



# **SENATE JOURNAL**

**STATE OF ILLINOIS**

**NINETY-EIGHTH GENERAL ASSEMBLY**

**25TH LEGISLATIVE DAY**

**Perfunctory Session**

**FRIDAY, MARCH 15, 2013**

**3:03 O'CLOCK P.M.**

**SENATE**  
**Daily Journal Index**  
**25th Legislative Day**

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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.

**MESSAGE 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

March 15, 2013

Mr. Tim Anderson  
Secretary of the Senate  
Room 403 State House  
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to Rule 2-10, I am scheduling a Perfunctory Session to convene on Friday, March 15, 2013.

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

cc: Senate Minority Leader Christine Radogno

**LEGISLATIVE MEASURES FILED**

The following Committee amendments to the Senate Bills listed below have been filed with the Secretary and referred to the Committee on Assignments:

Senate Committee Amendment No. 1 to Senate Bill 46  
Senate Committee Amendment No. 1 to Senate Bill 52  
Senate Committee Amendment No. 2 to Senate Bill 52  
Senate Committee Amendment No. 3 to Senate Bill 52  
Senate Committee Amendment No. 1 to Senate Bill 494  
Senate Committee Amendment No. 1 to Senate Bill 924  
Senate Committee Amendment No. 1 to Senate Bill 1042  
Senate Committee Amendment No. 2 to Senate Bill 1162  
Senate Committee Amendment No. 1 to Senate Bill 1164  
Senate Committee Amendment No. 4 to Senate Bill 1217  
Senate Committee Amendment No. 1 to Senate Bill 1238  
Senate Committee Amendment No. 1 to Senate Bill 1294  
Senate Committee Amendment No. 1 to Senate Bill 1330  
Senate Committee Amendment No. 1 to Senate Bill 1334  
Senate Committee Amendment No. 1 to Senate Bill 1354  
Senate Committee Amendment No. 1 to Senate Bill 1361  
Senate Committee Amendment No. 1 to Senate Bill 1370  
Senate Committee Amendment No. 1 to Senate Bill 1371  
Senate Committee Amendment No. 1 to Senate Bill 1418  
Senate Committee Amendment No. 2 to Senate Bill 1418  
Senate Committee Amendment No. 1 to Senate Bill 1448

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Senate Committee Amendment No. 1 to Senate Bill 2350  
 Senate Committee Amendment No. 1 to Senate Bill 2352  
 Senate Committee Amendment No. 1 to Senate Bill 2356  
 Senate Committee Amendment No. 1 to Senate Bill 2362  
 Senate Committee Amendment No. 1 to Senate Bill 2366

The following Floor amendments to the Senate Bills listed below have been filed with the Secretary and referred to the Committee on Assignments:

Senate Floor Amendment No. 3 to Senate Bill 35  
 Senate Floor Amendment No. 2 to Senate Bill 202  
 Senate Floor Amendment No. 2 to Senate Bill 492  
 Senate Floor Amendment No. 3 to Senate Bill 1207  
 Senate Floor Amendment No. 1 to Senate Bill 1228  
 Senate Floor Amendment No. 1 to Senate Bill 1409  
 Senate Floor Amendment No. 1 to Senate Bill 1417  
 Senate Floor Amendment No. 2 to Senate Bill 1589  
 Senate Floor Amendment No. 1 to Senate Bill 1603  
 Senate Floor Amendment No. 1 to Senate Bill 1757  
 Senate Floor Amendment No. 1 to Senate Bill 1787  
 Senate Floor Amendment No. 1 to Senate Bill 1817  
 Senate Floor Amendment No. 1 to Senate Bill 1908

The following Committee amendment to the Senate Resolution listed below has been filed with the Secretary and referred to the Committee on Assignments:

Senate Committee Amendment No. 1 to Senate Joint Resolution 25

## **PRESENTATION OF RESOLUTIONS**

### **SENATE RESOLUTION NO. 162**

Offered by Senator McGuire and all Senators:  
 Mourns the death of Mary M. Mattson.

By unanimous consent, the foregoing resolution was referred to the Resolutions Consent Calendar.

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

### **SENATE RESOLUTION NO. 163**

WHEREAS, The Illinois Environmental Protection Agency maintains jurisdiction over and has the authority to issue Beneficial Use Determinations for asphalt roofing shingles in the State of Illinois; and

WHEREAS, Senate Bill 1925 of this 98th General Assembly will require the Illinois Environmental Protection Agency to conduct an evaluation of an applicant's prior experience in asphalt shingle recycling operations prior to issuing a Beneficial Use Determination for asphalt shingles; and

WHEREAS, In 2011, the Illinois Senate passed HB1326, now Public Act 97-0314, which authorized the Illinois Department of Transportation ("Department") to use recycled asphalt shingles in its hot mix asphalt projects; and

WHEREAS, The Department has developed an approval process for the acceptance of recycled asphalt shingles into hot mix asphalt projects; and

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WHEREAS, The Department uses recycled asphalt shingles in its hot mix asphalt projects; and

WHEREAS, The Senate believes that for new applications and renewals of recyclers it is necessary for the Department to develop a protocol to ensure that only responsible recyclers operating under appropriate permits and Beneficial Use Determinations issued by the Illinois Environmental Protection Agency are providing materials to the Department for its use; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the Department not to approve the production of hot mixes from recycled asphalt shingles, and not to use recycled asphalt shingles from a recycler in its projects, until the Department has received from the Illinois Environmental Protection Agency a copy of the information the Agency collects from the recycler in order to conduct the prior experience evaluation required under Senate Bill 1925, if that bill is enacted into law; and be it further

RESOLVED, That we urge the Department to obtain verification from the recycler as to the accuracy and sufficiency of the information in the Beneficial Use Determination; and be it further

RESOLVED, That we urge the Department to review all verified information from the Illinois Environmental Protection Agency and the recycler in order to make a determination regarding the propriety of the recycler's production of material for use in hot mix asphalt projects; and we further urge the Department not to approve any recycler that has a pending or unresolved environmental compliance action in this State or any other against it or any of its principals; and be it further

RESOLVED, That we urge the Department, on an annual basis, to obtain verification, for each hot mix asphalt plant that used recycled asphalt shingles on Department projects during the previous calendar year, of the number of tons of recycled asphalt shingles used in Department contracts (by contract) and that the usage was in accordance with subsection (b) of Section 4-221 of the Illinois Highway Code; and we further urge the Department not to approve a hot mix asphalt plant for production in any calendar year prior to receiving that verification.

### MESSAGES FROM THE HOUSE

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 NO. 101

A bill for AN ACT concerning regulation.  
Passed the House, March 14, 2013.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bill No. 101** was taken up, ordered printed and placed on first reading.

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 NO. 982

A bill for AN ACT concerning insurance.  
Passed the House, March 14, 2013.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bill No. 982** was taken up, ordered printed and placed on first reading.

[March 15, 2013]

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 NO. 1154

A bill for AN ACT concerning public employee benefits.  
Passed the House, March 14, 2013.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bill No. 1154** was taken up, ordered printed and placed on first reading.

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 NO. 1166

A bill for AN ACT concerning public employee benefits.  
Passed the House, March 14, 2013.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bill No. 1166** was taken up, ordered printed and placed on first reading.

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 NO. 1299

A bill for AN ACT concerning education.  
Passed the House, March 14, 2013.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bill No. 1299** was taken up, ordered printed and placed on first reading.

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 NO. 1462

A bill for AN ACT concerning health.  
Passed the House, March 15, 2013.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bill No. 1462** was taken up, ordered printed and placed on first reading.

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 NO. 1522

A bill for AN ACT concerning local government.

[March 15, 2013]

Passed the House, March 15, 2013.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bill No. 1522** was taken up, ordered printed and placed on first reading.

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 NO. 1548

A bill for AN ACT concerning criminal law.

Passed the House, March 15, 2013.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bill No. 1548** was taken up, ordered printed and placed on first reading.

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 NO. 2232

A bill for AN ACT concerning local government.

Passed the House, March 15, 2013.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bill No. 2232** was taken up, ordered printed and placed on first reading.

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 NO. 2239

A bill for AN ACT concerning local government.

Passed the House, March 15, 2013.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bill No. 2239** was taken up, ordered printed and placed on first reading.

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 NO. 2245

A bill for AN ACT concerning children.

Passed the House, March 15, 2013.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bill No. 2245** was taken up, ordered printed and placed on first reading.

A message from the House by

[March 15, 2013]



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 NO. 2353**

A bill for AN ACT concerning education.

Passed the House, March 15, 2013.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bill No. 2353** was taken up, ordered printed and placed on first reading.

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 NO. 2369**

A bill for AN ACT concerning State government.

Passed the House, March 15, 2013.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bill No. 2369** was taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mapes, 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. 28**

Concurred in by the House, March 15, 2013.

TIMOTHY D. MAPES, Clerk of the House

A message from the House by

Mr. Mapes, 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 NO. 25**

WHEREAS, The members of the Illinois General Assembly are saddened to learn of the death of Susan Cayton Woodson of Chicago's Hyde Park neighborhood, who passed away on January 31, 2013; and

WHEREAS, Susan Cayton Woodson was born on October 16, 1918, in Seattle, Washington; as her mother died when she was just one year old, she was raised by her maternal grandparents, Horace Roscoe Cayton, Sr., and Susie Revels Cayton; and

WHEREAS, Susan Cayton Woodson was very conscious of her heritage and worked hard to honor her ancestors in her life's work; her great-grandfather, Hiram Rhodes Revels, made history in 1870 in Reconstruction Mississippi when he was elected the country's first African-American U.S. Senator and later became the first president of Alcorn State University in Mississippi; her maternal grandmother was a suffragette and union activist and her maternal grandfather published the Seattle Republican, the city's first black newspaper; and

WHEREAS, The Caytons passed on their strong work ethic to their children and granddaughter;

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Susan Cayton Woodson's aunt, Madge, was one of the first black women to graduate from the University of Washington; her uncle, Horace, Jr., served as director of Chicago's Parkway Community House, a social-service center in Bronzeville, and co-authored the 1945 book *Black Metropolis*; her uncle, Revels Cayton, was a prominent labor and civil rights activist in San Francisco; her aunt, Lillie, became a counselor and spokesperson for Alcoholics Anonymous throughout the West Coast; and

WHEREAS, Following her grandfather's death in 1940, Susan Cayton moved to Chicago; she was entrusted for the long drive to Paul Robeson, a close family friend; she worked a switchboard at Parkway Community House and became involved in the Chicago Renaissance when black artists like Gwendolyn Brooks, Margaret Walker, Charles Wilbert White, and Richmond Barthe produced their early works; she counted among her friends such leading African-American cultural and political figures as Richard Wright, Langston Hughes, Gordon Parks, William Carter, Eldzier Cortor, Charles Sebree, Elizabeth Catlett, and Irene Clark; and

WHEREAS, Susan Cayton Woodson and Chicago businessman and chemist Harold Woodson were married in 1949; the couple raised a family together; and

WHEREAS, Susan Cayton Woodson was an avid collector of African-American art; her home became the site of the Susan C. Woodson Gallery of Chicago, which she created to allow her to remain at home to care for her ailing husband; the gallery became the preeminent and internationally acclaimed collection of the Chicago Renaissance; and

WHEREAS, For more than three decades, Susan Cayton Woodson was one of the most devoted supporters of the Chicago Public Library's Vivian G. Harsh Research Collection; in 1983, she donated the Horace Cayton papers; in 1988, she organized the visual arts exhibit and programming for the first-ever exhibit on the Chicago Black Renaissance; the following year, she donated her own papers and those of her husband; she also served on the Board of the South Side Community Art Center for almost 40 years and, when they offered her the chance to take emeritus status, she insisted on remaining a working member of the Board; and

WHEREAS, Susan Cayton Woodson was preceded in death by her loving husband of 48 years, the late Harold W. Woodson; and

WHEREAS, Susan Cayton Woodson is survived by her son, Harold W. Woodson, Jr., (Virginia); her stepdaughter, Eleanor Kamuda; her grandson, Charles J. Woodson; her granddaughters, Melissa Waldon-Ongley (Ryan Stephen) and Meredith Kamuda; her great-granddaughter, Marley Rose Meanie; her nieces, Madge Cayton and Susie Cayton; her nephews, Leroy Revels Cayton and Richard Rice; her grandson-in-love, William K. Gilchrist; and her daughters-in-love, Jan Spivey Gilchrist (Kelvin) and Derise Tolliver (Osofo); therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we mourn, along with her family and friends, the passing of Susan Cayton Woodson; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the family of Susan Cayton Woodson as a symbol of our deep sympathy and great esteem.

Adopted by the House, March 12, 2013.

TIMOTHY D. MAPES, Clerk of the House

By direction of the Secretary, the foregoing resolution was referred to the Resolutions Consent Calendar.

#### **READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME**

**House Bill No. 101**, sponsored by Senator Clayborne, was taken up, read by title a first time and referred to the Committee on Assignments.

[March 15, 2013]

**House Bill No. 1154**, sponsored by Senator J. Cullerton, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 1166**, sponsored by Senator J. Cullerton, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 1299**, sponsored by Senator Rezin, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 1462**, sponsored by Senator Delgado, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 1522**, sponsored by Senator Koehler, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 1548**, sponsored by Senator Murphy, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 2239**, sponsored by Senator Cunningham, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 2245**, sponsored by Senator Delgado, was taken up, read by title a first time and referred to the Committee on Assignments.

## APPOINTMENT MESSAGE

### Appointment Message No. 0113

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

The Executive Ethics Commission is 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 Power Agency

Start Date: March 16, 2013

End Date: March 15, 2015

Name: Anthony Star

Residence: 1524 E. 59th St., Apt. 2A, Chicago, IL 60637

Annual Compensation: \$103,800

Per diem: Not Applicable

Nominee's Senator: Senator Kwame Raoul

Most Recent Holder of Office: Arlene Juracek

Superseded Appointment Message: Appointment Message 470 of the 97th General Assembly

[March 15, 2013]

Under the rules, the foregoing Appointment Message was referred to the Committee on Assignments.

At the hour of 3:08 o'clock p.m., pursuant to **Senate Joint Resolution No. 28**, the Chair announced the Senate stand adjourned until Tuesday, March 19, 2013, at 11:00 o'clock a.m., or until the call of the President.