



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-SEVENTH GENERAL ASSEMBLY

108TH LEGISLATIVE DAY

TUESDAY, MAY 1, 2012

12:04 O'CLOCK P.M.

SENATE
Daily Journal Index
108th Legislative Day

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The Senate met pursuant to adjournment.
 Senator Jeffrey M. Schoenberg, Evanston, Illinois, presiding.
 Prayer by Rabbi Barry Marks, Temple Israel, Springfield, Illinois.
 Senator Jacobs led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journal of Thursday, April 26, 2012, be postponed, pending arrival of the printed Journal.
 The motion prevailed.

REPORTS RECEIVED

The Secretary placed before the Senate the following reports:

FY 2013-2018 Proposed Multi-Modal Transportation Improvement Program, submitted by the Department of Transportation.

DHS Affirmative Action Plan, FY 2012, submitted by the Department of Human Services.

Traditional Budgetary Financial Report, Fiscal Year 2011, submitted by the Office of the Comptroller.

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

DJJ Quarterly Report, April 1, 2012, submitted by the Department of Juvenile Justice.

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

LEGISLATIVE MEASURES FILED

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

Senate Committee Amendment No. 2 to Senate Bill 3728
 Senate Committee Amendment No. 3 to Senate Bill 3728

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

Senate Floor Amendment No. 1 to Senate Bill 555
 Senate Floor Amendment No. 2 to Senate Bill 555
 Senate Floor Amendment No. 3 to Senate Bill 2621
 Senate Floor Amendment No. 4 to Senate Bill 2621
 Senate Floor Amendment No. 1 to Senate Bill 2706

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. 2 to House Bill 1261
 Senate Committee Amendment No. 2 to House Bill 1605
 Senate Committee Amendment No. 1 to House Bill 2984
 Senate Committee Amendment No. 2 to House Bill 2984
 Senate Committee Amendment No. 2 to House Bill 3091
 Senate Committee Amendment No. 2 to House Bill 3779
 Senate Committee Amendment No. 1 to House Bill 3865
 Senate Committee Amendment No. 1 to House Bill 4036
 Senate Committee Amendment No. 1 to House Bill 4129

Senate Committee Amendment No. 1 to House Bill 4242
Senate Committee Amendment No. 1 to House Bill 4559
Senate Committee Amendment No. 1 to House Bill 4637
Senate Committee Amendment No. 3 to House Bill 4687
Senate Committee Amendment No. 2 to House Bill 5078
Senate Committee Amendment No. 1 to House Bill 5104
Senate Committee Amendment No. 1 to House Bill 5142
Senate Committee Amendment No. 2 to House Bill 5248
Senate Committee Amendment No. 1 to House Bill 5289
Senate Committee Amendment No. 1 to House Bill 5290
Senate Committee Amendment No. 1 to House Bill 5789
Senate Committee Amendment No. 2 to House Bill 5814

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. 4 to House Bill 404
Senate Floor Amendment No. 1 to House Bill 3892

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 26, 2012

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

Dear Mr. Secretary:

Pursuant to the provisions of Senate Rule 2-10, I hereby establish May 11, 2012 as the 3rd Reading deadline for the following Senate Bills:

171, 181, 182, 183, 184, 402, 547, 553, 555, 636, 952, 1135, 2491, 2527, 2534, 2651, 2652, 2653, 2706, 2781, 2900, 2915, 3110, 3111, 3112, 3113, 3114, 3210, 3253, 3259, 3348, 3362, 3387, 3394, 3564, 3627, 3788

Pursuant to the provisions of Senate Rule 2-10, I hereby establish May 11, 2012 as the Committee deadline and 3rd Reading deadline for the following Senate Bills:

1565, 1881, 2525, 2862, 2914, 2932, 3235, 3239, 3357, 3371, 3608, 3723, 3728, 3773

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

cc: Senate Republican Leader Christine Radogno

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

[May 1, 2012]

JOHN J. CULLERTON
SENATE PRESIDENT

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

May 1, 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 Heather Steans to temporarily replace Senator James Meeks, as a member of the Senate Education Committee. This appointment will automatically expire, upon adjournment of the Senate Education Committee.

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

cc: Senate Minority Leader Christine Radogno

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 732

Offered by Senator Link and all Senators:
Mourns the death of Robert Phillip Conroy, Jr., of Waukegan.

SENATE RESOLUTION NO. 733

Offered by Senator Link and all Senators:
Mourns the death of Ruth A. Willcox of Sebring, Florida, formerly of Park City.

SENATE RESOLUTION NO. 734

Offered by Senator McCarter and all Senators:
Mourns the death of William C. "Bill" Nichols of Decatur.

SENATE RESOLUTION NO. 735

Offered by Senators Radogno - Lauzen and all Senators:
Mourns the death of former Illinois State Senator Robert Walter Mitchler of Oswego.

SENATE RESOLUTION NO. 736

Offered by Senator Lauzen and all Senators:
Mourns the death of William Lewis Goheen of Big Rock.

SENATE RESOLUTION NO. 737

Offered by Senator Lauzen and all Senators:
Mourns the death of Ruben Avelar of Garland, Texas.

SENATE RESOLUTION NO. 738

Offered by Senator Koehler and all Senators:
Mourns the death of U.S. Army Sergeant Dean Russell Shaffer.

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

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

SENATE JOINT RESOLUTION NO. 73

WHEREAS, Illinois Route 128 is a State highway that runs from Highway 29 near Shelbyville to Highway 40 near Altamont; and

WHEREAS, Cowden Police Officer Jeremy Hubbard, of Effingham, was killed in the line of duty on August, 10, 2010; and

WHEREAS, He graduated from Effingham High School in 1993 and joined the Cowden Police Department in 2007; he completed his basic training with the Police Training Institute in Mattoon in 2008, and joined the Effingham County Sheriffs Department in 2010; and

WHEREAS, He received many commendations and was highly regarded by co-workers, community members, and the village administration; and

WHEREAS, Cowden Police Officer Jeremy Hubbard is remembered by his wife, Trisha Hubbard; his sons, Dylan and Jordan; his sister, Julia Poulter; and a grateful community; and

WHEREAS, This fallen officer deserves to be remembered by the State of Illinois for his service and sacrifice; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that the portion of Illinois Route 128 through the village limits of Cowden be renamed the Officer Jeremy Hubbard Memorial Highway; and be it further

RESOLVED, That the Illinois Department of Transportation is requested to erect at suitable locations, consistent with State and federal regulations, appropriate plaques or signs giving notice of the name of the Officer Jeremy Hubbard Memorial Highway; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the Illinois Department of Transportation, the Policemen's Benevolent & Protective Association of Illinois, and the family of Officer Jeremy Hubbard.

MESSAGE FROM THE HOUSE

A message from the House by
Mr. Mapes, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has 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. 66

WHEREAS, With the State's current dire financial situation, the reduction of State expenses must be implemented wherever possible; and

WHEREAS, Suggestions have been made that reductions could be made by reducing expenses of State boards and commissions and the compensation paid to the members of those entities; and

WHEREAS, The General Assembly should conduct a thorough analysis of expenses incurred by State boards and commissions, including expenses resulting from compensation paid to members of those

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entities, to determine where a reduction or elimination of expenses may be made; 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 there is created a bipartisan Boards and Commissions Advisory Panel for the purpose of conducting an exhaustive analysis of all statutorily created advisory panels, authorities, boards, commissions, committees, councils, and task forces to determine where cost savings may be made; and be it further

RESOLVED, That the Boards and Commissions Advisory Panel shall, at a minimum, review the activity status of all statutorily created advisory panels, authorities, boards, commissions, committees, councils, and task forces to determine if all vacancies on these entities have been filled, if these entities are meeting, and how members of these entities are compensated and to calculate the various expenses of these entities; and be it further

RESOLVED, That the Advisory Panel shall report its findings and recommendations for reductions to the General Assembly by filing a report with the Secretary of the Senate and the Clerk of the House of Representatives before June 30, 2013; and be it further

RESOLVED, That the Advisory Panel shall have 12 voting members, as follows: 3 members of the Senate appointed by the President of the Senate, 3 members of the Senate appointed by the Senate Minority Leader, 3 members of the House of Representatives appointed by the Speaker of the House of Representatives, and 3 members of the House of Representatives appointed by the Minority Leader of the House of Representatives; and be it further

RESOLVED, That the Governor, or his or her designee, shall serve as an ex-officio, non-voting member of the Advisory Panel; and be it further

RESOLVED, That one member from each political party shall be selected by the Advisory Panel members to serve as a co-chairperson; and be it further

RESOLVED, That the Advisory Panel shall meet at the call of the co-chairpersons and that the members shall serve without compensation; and be it further

RESOLVED, That all actions of the Advisory Panel require the affirmative vote of at least 7 voting members; and be it further

RESOLVED, That the Governor's Office of Executive Appointments shall provide staff support to the Advisory Panel; and be it further

RESOLVED, That a suitable copy of this resolution be delivered to the Governor of the State of Illinois.

Adopted by the House, April 24, 2012.

TIMOTHY D. MAPES, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 66 was referred to the Committee on Assignments.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 4642, sponsored by Senator T. Johnson, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5002, sponsored by Senator Sullivan, was taken up, read by title a first time and referred to the Committee on Assignments.

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House Bill No. 5115, sponsored by Senator Althoff, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5865, sponsored by Senator Righter, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5880, sponsored by Senator Righter, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5914, sponsored by Senator Righter, was taken up, read by title a first time and referred to the Committee on Assignments.

READING CONSTITUTIONAL AMENDMENT A SECOND TIME

On motion of Senator Cullerton, **House Joint Resolution Constitutional Amendment No. 49** having been printed, was again taken, read in full a second time and ordered to a third reading.

At the hour of 12:26 o'clock p.m., the Chair announced that the Senate stand at ease.

AT EASE

At the hour of 12:36 o'clock p.m. the Senate resumed consideration of business.
Senator Schoenberg, presiding.

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 1, 2012 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Agriculture and Conservation: **Senate Floor Amendment No. 2 to House Bill 404; Senate Floor Amendment No. 3 to House Bill 404; Senate Floor Amendment No. 4 to House Bill 404.**

Commerce: **Senate Committee Amendment No. 2 to House Bill 3091.**

Criminal Law: **Senate Floor Amendment No. 3 to Senate Bill 2621; Senate Floor Amendment No. 4 to Senate Bill 2621; Senate Committee Amendment No. 1 to House Bill 4637; Senate Committee Amendment No. 1 to House Bill 5289.**

Education: **Senate Floor Amendment No. 1 to Senate Bill 2706; Senate Committee Amendment No. 1 to House Bill 2984; Senate Committee Amendment No. 2 to House Bill 2984; Senate Committee Amendment No. 1 to House Bill 5290; Senate Committee Amendment No. 1 to House Bill 5825.**

Energy: **Senate Committee Amendment No. 1 to House Bill 4559; Senate Committee Amendment No. 2 to House Bill 5814.**

Environment: **Senate Committee Amendment No. 2 to Senate Bill 3728; Senate Committee Amendment No. 3 to Senate Bill 3728.**

Executive: **Senate Committee Amendment No. 1 to House Bill 222; Senate Committee Amendment No. 1 to House Bill 1261; Senate Committee Amendment No. 2 to House Bill 1261; Senate Committee Amendment No. 1 to House Bill 1404; Senate Committee Amendment No. 2 to House Bill 3779; Senate Committee Amendment No. 2 to House Bill 5078.**

Financial Institutions: **Senate Committee Amendment No. 1 to House Bill 3985.**

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Higher Education: **Senate Committee Amendment No. 1 to House Bill 1864; Senate Committee Amendment No. 1 to House Bill 4757; Senate Committee Amendment No. 1 to House Bill 5248; Senate Committee Amendment No. 2 to House Bill 5248.**

Human Services: **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 4129.**

Insurance: **Senate Floor Amendment No. 1 to Senate Bill 2721.**

Judiciary: **Senate Floor Amendment No. 3 to Senate Bill 2534; Senate Committee Amendment No. 1 to House Bill 4028; Senate Committee Amendment No. 3 to House Bill 4687; Senate Committee Amendment No. 2 to House Bill 5434; HOUSE BILL 4662.**

Labor: **Senate Floor Amendment No. 3 to Senate Bill 3695.**

Licensed Activities: **Senate Committee Amendment No. 1 to House Bill 4076; Senate Committee Amendment No. 1 to House Bill 4479; Senate Committee Amendment No. 1 to House Bill 5033; Senate Committee Amendment No. 1 to House Bill 5104.**

Local Government: **Senate Floor Amendment No. 1 to Senate Bill 555; Senate Floor Amendment No. 2 to Senate Bill 555; Senate Floor Amendment No. 1 to House Bill 3892; Senate Floor Amendment No. 3 to House Bill 4753.**

Public Health: **Senate Committee Amendment No. 1 to House Bill 5142.**

Revenue: **Senate Committee Amendment No. 2 to House Bill 1605; Senate Floor Amendment No. 1 to Senate Bill 3004; Senate Committee Amendment No. 1 to House Bill 4242; Senate Committee Amendment No. 1 to House Bill 5789.**

State Government and Veterans Affairs: **Senate Floor Amendment No. 2 to Senate Bill 2998; Senate Committee Amendment No. 2 to House Bill 5650.**

Transportation: **Senate Floor Amendment No. 1 to Senate Bill 2653; Senate Floor Amendment No. 1 to Senate Bill 2979; Senate Committee Amendment No. 1 to House Bill 5493.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 1, 2012 meeting, to which was referred **Senate Bill No. 282** on July 23, 2011, pursuant to Rule 3-9(b), reported that the Committee recommends that the bill be approved for consideration and returned to the calendar in its former position.

The report of the Committee was concurred in.
And **Senate Bill No. 282** was returned to the order of third reading.

COMMITTEE MEETING ANNOUNCEMENTS FOR MAY 1, 2012

The Chair announced the following committee to meet at 1:42 o'clock p.m.:

Agriculture and Conservation in Room 409

The Chair announced the following committee to meet at 2:46 o'clock p.m.:

Judiciary in Room 400

The Chair announced the following committees to meet at 4:01 o'clock p.m.:

Transportation in Room 400

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Education in Room 409

COMMITTEE MEETING ANNOUNCEMENTS FOR MAY 2, 2012

The Chair announced the following committees to meet at 10:01 o'clock a.m.:

Criminal Law in Room 212
Local Government in Room 409

The Chair announced the following committees to meet at 2:01 o'clock p.m.:

Labor in Room 212

The Chair announced the following committee to meet at 3:06 o'clock p.m.:

Revenue in Room 400

The Chair announced the following committees to meet at 4:01 o'clock p.m.:

Insurance in Room 400
State Government and Veterans Affairs in Room 409

MESSAGES FROM THE HOUSE

A message from the House by

Mr. Mapes, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of bills of the following titles, to-wit:

SENATE BILL NO. 3452

A bill for AN ACT concerning transportation.

SENATE BILL NO. 3579

A bill for AN ACT concerning criminal law.

SENATE BILL NO. 3670

A bill for AN ACT concerning State government.

SENATE BILL NO. 3671

A bill for AN ACT concerning State government.

Passed the House, May 1, 2012.

TIMOTHY D. MAPES, Clerk of the House

A message from the House by

Mr. Mapes, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 3809

A bill for AN ACT concerning criminal law.

Passed the House, May 1, 2012.

TIMOTHY D. MAPES, Clerk of the House

At the hour of 12:57 o'clock p.m., the Chair announced that the Senate stand at recess subject to the call of the Chair.

AFTER RECESS

At the hour of 6:15 o'clock p.m., the Senate resumed consideration of business.

[May 1, 2012]

Senator Lightford, presiding.

REPORTS FROM STANDING COMMITTEES

Senator Frerichs, Chairperson of the Committee on Agriculture and Conservation, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 4 to House Bill 404

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

Senator Delgado, Chairperson of the Committee on Public Health, to which was referred **House Bills Numbered 4453, 4968, 5009, 5142 and 5682**, reported the same back with the recommendation that the bills do pass.

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

Senator Maloney, Chairperson of the Committee on Higher Education, to which was referred **House Bill No. 4116**, reported the same back with the recommendation that the bill do pass.

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

Senator Maloney, Chairperson of the Committee on Higher Education, to which was referred **House Bills Numbered 1864, 4757 and 5248**, 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 3893 and 4129**, 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 Silverstein, Chairperson of the Committee on Judiciary, to which was referred **House Bills Numbered 4615, 5221, 5586 and 5823**, 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 4028, 4687 and 5434**, 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 Silverstein, Chairperson of the Committee on Judiciary, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 3 to Senate Bill 2534

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

Senator Lightford, Vice-Chairperson of the Committee on Education, to which was referred **House Bill No. 5826**, reported the same back with the recommendation that the bill 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 2984 and 5290**, 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 Lightford, Vice-Chairperson of the Committee on Education, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 2706

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

Senator Sandoval, Chairperson of the Committee on Transportation, to which was referred **House Bills Numbered 4468, 4863, 4982, 5624 and 5780**, 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 Bills Numbered 5021 and 5493**, 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 Sandoval, Chairperson of the Committee on Transportation, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 2653

Senate Amendment No. 1 to Senate Bill 2979

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

READING BILL FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 5606, sponsored by Senator Forby, was taken up, read by title a first time and referred to the Committee on Assignments.

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 4096

Senate Committee Amendment No. 1 to House Bill 5450

At the hour of 6:18 o'clock p.m., the Chair announced the Senate stand adjourned until Wednesday, May 2, 2012, at 11:30 o'clock a.m.