



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-SEVENTH GENERAL ASSEMBLY

130TH LEGISLATIVE DAY

TUESDAY, NOVEMBER 27, 2012

12:15 O'CLOCK P.M.

SENATE
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130th Legislative Day

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The Senate met pursuant to adjournment.
Senator John M. Sullivan, Rushville, Illinois, presiding.
Prayer by Reverend Sara Isbell, Chatham United Methodist Church, Chatham, Illinois.
Senator Jacobs led the Senate in the Pledge of Allegiance.

The Journal of Wednesday, March 28, 2012, was being read when on motion of Senator Hunter, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

The Journal of Thursday, March 29, 2012, was being read when on motion of Senator Hunter, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

The Journal of Friday, March 30, 2012, was being read when on motion of Senator Hunter, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

The Journal of Wednesday, April 11, 2012, was being read when on motion of Senator Hunter, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

The Journal of Tuesday, April 17, 2012, was being read when on motion of Senator Hunter, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

The Journal of Wednesday, April 18, 2012, was being read when on motion of Senator Hunter, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

The Journal of Thursday, April 19, 2012, was being read when on motion of Senator Hunter, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

The Journal of Tuesday, April 24, 2012, was being read when on motion of Senator Hunter, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

The Journal of Wednesday, April 25, 2012, was being read when on motion of Senator Hunter, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

The Journal of Thursday, April 26, 2012, was being read when on motion of Senator Hunter, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

The Journal of Tuesday, May 1, 2012, was being read when on motion of Senator Hunter, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

The Journal of Wednesday, May 2, 2012, was being read when on motion of Senator Hunter, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

The Journal of Thursday, May 3, 2012, was being read when on motion of Senator Hunter, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

Senator Hunter moved that reading and approval of the Journal of Monday, June 18, 2012, be postponed, pending arrival of the printed Journal.

The motion prevailed.

Senator Hunter moved that reading and approval of the Journal of Friday, August 17, 2012, be postponed, pending arrival of the printed Journal.

The motion prevailed.

Senator Hunter moved that reading and approval of the Journal of Wednesday, November 14, 2012, be postponed, pending arrival of the printed Journal.

The motion prevailed.

Senator Hunter moved that reading and approval of the Journal of Wednesday, November 21, 2012, be postponed, pending arrival of the printed Journal.

The motion prevailed.

LEGISLATIVE MEASURE FILED

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

Senate Floor Amendment No. 1 to House Bill 1957

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 971

Offered by Senator Dillard and all Senators:

Mourns the death of Brian Thompson McElwain of Downers Grove.

SENATE RESOLUTION NO. 972

Offered by Senator Haine and all Senators:

Mourns the death of Richard R. "Dick" Bell of Wood River.

SENATE RESOLUTION NO. 973

Offered by Senator Haine and all Senators:

Mourns the death of Gerald "Jerry" E. Sewell.

SENATE RESOLUTION NO. 974

Offered by Senator Link and all Senators:

Mourns the death of Myrna J. Kangas.

SENATE RESOLUTION NO. 975

Offered by Senator Link and all Senators:

Mourns the death of Waitman "Harold" Egnor of Waukegan.

SENATE RESOLUTION NO. 976

Offered by Senator Link and all Senators:

Mourns the death of Renee Lynn Rogers of Gurnee.

SENATE RESOLUTION NO. 977

Offered by Senator Link and all Senators:

Mourns the death of Dennis P. Skoff of Beach Park.

SENATE RESOLUTION NO. 978

Offered by Senator Frerichs and all Senators:

Mourns the death of Stanley B. Balbach, Sr., of Savoy.

[November 27, 2012]

SENATE RESOLUTION NO. 979

Offered by Senator Koehler and all Senators:
Mourns the death of Jerry Hester of Peoria.

SENATE RESOLUTION NO. 980

Offered by Senator Haine and all Senators:
Mourns the death of Frederick A. Wuellner.

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

INTRODUCTION OF BILLS

SENATE BILL NO. 3939. Introduced by Senator Althoff, a bill for AN ACT concerning housing.

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

SENATE BILL NO. 3940. Introduced by Senator Jacobs, a bill for AN ACT concerning government.

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

COMMUNICATION FROM THE MINORITY LEADER

CHRISTINE RADOGNO

SENATE REPUBLICAN LEADER · 41st DISTRICT

November 27, 2012

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

Dear Mr. Secretary:

Pursuant to the provisions of Rule 3-5 (c), I am hereby appointing Senator Matt Murphy to replace Senator Kirk Dillard as a member of the Senate Committee on Assignments and I am appointing Senator Dale Righter to serve as Minority Spokesperson of the Committee on Assignments. These appointments are effective immediately and shall automatically expire upon adjournment of the Senate Committee on Assignments.

Sincerely,
s/Christine Radogno
Christine Radogno
Senate Republican Leader

cc: Senate President John Cullerton
Assistant Secretary of the Senate Scott Kaiser

At the hour of 12:37 o'clock p.m., the Chair announced that the Senate stand at ease.

AT EASE

[November 27, 2012]

At the hour of 12:51 o'clock p.m., the Senate resumed consideration of business.
 Senator Sullivan, presiding.

REPORTS FROM COMMITTEE ON ASSIGNMENTS

Senator Clayborne, Chairperson of the Committee on Assignments, during its November 27, 2012 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Executive: **Senate Committee Amendment No. 1 to Senate Resolution 821.**

Financial Institutions: **HOUSE BILL 5849.**

Labor: **HOUSE BILLS 1041 and 2607.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its November 27, 2012 meeting, reported the following Appointment Messages have been assigned to the indicated Standing Committee of the Senate:

Executive Appointments: **Appointment Messages Numbered 556 and 557.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its November 27, 2012 meeting, to which was referred **Senate Bill No. 282** on July 1, 2012, 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.

Senator Clayborne, Chairperson of the Committee on Assignments, during its November 27, 2012 meeting, to which was referred **Senate Bill No. 2124 and 3521**, on July 1, 2012, pursuant to Rule 3-9(b), reported that the Committee recommends that the bills be approved for consideration and returned to the calendar in their former position.

The report of the Committee was concurred in.

And **Senate Bills Numbered. 2124 and 3521** were returned to the order of consideration postponed.

Senator Clayborne, Chairperson of the Committee on Assignments, during its November 27, 2012 meeting, to which was referred **Senate Bill No. 1355** on July 1, 2012, 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. 1355** was returned to the order of concurrence.

Senator Clayborne, Chairperson of the Committee on Assignments, during its November 27, 2012 meeting, to which was referred **Senate Bill No. 1540** on January 14, 2012, 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. 1540** was returned to the order of second reading.

Senator Clayborne, Chairperson of the Committee on Assignments, during its November 27, 2012 meeting, to which was referred **Senate Bills Numbered 411, 414, 641, 775, 957, and 1065** on July 23,

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2011, pursuant to Rule 3-9(b), reported that the Committee recommends that the bills be approved for consideration and returned to the calendar in their former position.

The report of the Committee was concurred in.

And **Senate Bills Numbered 411, 414, 641, 775, 957 and 1065** were returned to the order of third reading.

Senator Clayborne, Chairperson of the Committee on Assignments, during its November 27, 2012 meeting, to which was referred **Senate Bill No. 2936** on May 2, 2012, pursuant to Rule 3-9(b), reported that the Committee recommends that the bill be approved for consideration and returned to the calendar in their former position.

The report of the Committee was concurred in.

And **Senate Bill No. 2936** was returned to the order of second reading.

Senator Clayborne, Chairperson of the Committee on Assignments, during its November 27, 2012 meeting, to which was referred **Senate Bills Numbered 1076 and 2722** on May 2, 2012, pursuant to Rule 3-9(b), reported that the Committee recommends that the bill be approved for consideration and returned to the calendar in their former position.

The report of the Committee was concurred in.

And **Senate Bill No. 2722** was returned to the order of third reading.

Senator Clayborne, Chairperson of the Committee on Assignments, during its November 27, 2012 meeting, to which was referred **House Bills Numbered 506, 1299, 2083, 3804, 4074, 4666 and 5730** on July 1, 2012, pursuant to Rule 3-9(b), reported that the Committee recommends that the bills be approved for consideration and returned to the calendar in their former position.

The report of the Committee was concurred in.

And **House Bills Numbered 506, 1299, 2083, 3804, 4074, 4666 and 5730** were returned to the order of third reading.

Senator Clayborne, Chairperson of the Committee on Assignments, during its November 27, 2012 meeting, to which was referred **House Bill No. 1957** 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 **House Bill No. 1957** was returned to the order of third reading.

Senator Clayborne, Chairperson of the Committee on Assignments, during its November 27, 2012 meeting, reported that the following Legislative Measure has been approved for consideration:

Motion to Recede from House Amendments 1 and 2 to House Bill No. 4110

The foregoing motion was placed on the Secretary's Desk.

Senator Clayborne, Chairperson of the Committee on Assignments, during its November 27, 2012 meeting, reported the following Legislative Measure has been assigned to the indicated Standing Committee of the Senate:

Education: **Senate Floor Amendment No. 1 to House Bill 1957.**

COMMITTEE MEETING ANNOUNCEMENT

The Chair announced the following committee to meet at 1:55 o'clock p.m.:

[November 27, 2012]

Education in Room 409

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

November 27, 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 Mattie Hunter to temporarily replace Senator William Delgado as a member of the Senate Executive Appointments Committee. This appointment will automatically expire upon adjournment of the Senate Executive Appointments 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, IL 62706
217-782-2728

November 27, 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 January 8, 2013 as the 3rd Reading deadline for the following Bills:

Senate Bills: 282, 411, 414, 641, 775, 957, 1065, 1076, 1355, 1540, 2124, 2722, 2936, and 3521.

House Bills: 506, 1041, 1299, 1957, 2083, 2607, 3804, 4074, 4666, 5730 and 5849.

Sincerely,
s/John J. Cullerton

[November 27, 2012]

John J. Cullerton
Senate President

cc: Senate Republican Leader Christine Radogno

Senator Trotter asked and obtained unanimous consent to recess for the purpose of a Democrat caucus.

Senator Murphy asked and obtained unanimous consent to recess for the purpose of a Republican caucus.

At the hour of 12:59 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 6:13 o'clock p.m., the Senate resumed consideration of business.
Senator Sullivan, presiding.

LEGISLATIVE MEASURES FILED

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

Senate Committee Amendment No. 1 to Senate Bill 3925

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. 2 to Senate Bill 282
Senate Floor Amendment No. 1 to Senate Bill 414
Senate Floor Amendment No. 1 to Senate Bill 641
Senate Floor Amendment No. 2 to Senate Bill 957
Senate Floor Amendment No. 1 to Senate Bill 1076
Senate Floor Amendment No. 2 to Senate Bill 1076
Senate Floor Amendment No. 1 to Senate Bill 2722
Senate Floor Amendment No. 2 to Senate Bill 2936

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 1984
Senate Committee Amendment No. 1 to House Bill 3816
Senate Committee Amendment No. 1 to House Bill 4866

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 506
Senate Floor Amendment No. 3 to House Bill 2083
Senate Floor Amendment No. 2 to House Bill 3804
Senate Floor Amendment No. 3 to House Bill 4666

REPORTS FROM STANDING COMMITTEES

[November 27, 2012]

Senator Meeks, 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 House Bill 1957

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

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred **Appointment Messages Numbered 125, 126, 151, 152, 153, 365, 383, 441, 442, 443, 444, 446, 450, 452, 453, 454, 455, 456, 457, 458, 459, 460, 468, 480, 481, 482, 483, 484, 485, 486, 490, 491, 492, 498, 499, 500, 513, 514, 516, 517, 518, 519, 521, 523, 524, 526, 528, 529, 531, 532, 537, 538, 539, 540, 546, 552 and 553**, 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.

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 981

Offered by Senator Brady and all Senators:

Mourns the death of Jeffery Dean “JD” Stelle of Bloomington.

SENATE RESOLUTION NO. 982

Offered by Senator Brady and all Senators:

Mourns the death of Gary Hembrough of Champaign.

SENATE RESOLUTION NO. 983

Offered by Senator Brady and all Senators:

Mourns the death of Jean Anne Bates.

SENATE RESOLUTION NO. 984

Offered by Senator Brady and all Senators:

Mourns the death of Roberta J. “Bert” Griffin of Bloomington.

SENATE RESOLUTION NO. 985

Offered by Senator Brady and all Senators:

Mourns the death of Gerald R. “Goose” Lounsberry of Hanna City.

SENATE RESOLUTION NO. 986

Offered by Senator Brady and all Senators:

Mourns the death of John F. “Jack” Barrick of Lincoln.

SENATE RESOLUTION NO. 987

Offered by Senator McCann and all Senators:

Mourns the death of Becky A. Austwick of Springfield, formerly of Carlinville.

SENATE RESOLUTION NO. 988

Offered by Senator McCann and all Senators:

Mourns the death of Maurice J. Snell, Jr., of Virden.

SENATE RESOLUTION NO. 989

Offered by Senator McCann and all Senators:

Mourns the death of Arthur William Konneker of Carlinville.

SENATE RESOLUTION NO. 990

Offered by Senator McCann and all Senators:

Mourns the death of Michael Stephen Schwab of Carlinville.

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

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

SENATE RESOLUTION NO. 991

WHEREAS, Hamas was founded with the stated goal of destroying the State of Israel; and

WHEREAS, Hamas has been designated by the United States Secretary of State as a Foreign Terrorist Organization; and

WHEREAS, Hamas refuses to recognize Israel's right to exist, renounce violence, and accept previous agreements between Israel and the Palestinians; and

WHEREAS, Hamas has launched thousands of rockets and missiles since Israel dismantled settlements and withdrew from Gaza in 2005; and

WHEREAS, Terrorists in the Hamas-controlled Gaza Strip have fired approximately 900 rockets and missile shells into Israel this year, an increase from roughly 675 attacks in 2011 and 350 in 2010; and

WHEREAS, Hamas has increased the range of its rockets, reportedly with support from Iran and others; these rockets put additional numbers of Israelis in danger of rocket attacks from Gaza; and

WHEREAS, There are many public and private connections between the State of Illinois and the State of Israel and a desire to deepen and expand mutual opportunities; and

WHEREAS, On November 14, 2012, President Barack Obama condemned the rocket fire from Gaza into Israel and reiterated Israel's right to self-defense; and

WHEREAS, Israel, a fellow democracy, has an inherent right to self defense in the face of terrorist attacks; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we express our unwavering commitment to the security of the State of Israel as a Jewish and democratic state with secure borders and recognize and strongly support its inherent right to act in self-defense to protect its citizens against acts of terrorism; and be it further

RESOLVED, That we state our unequivocal belief that Hamas must end Gaza-linked terrorist rocket and missile attacks against Israel, recognize Israel's right to exist, renounce violence, and agree to accept previous agreements between Israel and the Palestinians; and be it further

RESOLVED, That we urge the United Nations Security Council to condemn the recent spike in Gaza-linked terrorist missile attacks against Israel, which risk causing civilian casualties in both Israel and Gaza; and be it further

RESOLVED, That we encourage the President to continue to work diplomatically with the international community to prevent Hamas and other Gaza-based terrorist organizations from retaining or rebuilding the capability to launch rockets and missiles against Israel.

At the hour of 6:16 o'clock p.m., the Chair announced that the Senate stand at ease.

AT EASE

At the hour of 6:30 o'clock p.m., the Senate resumed consideration of business.

[November 27, 2012]

Senator Sullivan, presiding.

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Clayborne, Chairperson of the Committee on Assignments, during its November 27, 2012 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Criminal Law: **Senate Floor Amendment No. 2 to House Bill 3804.**

Executive: **Senate Floor Amendment No. 2 to Senate Bill 282; Senate Floor Amendment No. 4 to House Bill 506; Senate Floor Amendment No. 1 to Senate Bill 641; Senate Committee Amendment No. 1 to House Bill 1984; Senate Floor Amendment No. 3 to House Bill 2083; Senate Committee Amendment No. 1 to House Bill 3816; Senate Committee Amendment No. 1 to Senate Bill 3925; Senate Floor Amendment No. 3 to House Bill 4666; Senate Committee Amendment No. 1 to House Bill 4866.**

Licensed Activities: **Senate Floor Amendment No. 2 to Senate Bill 2936.**

Local Government: **Senate Floor Amendment No. 1 to Senate Bill 1076; Senate Floor Amendment No. 2 to Senate Bill 1076; Senate Floor Amendment No. 1 to Senate Bill 2722.**

Revenue: **Floor Amendment No. 1 to Senate Bill 414.**

COMMITTEE MEETING ANNOUNCEMENT FOR NOVEMBER 28, 2012

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

Executive in Room 212

At the hour of 6:32 o'clock p.m., the Chair announced the Senate stand adjourned until Wednesday, November 28, 2012, at 10:00 o'clock a.m.