



# **SENATE JOURNAL**

**STATE OF ILLINOIS**

**NINETY-SEVENTH GENERAL ASSEMBLY**

**37TH LEGISLATIVE DAY**

**THURSDAY, MAY 5, 2011**

**10:00 O'CLOCK A.M.**

**SENATE**  
**Daily Journal Index**  
**37th Legislative Day**

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The Senate met pursuant to adjournment.  
Senator Donne Trotter, Chicago, Illinois, presiding.  
Prayer by Pastor Shaun Lewis, Capitol Commission, Springfield, Illinois.  
Senator Jacobs led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journal of Wednesday, May 4, 2011, be postponed, pending arrival of the printed Journal.  
The motion prevailed.

**REPORTS RECEIVED**

The Secretary placed before the Senate the following reports:

Illiana Expressway, Will, Kankakee (IL) and Lake (IN) Counties Legislative Report – May 1, 2011, submitted by the Department of Transportation.

Law Enforcement Camera Grant Act Report, submitted by the Altamont Police Department.

Law Enforcement Camera Grant Act Report, submitted by the Kane County Sheriff.

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

**LEGISLATIVE MEASURES FILED**

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

Senate Committee Amendment No. 1 to House Bill 1215  
Senate Committee Amendment No. 1 to House Bill 1262  
Senate Committee Amendment No. 1 to House Bill 1554  
Senate Committee Amendment No. 2 to House Bill 1870  
Senate Committee Amendment No. 1 to House Bill 2974  
Senate Committee Amendment No. 1 to House Bill 3188  
Senate Committee Amendment No. 1 to House Bill 3335

**MESSAGE FROM THE PRESIDENT**

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

JOHN J. CULLERTON  
SENATE PRESIDENT

327 STATE CAPITOL  
SPRINGFIELD, ILLINOIS 62706  
217-782-2728

May 5, 2011

Ms. Jillayne Rock  
Secretary of the Senate  
Room 401 State House  
Springfield, IL 62706

Dear Madam Secretary:

[May 5, 2011]

Pursuant to Rule 3-2(c), I hereby appoint Senator Dan Kotowski to temporarily replace Senator Toi Hutchinson as a member of the Senate Transportation Committee. This appointment will automatically expire upon adjournment of the Senate Transportation Committee.

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, ILLINOIS 62706  
217-782-2728

May 5, 2011

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

Dear Madam Secretary:

Pursuant to the provisions of Senate Rule 2-10, I hereby establish May 31, 2011 as the 3<sup>rd</sup> Reading deadline for SB 270.

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

cc: Senate Republican Leader Christine Radogno

**REPORTS FROM STANDING COMMITTEES**

Senator Maloney, Chairperson of the Committee on Higher Education, to which was referred **House Bills Numbered 166, 1503 and 1876**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Wilhelmi, Chairperson of the Committee on Judiciary, to which was referred **House Bills Numbered 141, 178, 991, 1209, 1233, 1255, 1379, 1553, 1699, 1948, 1985, 2048, 2066 and 3041**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Hunter, Chairperson of the Committee on Human Services, to which was referred **House Bills Numbered 91, 106, 275, 1077, 1152, 1259, 1425, 1426, 1485, 1524, 1552, 1662, 1707, 2019, 2020, 2043, 2084, 2093, 2099, 2936, 2976, 3207 and 3468**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

[May 5, 2011]

**PRESENTATION OF RESOLUTION**

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

**SENATE RESOLUTION NO. 214**

WHEREAS, 17% of children 2 to 19 years old are obese; the highest prevalence of obese children is among Mexican-American boys (27%) and African American girls (29%); and

WHEREAS, While many children are overweight or obese, many children have diets that are deficient in one or more nutrients, leaving them in a state of under-nutrition or malnourishment; and

WHEREAS, The majority of kids, whether at a healthy weight or not, are not eating the right foods, those foods that provide "quality calories"; more kids eat food from outside the home and daily snacking and calories from these snacks have increased, consumption of the food groups kids need more of has not increased; recently published data on kids' snacking patterns find that the overall quality of the diet, or nutrient density, lowers as snacking increases; and

WHEREAS, Foods that provide the most calories in children's diets are also high in solid fats and/or added sugar; the chronic nature of low-nutrient consumption combined with the higher intake of sugar and solid fats is cause for alarm; and

WHEREAS, Providing access to the nutrient-dense foods kids need to eat, and making them look and taste great, may displace the high-sugar, high-calorie, low-nutrient foods; and

WHEREAS, Parents are showing a marked improvement in the connection to the eating and activity patterns of their children; and

WHEREAS, Many benefits are found in sharing meals as a family, including lower risk for using drugs, improved mental health, and better eating patterns, including the higher consumption of fruits and vegetables; and

WHEREAS, Children have named their mothers as their number one role model and their fathers as number two; and

WHEREAS, When parents display healthful eating and activity habits themselves, children are likely to emulate those behaviors; and

WHEREAS, Both children and their parents indicate their trust in registered dietitians as credible sources, as well as their desire to see them for guidance on what to eat and drink for health and wellness; and

WHEREAS, The American Dietetic Association and the American Dietetic Association Foundation have developed the *Kids Eat Right* initiative, bringing registered dietitians into community and school settings with tools and resources for shaping positive, lifelong habits of good nutrition and physical activity in youth; through *Kids Eat Right*, registered dietitians are providing families with the tips they need to "Shop, Cook, Eat" to support quality nutrition and healthy weights in children; and

WHEREAS, Members of the U.S. Congress have championed legislation to raise public awareness regarding childhood health issues; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge localities, schools, non-profit organizations, businesses, other entities, and the people of Illinois to promote *Kids Eat Right* with the goal of challenging all citizens to shop, cook, and eat well, as strategies to promote overall health and fight obesity in families across the State of Illinois; and be it further

[May 5, 2011]

RESOLVED, That a suitable copy of this resolution be presented to the American Dietetic Association and the American Dietetic Association Foundation as a symbol of our support.

### MESSAGE FROM THE HOUSE

A message from the House by  
Mr. Mahoney, 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. 27

WHEREAS, The Rock River, known for its beauty and ecological importance, flows south through Rockford, then southwest across northwestern Illinois, passing Oregon, Dixon, Sterling, and Rock Falls before joining the Mississippi River at Rock Island; and

WHEREAS, The Rock River provides opportunities for conservation and recreation for many residents of this State; and

WHEREAS, The Rock River has had an important role in Illinois history, and it attracts many tourists each year to such spots as the area in Dixon where former President Ronald Reagan once served as a lifeguard and his favorite fishing spot, now called "Dutch Landing", located just southwest of Lowell Park; and

WHEREAS, Designating the roads along the Illinois portion of the Rock River as a Scenic Route will encourage residents and visitors alike to explore, appreciate, and enjoy the many wonders of the Rock River; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the Rock River Scenic Route is designated as follows:

- (1) from the Illinois-Wisconsin State Line at Shirland Avenue, along South Bluff Road in Rockton Township to Rockton Road on County Highway 9;
- (2) along Rockton Road from South Bluff Road to Race Street in Rockton;
- (3) along Race Street from Rockton Road to Main Street in Rockton;
- (4) along Main Street from Race Street to Hononegah Road (County Highway 8);
- (5) along Hononegah Road from Main Street to Illinois Route 251;
- (6) along Illinois Route 251 from Hononegah Road to State Street in Rockford;
- (7) along State Street from Illinois 251 to Illinois Route 2;
- (8) along Illinois Route 2 from State Street through the remainder of Winnebago County and through Ogle County into Lee County to Palmyra Road;
- (9) along Palmyra Road from Illinois Route 2 (east) to old Illinois Route 2 (west) in Whiteside County;
- (10) along old Illinois Route 2 through the remainder of Whiteside County into Rock Island County to 94th Avenue North (County Highway 2); and
- (11) along 94th Avenue North from old Illinois Route 2 to Illinois Route 84 (the Great River Road); and be it further

RESOLVED, That the Illinois Department of Transportation and units of local government that maintain any portions of the Rock River Scenic Route are requested to erect at suitable locations on their respective portions of the route, consistent with State and federal regulations, plaques or signs giving notice of the name; and be it further

RESOLVED, That units of local government that maintain any portion of the Rock River Scenic Route are urged to enhance suitable areas along the route; and be it further

[May 5, 2011]

RESOLVED, That the Illinois Historic Preservation Agency and the Illinois Bureau of Tourism are requested to post the Rock River Scenic Route's location on their Agency websites, and to produce and distribute brochures and other related matter that will make the route known to the public; and be it further

RESOLVED, That copies of this resolution be delivered to the Illinois Secretary of Transportation, the Illinois Historic Preservation Agency, the Illinois Bureau of Tourism, and to each of the local governments having jurisdiction over any portion of the route.

Adopted by the House, May 3, 2011.

MARK MAHONEY, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 27 was referred to the Committee on Assignments.

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

**House Bill No. 1226**, sponsored by Senator Wilhelmi, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 2550**, sponsored by Senator Sandack, was taken up, read by title a first time and referred to the Committee on Assignments.

#### **REPORT FROM STANDING COMMITTEE**

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred **Appointment Messages Numbered 57, 60, 69, 73, 74, 75, 76, 77 and 78**, reported the same back with the recommendation that the Senate do advise and consent.

Under the rules, the foregoing appointment messages are eligible for consideration by the Senate.

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

On motion of Senator Sullivan, **House Bill No. 1170** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Wilhelmi, **House Bill No. 1427** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator C. Johnson, **House Bill No. 1562** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Althoff, **House Bill No. 1657** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Frerichs, **House Bill No. 1683** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Holmes, **House Bill No. 1684** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sullivan, **House Bill No. 1724** was taken up, read by title a second time and ordered to a third reading.

[May 5, 2011]

On motion of Senator Koehler, **House Bill No. 3155** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Frerichs, **House Bill No. 3253** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Frerichs, **House Bill No. 3314** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Delgado, **House Bill No. 1338** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Delgado, **House Bill No. 1380** having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Public Health, adopted and ordered printed:

**AMENDMENT NO. 1 TO HOUSE BILL 1380**

AMENDMENT NO. 1. Amend House Bill 1380 as follows:

on page 2, line 12, by replacing "training" with "development"; and

on page 3, line 12, by replacing "training" with "development".

There being no further amendments, the bill, as amended, was ordered to a third reading.

On motion of Senator Link, **House Bill No. 3332** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sullivan, **House Bill No. 3414** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Crotty, **House Bill No. 3513** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Mulroe, **House Bill No. 3591** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Delgado, **House Bill No. 1531** was taken up, read by title a second time and ordered to a third reading.

**ANNOUNCEMENT ON ATTENDANCE**

Senator Murphy announced for the record that Senator Millner was absent due to illness in the family.

At the hour of 10:37 o'clock a.m., the Chair announced that the Senate stand at ease.

**AT EASE**

At the hour of 10:50 o'clock a.m. the Senate resumed consideration of business.  
Senator Trotter, presiding.

**REPORTS FROM COMMITTEE ON ASSIGNMENTS**

[May 5, 2011]



Senator Clayborne, Chairperson of the Committee on Assignments, during its May 5, 2011 meeting, reported the following House Bills have been assigned to the indicated Standing Committees of the Senate:

Appropriations II: **House Bill No. 2167.**

Criminal Law: **House Bills Numbered 1069, 3283, 3284, 3285, 3293, 3390 and 3486.**

Energy: **House Bill No. 2896**

Executive: **House Bills Numbered 2259, 3343 and 3500.**

Higher Education: **House Bill No. 466.**

Judiciary: **House Bill No. 3335.**

Labor: **House Bill No. 3428.**

Pensions and Investments: **House Bill No. 3375.**

State Government and Veterans Affairs: **House Bill 3411**

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 5, 2011 meeting, reported the following Resolutions have been assigned to the indicated Standing Committees of the Senate:

Education: **House Joint Resolution No. 7.**

Public Health: **House Joint Resolution No. 13.**

State Government and Veterans Affairs: **Senate Resolutions Numbered 199 and 204.**

Transportation: **Senate Joint Resolution No. 31; House Joint Resolutions Numbered 25 and 28.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 5, 2011 meeting, reported that the Committee recommends that **House Bill No. 3005** be re-referred from the Committee on Judiciary to the Committee on Criminal Law.

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 5, 2011 meeting, reported that the Committee recommends that **Floor Amendment No 2 to Senate Bill No. 270** be re-referred from the Committee on Executive to the Committee on Assignments.

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 5, 2011 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Appropriations II: **Senate Floor Amendment No. 5 to Senate Bill 2458.**

Environment: **Senate Committee Amendment No. 1 to House Bill 3620.**

Higher Education: **Senate Committee Amendment No. 1 to House Bill 1079.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 5, 2011 meeting, reported that the following Legislative Measure has been approved for consideration:

[May 5, 2011]

**Senate Floor Amendment No. 2 to Senate Bill 270**

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

**COMMITTEE MEETING ANNOUNCEMENTS**

The Chair announced the following committees to meet at 11:00 o'clock a.m.:

Education in Room 409  
Transportation in Room 400

The Chair announced the following committees to meet at 1:00 o'clock p.m.:

Executive in Room 212  
Licensed Activities in Room 409  
Revenue in Room 400

The Chair announced the following committees to meet at 3:30 o'clock p.m.:

Energy in Room 212  
Financial Institutions in Room 400

The Chair announced the following committees to meet at 4:30 o'clock p.m.:

Criminal Law in Room 212  
Environment in Room 400  
Local Government in Room 409

At the hour of 10:54 o'clock a.m., the Chair announced that the Senate stand at recess subject to the call of the Chair.

**AFTER RECESS**

At the hour of 4:20 o'clock p.m., the Senate resumed consideration of business.  
Senator Muñoz, presiding.

**LEGISLATIVE MEASURES FILED**

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

Senate Committee Amendment No. 1 to House Bill 237  
Senate Committee Amendment No. 1 to House Bill 1073  
Senate Committee Amendment No. 1 to House Bill 1095  
Senate Committee Amendment No. 1 to House Bill 1518  
Senate Committee Amendment No. 1 to House Bill 1530  
Senate Committee Amendment No. 1 to House Bill 1558  
Senate Committee Amendment No. 1 to House Bill 1605

**REPORTS FROM STANDING COMMITTEES**

Senator Sandoval, Chairperson of the Committee on Transportation, to which was referred **House Bills Numbered 236, 585, 1112, 1151, 1222, 1295, 1377, 1573, 1593, 1761, 1889, 1966, 2270, 2836,**

[May 5, 2011]

**2874, 2937, 2938, 3139, 3331, 3403 and 3597**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Meeks, Chairperson of the Committee on Education, to which was referred **House Bills Numbered 12, 139, 189, 1415, 1706, 2397, 2401, 3027, 3035, 3109, 3171, 3179, 3222, 3281, 3464 and 3489**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Meeks, Chairperson of the Committee on Education, to which was referred **House Bills Numbered 200, 1216, 2870 and 3115**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

Under the rules, the bills were ordered to a second reading.

Senator Meeks, Chairperson of the Committee on Education, to which was referred **House Joint Resolution No. 4**, reported the same back with the recommendation that the resolution, as amended, be adopted.

Under the rules, **House Joint Resolution No. 4** was placed on the Secretary's Desk.

Senator Hutchinson, Chairperson of the Committee on Revenue, to which was referred **House Bills Numbered 234, 363, 1486, 1527 and 2500**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Martinez, Chairperson of the Committee on Licensed Activities, to which was referred **House Bills Numbered 220, 274, 711, 1125, 1279, 1394, 1398, 1494, 1702, 1877, 1973, 2023, 2777 and 3255**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Harmon, Chairperson of the Committee on Executive, to which was referred **House Bills Numbered 79, 268, 1192, 1291, 1491, 1542, 1686, 1852, 3158, 3184, 3329, 3377 and 3450**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Jacobs, Chairperson of the Committee on Energy, to which was referred **House Bills Numbered 1260, 1368, 1487, 1703, 1865, 3036, 3037, 3038 and 3182**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Jacobs, Chairperson of the Committee on Energy, to which was referred **House Bill No. 1458**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

Under the rules, the bill was ordered to a second reading.

Senator J. Collins, Chairperson of the Committee on Financial Institutions, to which was referred **House Bills Numbered 159, 1560 and 3050**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator J. Collins, of the Committee on Financial Institutions, to which was referred **House Bill No. 1651**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

Under the rules, the bill was ordered to a second reading.

[May 5, 2011]

**MOTION IN WRITING**

Senator Muñoz submitted the following Motion in Writing:

Pursuant to Senate Rule 10-1(c), as the Chairman of the Executive Appointments Committee, I move to compile the following Appointment Messages to be acted on together by a single vote of the Senate:

AM 57 (Capital Development Board)  
AM's 60, 69 (Treasurer's Personnel Review Board)

Date: 5 May, 2011

s/Antonio Muñoz  
ASSISTANT MAJORITY LEADER ANTONIO MUÑOZ  
CHAIR, EXECUTIVE APPOINTMENTS COMMITTEE

The foregoing Motion in Writing was filed with the Secretary and ordered placed on the Senate Calendar.

**MESSAGES FROM THE PRESIDENT**

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

JOHN J. CULLERTON  
SENATE PRESIDENT

327 STATE CAPITOL  
SPRINGFIELD, ILLINOIS 62706  
217-782-2728

May 5, 2011

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

Dear Madam Secretary:

Pursuant to the provisions of Senate Rule 2-10, I hereby establish May 31, 2011 as the 3<sup>rd</sup> Reading deadline for the following Senate Bills:

175, 271, 272, 273, 340, 341, 342, 632, 676, 864, 1405, 1410, 1422, and 1436.

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

cc: Senate Republican Leader Christine Radogno

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

JOHN J. CULLERTON  
SENATE PRESIDENT

327 STATE CAPITOL  
SPRINGFIELD, ILLINOIS 62706  
217-782-2728

[May 5, 2011]

May 5, 2011

Ms. Jillayne Rock  
Secretary of the Senate  
Room 401 State House  
Springfield, IL 62706

Dear Madam Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator Mike Jacobs to temporarily replace Senator Annazette Collins as a member of the Senate Environment Committee. This appointment will automatically expire upon adjournment of the Senate Environment Committee.

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

cc: Senate Minority Leader Christine Radogno

At the hour of 4:22 o'clock p.m., the Chair announced the Senate stand adjourned until Friday, May 6, 2011, at 11:00 o'clock a.m.

[May 5, 2011]