



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-SEVENTH GENERAL ASSEMBLY

106TH LEGISLATIVE DAY

WEDNESDAY, APRIL 25, 2012

11:09 O'CLOCK A.M.

SENATE
Daily Journal Index
106th Legislative Day

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The Senate met pursuant to adjournment.
 Senator James F. Clayborne, Belleville, Illinois, presiding.
 Prayer by Reverend Jonathan Dixon, Riverton Methodist Church, Riverton, Illinois.
 Senator Jacobs led the Senate in the Pledge of Allegiance.

Senator Crotty moved that reading and approval of the Journal of Tuesday, April 24, 2012, be postponed, pending arrival of the printed Journal.
 The motion prevailed.

REPORTS RECEIVED

The Secretary placed before the Senate the following reports:

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

Cross-Agency Medication Commission Final Report, April 2012, submitted by the Department of Human Services.

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

LEGISLATIVE MEASURES FILED

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 2534
 Senate Floor Amendment No. 1 to Senate Bill 2653
 Senate Floor Amendment No. 1 to Senate Bill 2721
 Senate Floor Amendment No. 1 to Senate Bill 2761
 Senate Floor Amendment No. 3 to Senate Bill 2900
 Senate Floor Amendment No. 1 to Senate Bill 2979

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 1864
 Senate Committee Amendment No. 1 to House Bill 3779
 Senate Committee Amendment No. 1 to House Bill 3893
 Senate Committee Amendment No. 2 to House Bill 3893
 Senate Committee Amendment No. 1 to House Bill 4076
 Senate Committee Amendment No. 2 to House Bill 4753
 Senate Committee Amendment No. 1 to House Bill 4996
 Senate Committee Amendment No. 1 to House Bill 5493
 Senate Committee Amendment No. 1 to House Bill 5825

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

Senate Floor Amendment No. 2 to House Bill 404
 Senate Floor Amendment No. 3 to House Bill 404

MESSAGE FROM THE PRESIDENT

OFFICE OF THE SENATE PRESIDENT

[April 25, 2012]

STATE OF ILLINOIS

JOHN J. CULLERTON
SENATE PRESIDENT

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

April 25, 2012

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

Dear Mr. Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator Pat McGuire to temporarily replace Senator James Meeks as a member of the Senate Revenue Committee. This appointment will automatically expire, upon adjournment of the Senate Revenue Committee.

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

cc: Senate Minority Leader Christine Radogno

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 722

Offered by Senator Kotowski and all Senators:
Mourns the death of Mary Ellen Henehan of Barrington.

SENATE RESOLUTION NO. 723

Offered by Senator Dillard and all Senators:
Mourns the death of Robert L. Jensen of Downers Grove.

SENATE RESOLUTION NO. 724

Offered by Senator Forby and all Senators:
Mourns the death of Matthew Hale "Matt" Lueke of Milstadt.

SENATE RESOLUTION NO. 725

Offered by Senator Forby and all Senators:
Mourns the death of Amy L. Rone.

SENATE RESOLUTION NO. 726

Offered by Senator Forby and all Senators:
Mourns the death of Elvis Nolen of West City.

SENATE RESOLUTION NO. 728

Offered by Senator J. Collins and all Senators:
Mourns the death of Willie L. May.

By unanimous consent, the foregoing resolutions were referred to the Resolutions Consent Calendar.

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

[April 25, 2012]

SENATE RESOLUTION NO. 727

WHEREAS, All aspects of transportation in the State of Illinois and throughout the United States are in need of serious infrastructure improvements; and

WHEREAS, Passenger rail and freight transportation has become a topic of serious debate when it comes to the conditions of railroad tracks and bridges on which trains travel; and

WHEREAS, It is of utter importance that the State of Illinois and the United States strive to improve the infrastructure on which these trains travel; and

WHEREAS, With the infrastructure of railroad tracks and bridges needing repair, it is necessary to identify the tracks and bridges that are in serious need of repair so that construction can be done to ensure the safety of passengers and travel of freight trains; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that there is created the Task Force on Railroad and Bridge Infrastructure, consisting of members appointed as follows: the President of the Illinois Senate or his or her designee; the Minority Leader of the Illinois Senate or his or her designee; the Illinois Secretary of Transportation or his or her designee; the Executive Director of the Regional Transportation Authority or his or her designee; the Chairman of the Chicago Transit Board or his or her designee; the Chairman of Metra or his or her designee; and a member representing freight rail service to be appointed by the chair of the task force; and be it further

RESOLVED, That the Task Force can appoint members as it determines to serve as representatives of passenger and freight transportation entities or other concerned parties; the Task Force may request assistance from any entity necessary or useful for the performance of its duties; and be it further

RESOLVED, That the Task Force shall conduct in-depth research to identify the railroad tracks and bridges that are in need of repair so that the necessary infrastructure repairs can be done; and be it further

RESOLVED, That the Illinois Secretary of Transportation shall serve as the chair of the Task Force; the Task Force shall meet at the call of the chair; the members of the Task Force shall serve without compensation; and be it further

RESOLVED, That the Illinois Department of Transportation shall provide staffing support to the Task Force and shall administer and prepare all reports deemed necessary in conjunction with the Task Force; and be it further

RESOLVED, That the Task Force shall issue a report with its recommendations to the members of the Illinois House of Representatives on or before December 31, 2013.

REPORTS FROM STANDING COMMITTEES

Senator Delgado, Chairperson of the Committee on Public Health, to which was referred **House Bills Numbered 4548, 4901, 5050, 5134 and 5528**, reported the same back with the recommendation that the bills do pass.

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

Senator Delgado, Chairperson of the Committee on Public Health, to which was referred **Senate Resolution No. 630**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Resolution No. 630** was placed on the Secretary's Desk.

Senator Frerichs, Chairperson of the Committee on Agriculture and Conservation, to which was referred **House Bill No. 5685**, reported the same back with the recommendation that the bill do pass.

[April 25, 2012]

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

Senator Frerichs, Chairperson of the Committee on Agriculture and Conservation, to which was referred **House Bill No. 3611**, 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 Frerichs, Chairperson of the Committee on Agriculture and Conservation, to which was referred **Senate Resolution No. 665**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Resolution No. 665** was placed on the Secretary's Desk.

Senator Silverstein, Chairperson of the Committee on Judiciary, to which was referred **House Bills Numbered 3806 and 5266**, reported the same back with the recommendation that the bills do pass.

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

Senator Silverstein, Chairperson of the Committee on Judiciary, to which was referred **House Bills Numbered 4190 and 5016**, 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 Hunter, Chairperson of the Committee on Human Services, to which was referred **House Bills Numbered 3915, 3986, 4003, 4037, 4563, 4566, 4609, 5007 and 5679**, 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 Bill No. 5592**, 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 Lightford, Vice-Chairperson of the Committee on Education, to which was referred **House Bills Numbered 1473, 4602 and 5013**, reported the same back with the recommendation that the bills do pass.

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

Senator Lightford, Vice-Chairperson of the Committee on Education, to which was referred **House Bill No. 5689**, 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 Lightford, Vice-Chairperson of the Committee on Education, to which was referred **House Joint Resolution No. 67**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **House Joint Resolution No. 67** was placed on the Secretary's Desk.

Senator Lightford, Vice-Chairperson of the Committee on Education, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 2 to Senate Bill 636

Senate Amendment No. 2 to Senate Bill 3259

Under the rules, the foregoing floor amendments are eligible for consideration on second reading.

Senator Sandoval, Chairperson of the Committee on Transportation, to which was referred **House Bills Numbered 3875, 3948, 4577, 4692 and 5180**, reported the same back with the recommendation that the bills do pass.

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

Senator Sandoval, Chairperson of the Committee on Transportation, to which was referred **House Bill No. 3982**, 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 Sandoval, Chairperson of the Committee on Transportation, to which was referred **Senate Joint Resolution No. 62**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Joint Resolution No. 62** was placed on the Secretary's Desk.

Senator Holmes, Chairperson of the Committee on State Government and Veterans Affairs, to which was referred **House Bills Numbered 2562, 5003, 5234, 5337, 5444 and 5632**, reported the same back with the recommendation that the bills do pass.

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

Senator Haine, Chairperson of the Committee on Insurance, to which was referred **House Bill No. 5478**, reported the same back with the recommendation that the bill do pass.

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

Senator Haine, Chairperson of the Committee on Insurance, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 3 to Senate Bill 679

Under the rules, the foregoing floor amendment is eligible for consideration on second reading.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 4083, sponsored by Senator Silverstein, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4670, sponsored by Senator Haine, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5114, sponsored by Senator McGuire, was taken up, read by title a first time and referred to the Committee on Assignments.

APPOINTMENT MESSAGES

Appointment Message No. 0440

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

I, Pat Quinn, Governor, 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: Member

Agency or Other Body: Southeastern Illinois Economic Development Authority

[April 25, 2012]

Start Date: April 20, 2012

End Date: January 21, 2013

Name: Charles A. Crowder

Residence: 114 W. 3rd St., Flora, IL 62839

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator John O. Jones

Most Recent Holder of Office: William P. Crain

Superseded Appointment Message: Not Applicable

Appointment Message No. 0441

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

I, Pat Quinn, Governor, 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: Member

Agency or Other Body: Abraham Lincoln Presidential Library Advisory Board

Start Date: April 20, 2012

End Date: December 31, 2016

Name: Gary Hammons

Residence: 3 Monica Court, Springfield, IL 62702

Annual Compensation: Not Applicable

Per diem: Not Applicable

Nominee's Senator: Senator Larry K. Bomke

Most Recent Holder of Office: Charles Bryan

Superseded Appointment Message: Not Applicable

Appointment Message No. 0442

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

I, Pat Quinn, Governor, 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.

[April 25, 2012]

Title of Office: Member

Agency or Other Body: Abraham Lincoln Presidential Library Advisory Board

Start Date: April 20, 2012

End Date: December 31, 2015

Name: J. Steven Beckett

Residence: 1794 Aero Place, Urbana, IL 61802

Annual Compensation: Not Applicable

Per diem: Not Applicable

Nominee's Senator: Senator Michael W. Frerichs

Most Recent Holder of Office: Anthony Leone

Superseded Appointment Message: Not Applicable

Appointment Message No. 0443

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

I, Pat Quinn, Governor, 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: Member

Agency or Other Body: Abraham Lincoln Presidential Library Advisory Board

Start Date: April 20, 2012

End Date: December 31, 2013

Name: Richard J. Meister

Residence: 151 N. Kenilworth Ave., Apt. 2C, Oak Park, IL 60301

Annual Compensation: Not Applicable

Per diem: Not Applicable

Nominee's Senator: Senator Don Harmon

Most Recent Holder of Office: Gary Wills

Superseded Appointment Message: Not Applicable

Appointment Message No. 0444

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

I, Pat Quinn, Governor, am nominating and, by and with the advice and consent of the Senate,

[April 25, 2012]

appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Abraham Lincoln Presidential Library Advisory Board

Start Date: April 20, 2012

End Date: December 31, 2013

Name: Ranjan Karri

Residence: 2713 Killarney Rd., Springfield, IL 62711

Annual Compensation: Not Applicable

Per diem: Not Applicable

Nominee's Senator: Senator Larry K. Bomke

Most Recent Holder of Office: Charles Cullen

Superseded Appointment Message: Not Applicable

Appointment Message No. 0445

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

I, Pat Quinn, Governor, 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: Member

Agency or Other Body: Abraham Lincoln Presidential Library Advisory Board

Start Date: April 20, 2012

End Date: December 31, 2017

Name: Candle Wester-Mittan

Residence: 804 S. Valley Road, Carbondale, IL 62901

Annual Compensation: Not Applicable

Per diem: Not Applicable

Nominee's Senator: Senator David S. Luechtefeld

Most Recent Holder of Office: Marilyn Boria

Superseded Appointment Message: Not Applicable

Appointment Message No. 0446

[April 25, 2012]

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

I, Pat Quinn, Governor, 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: Member

Agency or Other Body: Abraham Lincoln Presidential Library Advisory Board

Start Date: April 20, 2012

End Date: December 31, 2016

Name: Sean Vinck

Residence: 4944 North Rockwell St., Unit 1, Chicago, IL 60625

Annual Compensation: Not Applicable

Per diem: Not Applicable

Nominee's Senator: Senator John J. Cullerton

Most Recent Holder of Office: Bill Kurtis

Superseded Appointment Message: Not Applicable

Under the rules, the foregoing Appointment Messages were referred to the Committee on Assignments

READING BILL OF THE SENATE A SECOND TIME

On motion of Senator Frerichs, **Senate Bill No. 3688** having been printed, was taken up, read by title a second time and ordered to a third reading.

READING CONSTITUTIONAL AMENDMENT A SECOND TIME

On motion of Senator Jacobs, **Senate Joint Resolution Constitutional Amendment No. 66** having been printed, was again taken, read in full a second time and ordered to a third reading.

READING CONSTITUTIONAL AMENDMENT A THIRD TIME

On motion of Senator Steans, **House Joint Resolution Constitutional Amendment No. 29**, as amended, having been printed, was taken up, read in full a third time.

Senator Steans moved that House Joint Resolution Constitutional Amendment No. 29, as amended, be adopted.

And on that motion, a call of the roll was had resulting as follows:

YEAS 55; NAY 1; Present 1.

The following voted in the affirmative:

Althoff	Garrett	Lauzen	Radogno
Bivins	Haine	Lightford	Rezin
Bomke	Harmon	Link	Righter

[April 25, 2012]

Brady	Holmes	Luechtefeld	Sandack
Clayborne	Hunter	Maloney	Sandoval
Collins, A.	Hutchinson	Martinez	Schmidt
Collins, J.	Jacobs	McCann	Schoenberg
Crotty	Johnson, C.	McCarter	Silverstein
Cultra	Jones, E.	McGuire	Steans
Delgado	Jones, J.	Mulroe	Sullivan
Dillard	Koehler	Muñoz	Syverson
Duffy	Kotowski	Murphy	Trotter
Forby	LaHood	Noland	Mr. President
Frerichs	Landek	Pankau	

The following voted in the negative:

Johnson, T.

The following voted present:

Raoul

The motion prevailed.

And the resolution, as amended, was adopted by a three-fifths vote.

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

At the hour of 12:23 o'clock p.m., the Chair announced that the Senate stand at ease.

AT EASE

At the hour of 12:31 o'clock p.m., the Senate resumed consideration of business.
Senator Clayborne, presiding.

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Clayborne, Chairperson of the Committee on Assignments, during its April 25, 2012 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Criminal Law: Senate Floor Amendment No. 1 to House Bill 5122; Senate Committee Amendment No. 1 to House Bill 5451.

Executive: Senate Floor Amendment No. 1 to Senate Bill 2761; Senate Floor Amendment No. 3 to Senate Bill 2900; Senate Committee Amendment No. 1 to House Bill 3779.

Pensions and Investments: Senate Committee Amendment No. 1 to House Bill 4996.

Senator Clayborne, Chairperson of the Committee on Assignments, during its April 25, 2012 meeting, reported the following House Bills have been assigned to the indicated Standing Committees of the Senate:

Education: House Bill No. 2984.

Higher Education: House Bill No. 5248.

Licensed Activities: House Bill No. 4479.

[April 25, 2012]

Local Government: **House Bill No. 4545.**

Revenue: **House Bill No. 1605.**

Transportation: **House Bill No. 4468.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its April 25, 2012 meeting, reported the following Resolution has been assigned to the indicated Standing Committee of the Senate:

Executive: **Senate Joint Resolution No. 70.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its April 25, 2012 meeting, reported that the Committee recommends that **Senate Floor Amendment No. 1 to Senate Bill 2651 and Senate Floor Amendment No. 1 to Senate Bill 2652** be re-referred from the Committee on Transportation to the Committee on Executive.

COMMITTEE MEETING ANNOUNCEMENTS

The Chair announced the following committee to meet at 1:35 o'clock p.m.:

Criminal Law in Room 212

The Chair announced the following committee to meet at 3:02 o'clock p.m.:

Executive in Room 212

The Chair announced that the Committee on Pensions and Investments has been cancelled.

At the hour of 12:34 o'clock p.m., the Chair announced the Senate stand adjourned until Thursday, April 26, 2012, at 10:00 o'clock a.m.