



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-EIGHTH GENERAL ASSEMBLY

30TH LEGISLATIVE DAY

Perfunctory Session

WEDNESDAY, APRIL 3, 2013

1:46 O'CLOCK P.M.

SENATE
Daily Journal Index
30th Legislative Day

Action	Page(s)
Appointment Message.....	9
Introduction of Senate Bill No. 2578.....	8
Legislative Measure(s) Filed.....	5
Message from the President.....	3
Presentation of Senate Joint Resolution No. 31.....	8
Presentation of Senate Resolution No. 200.....	6
Presentation of Senate Resolution No. 201.....	7
Presentation of Senate Resolutions No'd. 187-199.....	5
Report from Assignments Committee.....	10, 11
Report(s) Received.....	4

Bill Number	Legislative Action	Page(s)
SJR 0031	Committee on Assignments.....	8
SR 0200	Committee on Assignments.....	6
SR 0201	Committee on Assignments.....	7
HB 0100	First Reading.....	9
HB 0131	First Reading.....	9
HB 1046	First Reading.....	9
HB 1189	First Reading.....	9
HB 1256	First Reading.....	9
HB 1544	First Reading.....	9
HB 1651	First Reading.....	10
HB 2213	First Reading.....	10
HB 2267	First Reading.....	10
HB 2273	First Reading.....	10
HB 2370	First Reading.....	10
HB 2374	First Reading.....	10
HB 2494	First Reading.....	10
HB 2619	First Reading.....	10
HB 2654	First Reading.....	10
HB 2709	First Reading.....	10
HB 2775	First Reading.....	10
HB 2777	First Reading.....	10
HB 2830	First Reading.....	10
HB 2897	First Reading.....	10
HB 2898	First Reading.....	10
HB 2910	First Reading.....	10
HB 3014	First Reading.....	10
HB 3057	First Reading.....	10

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

April 3, 2013

Mr. Tim Anderson
Secretary of the Senate
Room 401 State House
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to Rule 2-10, I am scheduling a Perfunctory Session to convene on Wednesday, April 3, 2013.

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

April 3, 2013

Mr. Tim Anderson
Secretary of the Senate
Room 401 State House
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to Rule 3-5(c), I hereby appoint Senator Mattie Hunter to temporarily replace Senator James Clayborne as Chair of the Senate Committee on Assignments on Wednesday, April 3, 2013. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Committee on Assignments.

Pursuant to Rule 3-5(c), I hereby appoint Senator Donne Trotter to temporarily replace Senator Kimberly Lightford as a member of the Senate Committee on Assignments on Wednesday, April 3, 2013. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Committee on Assignments.

[April 3, 2013]

Lastly, pursuant to Rule 3-5(c), I hereby appoint Senator William Delgado to temporarily replace Senator Don Harmon as a member of the Senate Committee on Assignments on Wednesday, April 3, 2013. This appointment is effective immediately and 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

REPORTS RECEIVED

The Secretary placed before the Senate the following reports:

Enterprise Data Warehouse Final Report, submitted by the Department of Healthcare and Family Services.

Report Pursuant to Public Act 87-552 (Flex time), submitted by the Department of Central Management Services.

Report Pursuant to Public Act 87-552 (Flex time), submitted by the Department of Public Health.

Report Pursuant to Public Act 87-552 (Flex time), Department of Corrections.

Report #11-13 Pursuant to the Taxpayer Accountability and Budget Stabilization Act, submitted by the Office of the Auditor General.

Illinois State Building Energy Expense Study FY2012 and Project FY2013-2015, submitted by the Department of Commerce and Economic Opportunity.

Illinois Tollway 2012 Annual Report - Making Our Move, Building a New Tomorrow Today, submitted by the Illinois Tollway.

Illinois State Toll Highway Authority OIG Summary Activity Report for the time period October 1, 2012 through March 31, 2013, submitted by the Illinois Tollway.

Illinois Medical District Commission Biennial Report FY 2011-12, submitted by the Illinois Medical District Commission.

IDES Bilingual Staffing Report for FY2013, submitted by the Department of Employment Security.

Open Space Lands Acquisition and Development Grant Program Annual Report Fiscal Year 2012, submitted by the Department of Natural Resources.

CMS Report of Employees Receiving Bilingual Pay, 3/4/2013, submitted by the Department of Central Management Services.

Report Pursuant to Public Act 87-552 (Flex time), submitted by the Department of Central Management Services.

LIS Biennial Report, 2011-2013, submitted by the Legislative Information System.

IL State Retirement Systems Financial Condition as of June 30, 2012, submitted by the Commission on Government Forecasting and Accountability.

[April 3, 2013]

DHFS Medical Assistance Program Annual Report, Fiscal Years 2010, 2011 and 2012, submitted by the Department of Healthcare and Family Services.

Report Pursuant to Public Act 87-552 (Flex time), submitted by the Illinois Criminal Justice Information Authority.

Women and Minorities in the Illinois Labor Force 2013 Annual Report, submitted by the Department of Employment Security.

IPA Annual Report on the Costs and Benefits of Renewable Resource Procurement in Illinois under the Illinois Power Agency and Illinois Public Utilities Act, submitted by the Illinois Power Agency.

Renewable Energy Resources Program Report, January through December 2012, submitted by the Department of Commerce and Economic Opportunity.

School Districts' Special Education Expenditures and Receipts Report, submitted by the Illinois State Board of Education.

Cross Safety Improvement Program FY 2014-2018 Plan, submitted by the Illinois Commerce Commission.

2012 Annual Report on Accidents/Incidents Involving Hazardous Materials on Railroads in Illinois, submitted by the Illinois Commerce Commission.

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

LEGISLATIVE MEASURES FILED

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

Senate Committee Amendment No. 2 to Senate Bill 1354

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 202
 Senate Floor Amendment No. 1 to Senate Bill 448
 Senate Floor Amendment No. 3 to Senate Bill 1346
 Senate Floor Amendment No. 2 to Senate Bill 1585
 Senate Floor Amendment No. 1 to Senate Bill 1843
 Senate Floor Amendment No. 2 to Senate Bill 1925
 Senate Floor Amendment No. 1 to Senate Bill 2196
 Senate Floor Amendment No. 1 to Senate Bill 2326

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 187

Offered by Senator McCann and all Senators:
 Mourns the death of Ida M. "Edith" Rathgeb of Carlinville.

SENATE RESOLUTION NO. 188

Offered by Senator McCann and all Senators:
 Mourns the death of Lester Marshall Hays of Carlinville.

SENATE RESOLUTION NO. 189

[April 3, 2013]

Offered by Senator E. Jones III and all Senators:
Mourns the death of H.J. Croff.

SENATE RESOLUTION NO. 190

Offered by Senator Haine and all Senators:
Mourns the death of Duane R. Badgett of Granite City.

SENATE RESOLUTION NO. 191

Offered by Senator Koehler and all Senators:
Mourns the death of Barbara S. Penelton of Peoria.

SENATE RESOLUTION NO. 192

Offered by Senator Haine and all Senators:
Mourns the death of John W. Draper, Jr., of Granite City.

SENATE RESOLUTION NO. 193

Offered by Senator Harris and all Senators:
Mourns the death of Katie Bell Jackson-Booker.

SENATE RESOLUTION NO. 194

Offered by Senator Haine and all Senators:
Mourns the death of Felix Macias of Godfrey.

SENATE RESOLUTION NO. 195

Offered by Senator Forby and all Senators:
Mourns the death of Faye Maurine Fox of Marion.

SENATE RESOLUTION NO. 196

Offered by Senator Forby and all Senators:
Mourns the death of Jewell L. Rosson of Anna.

SENATE RESOLUTION NO. 197

Offered by Senator Mulroe and all Senators:
Mourns the death of Beverly Ann (nee Kaehn) O'Donnell.

SENATE RESOLUTION NO. 198

Offered by Senator Radogno and all Senators:
Mourns the death of Geraldine C. Germain (nee Coote) of Palos Hills.

SENATE RESOLUTION NO. 199

Offered by Senator Link and all Senators:
Mourns the death of Peter A. Lentine of Gurnee.

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

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

SENATE RESOLUTION NO. 200

WHEREAS, Certain communities on the Northwest side of the City of Chicago (including Edison Park, Norwood Park, Jefferson Park, Gladstone Park, and Big Oaks) lay underneath the key nighttime air routes that converge over the community; this includes 5 glide paths, 2 major take-off plates, air routes, all used after 10 p.m.; and

WHEREAS, These communities of the City of Chicago seek a solution to the nighttime sleep
[April 3, 2013]

interruptions during the hours of 10 p.m. and 7 a.m., including the shoulder hours as well; and

WHEREAS, The Nextgen Program is currently being applied at O'Hare International Airport, where flights that used to be 5-miles spaced apart will soon have only a 3-mile separation, times 6 east-to-west approach patterns for all inbound flights; and

WHEREAS, These communities of the City of Chicago are experiencing higher levels of jet noise, especially during the phase I nighttime flight operations; and

WHEREAS, The current fly quiet program needs to be re-evaluated for the purposes of instilling and sharing the primary purpose of flight and community partnership at O'Hare International Airport with all of the collar communities; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the Federal Aeronautics Administration and O'Hare International Airport authorities to decrease jet noise over the communities of Northwest Chicago by establishing a full-time fly quiet program and urge the creation and passage of a federal homeowner's aviation fly quiet act; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the Commissioner of O'Hare International Airport, the Acting Administrator of the Federal Aeronautics Administration, and to each member of the Illinois congressional delegation.

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

SENATE RESOLUTION NO. 201

WHEREAS, The members of the Illinois Senate wish to recognize Fox College on its storied history and the contributions it has made to the field of higher education; and

WHEREAS, Fox College was founded in 1932 by Earl B. Fox, an educator and former high school principal; his vision was to have a small, exclusive school dedicated to producing the very best executive and legal assistants; ambitious and motivated individuals from the Chicago metropolitan area were accepted and extremely high standards were maintained in a highly specialized program; graduates possessed strong workplace skills and a strong sense of direction, maturity, and confidence; and

WHEREAS, Fox College has gone through changes throughout the years just as society has; while the philosophy of high standards and educational challenge has remained, the programs and curricula have evolved to prepare students to compete in the global economy of today; and

WHEREAS, Last year 75% of Fox College first-time/full-time students graduated from their programs; 97% of students seeking assistance secured employment in their area of study; minorities, including Hispanics, African Americans, and Asians, compose nearly half of the student body at the school today; and

WHEREAS, The mission of Fox College is that of an institution of higher learning that combines general education and professional education in applied programs that prepare motivated students for success in specialized careers; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we celebrate the history of Fox College and recognize its commitment to the community and the field of higher education; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Fox College as a symbol of our esteem and respect.

[April 3, 2013]

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

SENATE JOINT RESOLUTION NO. 31

WHEREAS, Section 14.1 of the Toll Highway Act provides that prior to the issuance of bonds for or the commencement of construction of any new toll highway, that particular toll highway shall be authorized by joint resolution of the General Assembly; and

WHEREAS, In 1995 by Senate Joint Resolution 45 (the 1995 Resolution) the General Assembly approved the expansion of the Illinois toll highway system to include an O'Hare Airport Bypass with Extension, with the Bypass to be constructed generally along the western edge of the O'Hare Airport between I-90 (Northwest Tollway) near Elmhurst Road and I-294 (Tri-State Tollway) near Grand Avenue, and with the extension to be constructed in a generally East-West direction between I-290 (near Thorndale Avenue) at the West and the Bypass at the East; and

WHEREAS, It is necessary and appropriate, following extensive multi-agency public outreach culminating in recommendations agreed upon by all communities along the proposed Elgin-O'Hare corridor to proceed with construction of new toll highway facilities, to update the 1995 Resolution to reflect the current project recommendation as outlined in the October 2012 Tier 2 Final Environmental Impact Statement that was jointly executed by the Federal Aviation Administration, Federal Highway Administration, Illinois Department of Transportation, and Illinois State Toll Highway Authority; and

WHEREAS, It may be necessary and appropriate to expand the project limits over time to adhere to future additions or expansions of the EOWA project; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that the Illinois State Toll Highway Authority be authorized to expand the Illinois toll highway system, under a project to be known as the Elgin-O'Hare Western Access (EOWA), to include an O'Hare Airport Bypass with Extension, general access to O'Hare Airport primarily from the West and South, with the Bypass to be constructed generally along the western edge of the O'Hare Airport between I-90 (Northwest Tollway) near Elmhurst Road and I-294 (Tri-State Tollway) near Grand Avenue, and with the Extension to be constructed in a generally East-West direction between the Bypass at the East and the western terminus of the Elgin-O'Hare Expressway at U.S. 20 to the West; including, but not limited to, any necessary access ramps and bridges; and be it further

RESOLVED, That the Illinois State Toll Highway Authority, in performing work to complete the EOWA project, consider and utilize, to the extent practicable, available technology and construction processes intended to reduce the environmental impact of the project on surrounding areas, and to perform work that will facilitate establishment of future freight inter-modal transport, and alternative transport modes including rail transit, bicycle, and pedestrian within the project area; and be it further

RESOLVED, That that the Illinois State Toll Highway Authority shall complete the EOWA project in a manner that supports diversity involvement in the project work and economic development in the region; and be it further

RESOLVED, That a copy of this preamble and resolution be immediately forwarded to each of the Directors of the Illinois State Toll Highway Authority.

INTRODUCTION OF BILL

SENATE BILL NO. 2578. Introduced by Senator J. Cullerton, a bill for AN ACT concerning appropriations.

[April 3, 2013]

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

APPOINTMENT MESSAGE

Appointment Message No. 0169

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

I, Dan Rutherford, Treasurer, 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.

Title of Office: Executive Inspector General

Agency or Other Body: Office of the Executive Inspector General for the Treasurer

Start Date: July 1, 2013

End Date: June 30, 2018

Name: David L. Wells

Residence: 7415 N. Osceola Ave., Chicago, IL 60631

Annual Compensation: \$106,000

Per diem: Not Applicable

Nominee's Senator: Senator John G. Mulroe

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

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

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 100, sponsored by Senator Delgado, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 131, sponsored by Senator Hutchinson, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 1046, sponsored by Senator Hunter, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 1189, sponsored by Senator Cunningham, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 1256, sponsored by Senator Koehler, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 1544, sponsored by Senator Manar, was taken up, read by title a first time and referred to the Committee on Assignments.

[April 3, 2013]

House Bill No. 1651, sponsored by Senator LaHood, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2213, sponsored by Senator Lightford, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2267, sponsored by Senator Manar, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2273, sponsored by Senator Sullivan, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2370, sponsored by Senator Frerichs, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2374, sponsored by Senator Hutchinson, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2494, sponsored by Senator Jacobs, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2619, sponsored by Senator Bivins, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2654, sponsored by Senators E. Jones, III, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2709, sponsored by Senator Sullivan, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2775, sponsored by Senator Sullivan, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2777, sponsored by Senator Sullivan, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2830, sponsored by Senator Collins, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2897, sponsored by Senator Harmon, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2898, sponsored by Senator Harmon, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2910, sponsored by Senator Manar, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3014, sponsored by Senator Cunningham, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3057, sponsored by Senator Muñoz, was taken up, read by title a first time and referred to the Committee on Assignments.

REPORTS FROM COMMITTEE ON ASSIGNMENTS

[April 3, 2013]

Senator Hunter, Chairperson of the Committee on Assignments, during its April 3, 2013 meeting, reported the following Senate Bills have been assigned to the indicated Standing Committees of the Senate:

Agriculture and Conservation: **House Bills Numbered 1272, 1292 and 1569.**

Appropriations I: **Senate Bill No. 1368.**

Criminal Law: **Senate Bills Numbered 1192, 1618 and 1643; House Bills Numbered 958, 1010, 1309, 1346, 2640 and 2916.**

Education: **Senate Bill No. 2340; House Bill No. 64.**

Energy: **Senate Bill No. 105; House Bills Numbered 1201, 1453, 1534, 2232 and 2427.**

Executive: **Senate Bills 1158 and 2352; House Bills 101, 188, 1154, 1165, 1166, 1351, 1486, 2614 and 2869.**

Executive Appointments: **Appointment Messages Numbered 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167 and 168.**

Financial Institutions: **House Bill 99.**

Higher Education: **House Bill 1299.**

Human Services: **House Bills 104, 1017 and 2245.**

Insurance: **Senate Bill 2344; House Bills 982 and 2393.**

Judiciary: **Senate Bill 1606; House Bills 984, 1048, 1458 and 2771.**

Labor and Commerce: **Senate Bill 2393; House Bill 1370.**

Licensed Activities and Pensions: **House Bills 1388 and 2638.**

Local Government: **Senate Bill 1790; House Bills 1203, 1349, 1522, 2690 and 2737.**

Public Health: **House Bills 61, 2009 and 2452.**

Revenue: **House Bill 2327.**

State Government and Veterans Affairs: **House Bills 1404, 1462 and 2613.**

Transportation: **House Bills 198 and 989.**

Senator Hunter, Chairperson of the Committee on Assignments, during its April 3, 2013 meeting, reported the following Senate Resolution has been assigned to the indicated Standing Committee of the Senate:

Executive: **Senate Resolution No. 157.**

Senator Hunter, Chairperson of the Committee on Assignments, during its April 3, 2013 meeting, reported that the Committee recommends that **Senate Bill No. 1639** be re-referred from the Committee on Labor and Commerce to the Committee on Executive.

Senator Hunter, Chairperson of the Committee on Assignments, to which was referred **House Bills numbered 1003, 1589 and 2353**, during its April 3, 2013 meeting, reported the same back with the recommendation that the bills be placed on the order of second reading without recommendation to committee.

Senator Hunter, Chairperson of the Committee on Assignments, during its April 3, 2013 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Criminal Law: **Senate Committee Amendment No. 1 to Senate Bill 1192; Senate Floor Amendment No. 1 to Senate Bill 1843; Senate Floor Amendment No. 1 to Senate Bill 2196.**

Education: **Senate Floor Amendment No. 1 to Senate Bill 1622.**

Environment: **Senate Floor Amendment No. 2 to Senate Bill 1925.**

Executive: **Senate Committee Amendment No. 1 to Senate Bill 2352; Senate Committee Amendment No. 1 to Senate Bill 2404.**

Human Services: **Senate Floor Amendment No. 2 to Senate Bill 1567.**

Revenue: **Senate Floor Amendment No. 1 to Senate Bill 2326.**

Transportation: **Senate Floor Amendment No. 1 to Senate Bill 1214.**

Senator Hunter, Chairperson of the Committee on Assignments, during its April 3, 2013 meeting, reported that the Committee recommends that **Committee Amendment No. 1 to Senate Bill No. 1639** be re-referred from the Committee on Labor and Commerce to the Committee on Executive.

Senator Hunter, Chairperson of the Committee on Assignments, during its April 3, 2013 meeting, reported that the following Legislative Measure has been approved for consideration:

Senate Floor Amendment No. 1 to Senate Bill 448

The foregoing floor amendment was placed on the Secretary's Desk.

At the hour of 1:57 o'clock p.m., pursuant to **Senate Joint Resolution No. 30**, the Chair announced the Senate stand adjourned until Wednesday, April 10, 2013, at 12:00 o'clock noon, or until the call of the President.