



# **SENATE JOURNAL**

**STATE OF ILLINOIS**

**NINETY-SIXTH GENERAL ASSEMBLY**

**72ND LEGISLATIVE DAY**

**Perfunctory Session**

**WEDNESDAY, JANUARY 6, 2010**

**2:16 O'CLOCK P.M.**

**SENATE**  
**Daily Journal Index**  
**72nd Legislative Day**

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The Senate met pursuant to the directive of the President.  
Pursuant to the 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, ILLINOIS 62706

January 5, 2010

Ms. Jillayne Rock  
Secretary of the Senate  
Room 403 State House  
Springfield, IL 62706

Dear Madam Secretary:

Pursuant to Rule 2-10, I am scheduling a perfunctory session to convene at 2:00 p.m. on Wednesday, January 6, 2010.

Sincerely,  
s/John J. Cullerton  
Senate President

cc: Republican Leader Christine Radogno

**INTRODUCTION OF BILLS**

**SENATE BILL NO. 2501.** Introduced by Senator Garrett, a bill for AN ACT concerning revenue.

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

**SENATE BILL NO. 2502.** Introduced by Senator Clayborne, a bill for AN ACT concerning State government.

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

**SENATE BILL NO. 2503.** Introduced by Senator Haine, a bill for AN ACT concerning elections.

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

**SENATE BILL NO. 2504.** Introduced by Senator Haine, a bill for AN ACT concerning criminal law.

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

**SENATE BILL NO. 2505.** Introduced by Senator Frerichs, a bill for AN ACT concerning revenue.

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

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**SENATE BILL NO. 2506.** Introduced by Senator Brady, a bill for AN ACT concerning finance. The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

**SENATE BILL NO. 2507.** Introduced by Senator Wilhelmi, a bill for AN ACT concerning education.

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

**SENATE BILL NO. 2508.** Introduced by Senator Dillard, a bill for AN ACT concerning business.

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

**SENATE BILL NO. 2509.** Introduced by Senator Dillard, a bill for AN ACT concerning civil law.

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

### **PRESENTATION OF RESOLUTIONS**

#### **SENATE RESOLUTION NO. 501**

Offered by Senator Bivins and all Senators:

Mourns the death of U.S. Army PFC E3 Devin Michel of Colorado Springs, Colorado, formerly of Stockton.

#### **SENATE RESOLUTION NO. 502**

Offered by Senator Viverito and all Senators:

Mourns the death of Georgia V. Les.

#### **SENATE RESOLUTION NO. 503**

Offered by Senator Clayborne and all Senators:

Mourns the death of former Illinois State Treasurer and State Legislator James H. Donnewald of Breese.

#### **SENATE RESOLUTION NO. 504**

Offered by Senator Wilhelmi and all Senators:

Mourns the death of James R. Coppert of Plainfield.

#### **SENATE RESOLUTION NO. 505**

Offered by Senator Risinger and all Senators:

Mourns the death of Patricia Welbers of rural Spring Valley.

#### **SENATE RESOLUTION NO. 506**

Offered by Senator Wilhelmi and all Senators:

Mourns the death of U.S. Army PFC Michael Pearson of Bolingbrook.

#### **SENATE RESOLUTION NO. 507**

Offered by Senator Hunter and all Senators:

Mourns the death of Janice Curtis Davis.

#### **SENATE RESOLUTION NO. 508**

Offered by Senator Dillard and all Senators:

Mourns the death of Gail Bivin.

#### **SENATE RESOLUTION NO. 509**

Offered by Senator Dillard and all Senators:

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Mourns the death of Ron Sobieszczyk.

**SENATE RESOLUTION NO. 510**

Offered by Senator Dillard and all Senators:  
Mourns the death of Sheldon J. Segal.

**SENATE RESOLUTION NO. 511**

Offered by Senator Dillard and all Senators:  
Mourns the death of James E. Lind.

**SENATE RESOLUTION NO. 512**

Offered by Senator Dillard and all Senators:  
Mourns the death of Richard "Dick" Solomon.

**SENATE RESOLUTION NO. 513**

Offered by Senator Dillard and all Senators:  
Mourns the death of Donald J. Dalton of Naperville.

**SENATE RESOLUTION NO. 514**

Offered by Senator Dillard and all Senators:  
Mourns the death of Robert Donald Grahn of Hinsdale.

**SENATE RESOLUTION NO. 515**

Offered by Senator Dillard and all Senators:  
Mourns the death of Sharon Lord Lebsack.

**SENATE RESOLUTION NO. 516**

Offered by Senator Dillard and all Senators:  
Mourns the death of Elenor Johnson of Wheaton.

**SENATE RESOLUTION NO. 517**

Offered by Senator Forby and all Senators:  
Mourns the death of Mary Sue Corn of Benton.

**SENATE RESOLUTION NO. 518**

Offered by Senator Koehler and all Senators:  
Mourns the death of Bobbie Wanless of Pekin.

**SENATE RESOLUTION NO. 519**

Offered by Senator Haine and all Senators:  
Mourns the death of Reverend Dale G. Clemens of Collinsville.

**SENATE RESOLUTION NO. 520**

Offered by Senator Haine and all Senators:  
Mourns the death of John Mendenhall, Sr., of Godfrey.

**SENATE RESOLUTION NO. 521**

Offered by Senator Hunter and all Senators:  
Mourns the death of Pastor Jacqueline Scott of Chicago.

**SENATE RESOLUTION NO. 522**

Offered by Senator Hunter and all Senators:  
Mourns the death of Melvin Powell, Sr., of Chicago.

**SENATE RESOLUTION NO. 523**

Offered by Senator Hunter and all Senators:  
Mourns the death of Culver Hampton, Sr., of Chicago.

**SENATE RESOLUTION NO. 524**

Offered by Senator Hunter and all Senators:  
Mourns the death of Mamie Lee Hunter of Chicago.

**SENATE RESOLUTION NO. 525**

Offered by Senator Althoff and all Senators:  
Mourns the death of Sergeant Jason McLeod of Crystal Lake.

**SENATE RESOLUTION NO. 526**

Offered by Senator Link and all Senators:  
Mourns the death of Ozzie Mazzetta of Highwood.

**SENATE RESOLUTION NO. 527**

Offered by Senator Link and all Senators:  
Mourns the death of Gerald Snyder, Jr., of Lake Bluff.

**SENATE RESOLUTION NO. 528**

Offered by Senator Link and all Senators:  
Mourns the death of Robert E. Clark of Waukegan and Lake Forest.

**SENATE RESOLUTION NO. 529**

Offered by Senator Link and all Senators:  
Mourns the death of Walter E. Zetterman of Waukegan.

**SENATE RESOLUTION NO. 530**

Offered by Senator Link and all Senators:  
Mourns the death of Edward John Sindles, Sr., of Ingleside.

**SENATE RESOLUTION NO. 531**

Offered by Senator Link and all Senators:  
Mourns the death of Joseph "Joe" Sisolak of Waukegan.

**SENATE RESOLUTION NO. 532**

Offered by Senator Link and all Senators:  
Mourns the death of Russell Scott Constantino of Gurnee.

**SENATE RESOLUTION NO. 533**

Offered by Senator Haine and all Senators:  
Mourns the death of Kathleen M. Rain.

**SENATE RESOLUTION NO. 534**

Offered by Senator Haine and all Senators:  
Mourns the death of William K. Carman.

**SENATE RESOLUTION NO. 535**

Offered by Senator E. Jones, III and all Senators:  
Mourns the death of Samuel Gilliams, Jr., of Chicago.

**SENATE RESOLUTION NO. 536**

Offered by Senator McCarter and all Senators:  
Mourns the death of William D. Pierce of Highland.

**SENATE RESOLUTION NO. 537**

Offered by Senator Cullerton and all Senators:  
Mourns the death of Lawrence J. Suffredin, Sr.

**SENATE RESOLUTION NO. 538**

Offered by Senator Cullerton and all Senators:  
Mourns the death of Nathan Ramis or Northbrook.

**SENATE RESOLUTION NO. 539**

Offered by Senator Link and all Senators:  
Mourns the death of Joan Bickham of Waukegan.

**SENATE RESOLUTION NO. 540**

Offered by Senator Link and all Senators:  
Mourns the death of Ann M. "Toots" Zupec of Vernon Hills.

**SENATE RESOLUTION NO. 541**

Offered by Senator Link and all Senators:  
Mourns the death of Clarence B. Brewton of Zion.

**SENATE RESOLUTION NO. 542**

Offered by Senator Link and all Senators:  
Mourns the death of Rebecca "Chudy" Niemietz of Libertyville.

**SENATE RESOLUTION NO. 543**

Offered by Senator Link and all Senators:  
Mourns the death of Paul Hardin Eagon.

**SENATE RESOLUTION NO. 544**

Offered by Senator Koehler and all Senators:  
Mourns the death of Jesse M. Veach of Peoria.

**SENATE RESOLUTION NO. 545**

Offered by Senator Brady and all Senators:  
Mourns the death of Frederick A. Dolan II of Normal.

**SENATE RESOLUTION NO. 546**

Offered by Senator Haine and all Senators:  
Mourns the death of Donald Eugene Ott.

**SENATE RESOLUTION NO. 547**

Offered by Senator Cronin and all Senators:  
Mourns the death of Marianne Catherine Lindrum.

**SENATE RESOLUTION NO. 548**

Offered by Senator Hunter and all Senators:  
Mourns the death of Ruby Butler.

**SENATE RESOLUTION NO. 549**

Offered by Senator Kotowski and all Senators:  
Mourns the death of Danny Stanton.

**SENATE RESOLUTION NO. 550**

Offered by Senator Kotowski and all Senators:  
Mourns the death of Carole Diane Driscoll of Houston, Texas.

**SENATE RESOLUTION NO. 551**

Offered by Senator Kotowski and all Senators:  
Mourns the death of Dr. Richard Rovner of Chicago.

**SENATE RESOLUTION NO. 552**

Offered by Senator Kotowski and all Senators:  
Mourns the death of Michael George Cantonis of Tarpon Springs, Florida, formerly of Park Ridge.

**SENATE RESOLUTION NO. 553**

Offered by Senator Harmon and all Senators:

Mourns the death of Lyman Shepard of Oak Park.

**SENATE RESOLUTION NO. 554**

Offered by Senator Clayborne and all Senators:  
Mourns the death of Reverend Jodie A. Luster, Jr., of Centreville.

**SENATE RESOLUTION NO. 555**

Offered by Senator Koehler and all Senators:  
Mourns the death of Douglas Alan Brignall of Bartonville.

**SENATE RESOLUTION NO. 556**

Offered by Senator Koehler and all Senators:  
Mourns the death of Carl Ziemer of Wyoming, Illinois.

**SENATE RESOLUTION NO. 557**

Offered by Senator Koehler and all Senators:  
Mourns the death of Frederick Kowalske of Peoria.

**SENATE RESOLUTION NO. 558**

Offered by Senator Althoff and all Senators:  
Mourns the death of Ross Alan Kitchen of Marengo.

**SENATE RESOLUTION NO. 559**

Offered by Senators Koehler – Hutchinson – Risinger and all Senators:  
Mourns the death of Annie Jo Gordon of Peoria.

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

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

**SENATE RESOLUTION NO. 560**

WHEREAS, A recent analysis shows that more than half of all Illinois children suspended from public schools are African-American, even though they represent less than one-fifth of the enrollment; and

WHEREAS, Expulsions rates also disproportionately hit African-American students, causing them to miss more classroom instruction time, which leads to increased rates of drop outs, joblessness, and incarceration; and

WHEREAS, In the last decade, suspensions of African-American students have escalated by 75% while those of white students have dropped more than 5%; white students are expelled 16% more often than they were 10 years ago, but African-American students are expelled 56% more often; and

WHEREAS, Caucasian students make up nearly three-fifths of public school enrollment, yet in the most recent data, they account for one-third or fewer of both suspensions and expulsions; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the Task Force on Eliminating Racial Bias in Suspensions and Expulsions be convened, consisting of eleven members as follows:

- (1) one member appointed by the Governor, who shall serve as chair;
- (2) one member appointed by the President of the Senate;
- (3) one member appointed by the Speaker of the House of Representatives;
- (4) one member appointed by the Minority Leader of the Senate;
- (5) one member appointed by the Minority Leader of the House of Representatives;
- (6) one member appointed by the Chairperson of the Illinois State Board of Education;

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- (7) one member appointed by the Governor upon the recommendation of an association representing school boards;
- (8) one member appointed by the Governor upon the recommendation of the Chicago Board of Education;
- (9) one member appointed by the Governor upon the recommendation of an organization representing teachers;
- (10) one member appointed by the Governor upon the recommendation of a different organization representing teachers; and
- (11) one member appointed by the Governor upon the recommendation of an association representing regional superintendents, who shall have expertise in administering a regional safe school program; and be it further

RESOLVED, That the Task Force shall examine the causes of the racial gap in suspension and expulsion rates, consider the long-term implications of the inequity, and issue a report to the General Assembly by April 15, 2010 that makes recommendations for removing bias from the suspension and expulsion processes.

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

**SENATE RESOLUTION NO. 561**

WHEREAS, The date of April 1, 2010 is Census Day in the United States; and

WHEREAS, The decennial census is mandated by Article I, Section 2 of the United States Constitution; and

WHEREAS, The first census in the United States was conducted in 1790, when 4 million people were counted; the 2010 census is expected to count over 300 million people; and

WHEREAS, Data collected during the course of the decennial census offers a snapshot of our nation's rich diversity, informs government decisions about nearly \$15 billion in annual funding, or approximately \$1,100 per capita, for important social and human services, education, and infrastructure programs, and determines the proper apportionment of Illinois' representation in the United States Congress; and

WHEREAS, The State of Illinois gained significant benefits when all of its inhabitants are counted, particularly during challenging economic times; and

WHEREAS, The United States Census Bureau is bound by law to keep any information collected during the 2010 Census confidential; and

WHEREAS, The Census 2010 questionnaire contains 6 questions regarding 10 topics, but does not ask questions about a respondent's Social Security number or current immigration status; and

WHEREAS, Completion of the census questionnaire by all inhabitants of the United States is an important exercise of civic participation; and

WHEREAS, Governor Pat Quinn has pledged the State of Illinois' full participation in the 2010 Census; on September 20, 2009, the Governor established a Complete Count Committee to facilitate the pledge; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the citizens of the State of Illinois to complete the Census 2010 questionnaire by April 1, 2010 to ensure that Illinois is fully and completely represented; and be it further

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RESOLVED, That we urge all public officials in Illinois to cooperate fully with the U.S. Census Bureau and assist the Bureau with its efforts to make a complete count in Illinois.

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

**SENATE JOINT RESOLUTION NO. 81**

WHEREAS, Illinois' community financial institutions provide the local support our communities need to prosper and grow; and

WHEREAS, With more than \$130 billion in assets, community banks know that when money stays in communities it becomes a renewable resource, creating an economic cycle that constantly revitalizes and stimulates local communities; and

WHEREAS, These banks have made significant contributions to the economic well-being of the communities they serve through their financial support, their dedication as good neighbors, and above all, their service as financially sound and reliable sources of economic lifeblood in our communities; and

WHEREAS, Park National Bank was a model community bank that successfully provided the quality services, access to capital, and commitment to community reinvestment that all financial institutions should provide, such as creating jobs for local residents; investing in new schools, start-up businesses, and affordable housing; supporting the work of local non-profit and cultural organizations; and exemplifying innovation, fairness, and flexibility; and

WHEREAS, On October 30, 2009, after denying FBOP Corp.'s request for \$500 million in Troubled Asset Relief Program assistance, the Federal Deposit Insurance Corporation seized the assets of FBOP Corp. and its Chicago-metro-area banking facilities known locally as Park National Bank, and sold them to U.S. Bank; and

WHEREAS, The closure of this profitable bank came hours after Treasury Secretary Timothy Geithner attended a ceremony in Chicago that awarded Park National Bank \$50 million in tax credits to help spur community-development projects in low-income communities; and

WHEREAS, the rules of the FDIC create a double standard that harms our communities because community banks get seized and sold, even though the Treasury Secretary says Park National Bank is doing all the right things to help turn itself around; and

WHEREAS, Other community banks that make the spirit and letter of the Community Reinvestment Act their core mission, such as ShoreBank, Highland Bank, and Second Federal Savings, may be in jeopardy; and

WHEREAS, A coalition of church and community leaders from across Chicago's neighborhoods have taken the initiative to raise awareness about the FDIC's actions against Park National Bank; the Coalition's initial steps have included conducting research on U.S. Bank's minority lending and mortgage foreclosure track record; developing a petition drive calling for a Congressional Hearing investigating the FDIC's actions and the apparent lack of federal aid for a model community bank, and holding a Community Town Hall Meeting; and

WHEREAS, For community banks to continue being an integral part in the development of our communities and this State as a whole, the federal government needs to consider reforms to assist and preserve community banks; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that we

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urge the United States House of Representatives Financial Services Committee and the United States Senate Committee on Banking, Housing, and Urban Affairs to hold hearings to investigate the FDIC's seizure of Park National Bank/FBOP and sale to U.S. Bank, for the impacts that this action will have on the communities that Park National Bank has served so well, and the wider implications for the future of community banking; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the members of the Illinois congressional delegation, United States Representative Barney Frank, and United States Senator Christopher Dodd.

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

**SENATE JOINT RESOLUTION NO. 82**

WHEREAS, During the 96th General Assembly, the Parents and Community Accountability Study Committee was created pursuant to Senate Joint Resolution 5 to examine issues related to racial and socioeconomic disparities affecting the pro-social development of children and youth; identify ways to engage more parents in being accountable for the actions of their children; identify ways to engage more communities in being accountable for investing in pro-social development of children and families; research the types of supports needed to help parents develop the necessary skills to ensure that their children achieve positive youth development and to reduce factors that lead to violence in the community, home, and school; and study what systems are needed to assist communities to reinvest in and support children and families; and

WHEREAS, More time is needed for the Parents and Community Accountability Study Committee to complete its work; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that the Parents and Community Accountability Study Committee is extended; and be it further

RESOLVED, That the Parents and Community Accountability Study Committee shall submit a report, as established in its authorizing resolution, before December 31, 2010; and be it further

RESOLVED, That with this reporting extension, the Committee shall continue to operate pursuant to its authorizing resolution.

**MESSAGE FROM THE PRESIDENT**

**OFFICE OF THE SENATE PRESIDENT  
STATE OF ILLINOIS**

JOHN J. CULLERTON  
SENATE PRESIDENT

327 STATE CAPITOL  
SPRINGFIELD, ILLINOIS 62706

January 4, 2010

The Honorable Jillayne Rock  
Secretary of the Senate  
403 State House  
Springfield, IL 62706

Dear Madam Secretary:

[January 6, 2010]

Pursuant to Rule 2-10, I am scheduling the Senate session to convene at 12:00 p.m. on Tuesday, January 12, 2010.

Sincerely,  
s/John J. Cullerton  
Senate President

cc: Republican Leader Christine Radogno

At the hour of 2:23 o'clock p.m., pursuant to **House Joint Resolution No. 79** and by direction of the President, the Chair announced that the Senate stand adjourned until Tuesday, January 12, 2010, at 12:00 o'clock noon.

[January 6, 2010]