076.

(Secretary reads title of bill)

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

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PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Next up on the Calendar, we have House Bill 4078. Senator Sandoval. Out of the record. Ladies and Gentlemen, turn to the top of page 20 of your printed Calendar. Again on the Order of House Bills 2nd Reading, we have House Bill 4096. Senator Martinez. Out of the record. House Bill 4129. Senator Kotowski. Out of the record. Senator Bomke, for what purpose do you rise?

SENATOR BOMKE:

Thank you, Mr. President. Point of personal privilege.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your point, Senator Bomke.

SENATOR BOMKE:

Behind you in the President's Gallery is a senior class from Athens, Illinois, and their teacher, John Tobias. Would ask that you help me welcome them to the Illinois State Senate.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Welcome to the Illinois State Senate. Great to have you here today. Senator Christine Johnson, for what purpose do you rise? Senator Johnson.

SENATOR C. JOHNSON:

I have a -- rise on a point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your point, Senator Johnson.

SENATOR C. JOHNSON:

Today it's my pleasure to have guests -- special guests, with me: my parents, Charles and Joyce Thorsen, and my brother-

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in-law, Ron Duval. They're actually constituents of Senator Bivins. My parents are semiretired grain farmers and cattle feeders from Lee County. And my brother-in-law, Ron, is the chairman of the music department at Rochelle Township High School. And I ask that you give them a warm Senate welcome.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Welcome to the Illinois State Senate, the family of Senator Johnson. Great to have you here today. Senator Muñoz, for what purpose do you rise?

SENATOR MUÑOZ:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your point, Senator Muñoz.

SENATOR MUÑOZ:

Like to welcome the Mayor of the City of Chicago, Mayor Rahm, to the Senate. If we can give him a warm welcome.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Welcome to the Senate Floor, Mayor. President Cullerton, for what purpose do you rise?

SENATOR CULLERTON:

For the purposes of an announcement. I'd like to introduce...

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your announcement.

SENATOR CULLERTON:

...a Member of the Illinois State Senate, Senator James Meeks, to the Floor of the Senate. I'd like to welcome Senator Meeks.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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Senator Muñoz, for what -- no. Just one second. Ladies and Gentlemen, if you will give your attention here to the Podium, we are going to go to page 11 of the printed Calendar, on the Order of House Bills 3rd Reading. Page 11, in the middle of the page, we have House Bill 4510. Senator Muñoz. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 4510.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Muñoz.

SENATOR MUÑOZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 4510 requires CMS prepare an annual State Asian-American Employment Plan; report to the General Assembly each State agency's activities in implementing the plan. It also creates the Asian-American Employment Plan Advisory Council to work in consultation with CMS and State agencies on the employment plan. And finally, it requires each State agency to implement strategies and programs to increase the number of Asian-American State employees and to report annually to the Department of Human Rights about its efforts to implement the plan. I know of no opposition and I will answer any questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you, Senator Muñoz. Is there any discussion? Is there any discussion? Ladies and Gentlemen, this is 3rd Reading. The question is, shall House Bill 4510 pass. All those in favor will vote Aye. Opposed, Nay. The voting is

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open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 49 voting Aye, 0 voting Nay, 0 voting Present. House Bill 4510, having received the required constitutional majority, is declared passed. Senator Muñoz, for what purpose do you rise?

SENATOR MUÑOZ:

Another point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your point, Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, Ladies and Gentlemen of the Senate, up in the gallery, here to my right, I have a -- a lot of constituents from the Chinatown area, starting out with CASL group, a lot of the other organizations. So I just wanted to say welcome to Springfield and thank you for the support. If you'd please welcome 'em, I'd appreciate it.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Will our guests please rise? Welcome to the Illinois State Senate. Great to have you here today. Thank you. Senator Link, for what purpose do you rise?

SENATOR LINK:

An announcement.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your announcement, Senator Link.

SENATOR LINK:

I just want to state that Senator Silverstein will be absent today due to medical reasons.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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The record will so -- shall -- so indicate. Ladies and Gentlemen, we're going to go back to where we left off with regard to House Bills 2nd Reading on page 20 of your Calendar. We have House Bill 4136. Senator -- President Cullerton. 2nd Reading. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 4136.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. House Bill 4177. Senator Hunter. Senator Hunter. Out of the record. House Bill 4242. Senator Forby. Senator Forby, on 4242. Out of the record. House Bill 4442. Senator Crotty. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 4442.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Next up is House Bill 4444. Senator Sandoval. Senator Sandoval. Out of the record. House Bill 4453. Senator Lightford, on 4453. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

House Bill 4453.

(Secretary reads title of bill)

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

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reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Next up is House Bill 4479. Senator Hutchinson. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

House Bill 4479.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Licensed Activities adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Mr. Secretary, are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. House Bill 4492. Senator Crotty. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

House Bill 4492.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Ladies and Gentlemen, the Senate will stand at ease for a few minutes to allow the Committee on Assignments to meet. Will all members of the Committee on Assignments please come to the President's Anteroom immediately? Committee on Assignments, all members please come to the Anteroom. The Senate will stand at ease. (at ease) The Senate will come to

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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 - Senate Resolution 745; refer to Executive Committee - House Bill 1447, House Bill 3076 and House Bill 5151; Be Approved for Consideration - House Bills 1151, 1466, 3329 and 3372.

Signed, Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Muñoz, for what purpose do you rise?

SENATOR MUÑOZ:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your point, Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, Ladies and Gentlemen of the Senate, I have three more additional organizations from my district. Coalition for a Better Chinese American Community is here. C. W. Chan is the chairman of that. I also have the Chinese American Service League, Inc. Bernie Wong is the President of that organization. And then the Asian American Institute for Advancing Justice. If we can welcome 'em all to the Senate, I'd appreciate it.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Welcome to the Illinois State Senate. Great to have you here today. Let's give our guests a round of applause. Appreciate you being here. Mr. Secretary, Committee Reports.

SECRETARY ANDERSON:

Senator Clayborne, Chairman of the Committee on

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Assignments, reports the following Legislative Measures have been assigned: Refer to Criminal Law Committee - Committee Amendment 1 to House Bill 2582, Committee Amendment 1 to House Bill 3825, Committee Amendment 1 to House Bill 5280, Floor Amendment 2 to House Bill 5289, Committee Amendment 1 to House Bill 5602; refer to Education Committee - Floor Amendment 3 to House Bill 1466 and Committee Amendment 1 to House Bill 3826; refer to Environment Committee - Floor Amendment 1 to House Bill 4526; refer to Executive Committee - Floor Amendment 3 to House Bill 3329; refer to Gaming Committee - Committee Amendment 1 to House Bill 4466; refer to Insurance Committee - Committee Amendment 1 to House Bill 153; refer to Judiciary Committee - Floor Amendment 2 to Senate Bill 1135, Floor Amendment 1 to Senate Bill 3210 and Floor Amendment 2 to House Bill 5016; refer to Local Government Committee - Committee Amendment 1 to House Bill 3895; refer to Pensions and Investments Committee - Floor Amendment 3 to House Bill 1605; refer to Public Health Committee - Committee Amendment 1 to House Bill 4673; and refer to Transportation Committee - Floor Amendment 2 to Senate Bill 2653 and Committee Amendment 1 to House Bill 3340.

Signed, Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski, for what urgent reason do you rise?

SENATOR KOTOWSKI:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your point, Senator Kotowski.

SENATOR KOTOWSKI:

Thank you. It is a great day today in the Illinois State

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Senate to -- we have a wonderful crowd here today to celebrate the birthday of Senator Heather Steans. Senator Steans is celebrating a birthday today. She's done a -- a wonderful job as a Senator. She's a great leader and a great friend. Please give her a wonderful happy birthday greeting. Happy birthday, Senator Steans.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Happy birthday, Senator Steans. Congratulations. Ladies and Gentlemen, the following committees -- I'm going to make some committee announcements for this afternoon, as well as tomorrow. The following committees will be meeting to take up Floor amendments: Judiciary will meet in Room 400 at 3:31 p.m. today; Transportation will meet in Room 400 at 5:01 p.m.; Education will meet in Room 409 at 5:01 p.m. today; tomorrow - Criminal Law at 10:01, Environment at 10 a.m., Pensions and Investments at 11:01, Revenue at 2:01. I'll run through those again. This afternoon, we have Judiciary, Room 400 at 3:31 p.m.; Transportation will meet in Room 400 at 5:01 p.m. Education will meet in Room 409 this afternoon at 5:01 p.m. Tomorrow morning, Criminal Law will meet in Room 212 at 10:01 a.m. Environment, tomorrow morning in Room 400 at 10 a.m. Pensions and Investments, in Room 400, tomorrow morning at 11:01 a.m. And Revenue, in Room 400, tomorrow morning {sic} at 2:01 p.m. Ladies and Gentlemen, we have one additional committee that will be meeting tomorrow afternoon. Executive will meet in Room 212 at 2:01 p.m. tomorrow afternoon. Executive, Room 212 at -- one minute after 2 tomorrow afternoon. Senator Murphy, for what purpose do you rise?

SENATOR MURPHY:

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Purpose of an announcement, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your announcement.

SENATOR MURPHY:

The Republicans will have a caucus immediately, for fifteen minutes, in Room 409.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy has moved that the Senate recess for the purposes of a fifteen-minute Senate Republican Caucus. Seeing no objection, the motion is granted. The Senate now stands in recess to the call of the Chair. After the Senate Republican Caucus, Senate committees -- all Senate committees that are scheduled for this afternoon will meet. The Senate will reconvene after committee meetings for the purposes of reading amendment -- committee reports, rather -- for the purposes of reading committee reports. The Senate stands in recess to the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SECRETARY ANDERSON:

Senator Frerichs, Chairperson of the Committee on Agriculture and Conservation, reports House Bills 930, 4819 and 5115 Do Pass.

Senator Delgado, Chairperson of the Committee on Public Health, reports House Bill 4673 Do Pass, as Amended; Senate

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Resolution 714 Be Adopted; Senate Joint Resolution 71 Be Adopted.

Senator Maloney, Chairperson of the Committee on Higher Education, reports Senate Resolution 742 Be Adopted; Senate Joint Resolution 69 Be Adopted.

Senator Mulroe, Vice-Chairperson of the Committee on Judiciary, reports House Bill 4662 Do Pass; Senate Amendment 1 to Senate Bill 3210 and Senate Amendment 2 to House Bill 5016 recommended Do Adopt.

Senator -- Senator Meeks, Chairperson of the Committee on Education, reports House Bill 3826 Do Pass, as Amended; and House Joint Resolution 51 Be Adopted.

Senator Sandoval, Chairperson of the Committee on Transportation, reports House Bill 3340 Do Pass, as Amended; and Senate Amendment 2 to Senate Bill 2653 recommended Do Adopt.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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 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 5761.

(Secretary reads title of bill)

Passed the House, May 8th, 2012. Timothy D. Mapes, Clerk of the House.

Message from the House by Mr. Mapes, Clerk.

Mr. President - I am directed to inform the Senate that the

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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 84.

Offered by President Cullerton. Adopted by the House, May 8th, 2012. Timothy D. Mapes, Clerk of the House. It is substantive, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

There being no further business to come before the Senate, the Senate, pursuant to the -- adjournment resolution -- let me start over. There being no further business to come before the Senate, the Senate stands adjourned until the hour of 12 p.m. on the 9th day of May, 2012. The Senate stands adjourned.