



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-NINTH GENERAL ASSEMBLY

17TH LEGISLATIVE DAY

WEDNESDAY, MARCH 11, 2015

12:02 O'CLOCK P.M.

SENATE
Daily Journal Index
17th Legislative Day

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The Senate met pursuant to adjournment.
Senator John M. Sullivan, Rushville, Illinois, presiding.
Prayer by Chance Newingham, Lifegate International Ministries, Athens, Illinois.
Senator Cunningham led the Senate in the Pledge of Allegiance.

Senator Hastings moved that reading and approval of the Journal of Tuesday, March 10, 2015, be postponed, pending arrival of the printed Journal.
The motion prevailed.

REPORTS RECEIVED

The Secretary placed before the Senate the following reports:

Collar County Transportation Empowerment Funds Report 2014, submitted by Lake County.

Reporting Requirement of Public Act 98-1142 (Eavesdropping), submitted by the Kane County State's Attorney.

Reporting Requirement of Public Act 98-1142 (Eavesdropping), submitted by the Crawford County State's Attorney.

Report Pursuant to Public Act 87-552 (Flex time), submitted by the Illinois Independent Tax Tribunal.

IHDA Report of Activities for Fiscal Year 2014 and Projected Activities for Fiscal Year 2015, submitted by the Illinois Housing Development Authority.

Illiana Expressway - Will, Kankakee (IL) and Lake (IN) Counties Legislative Report – February 1, 2015, submitted by the Department of Transportation.

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

MESSAGE 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

March 11, 2015

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 Donne Trotter to temporarily replace Senator Martin Sandoval as a member of the Senate Local Government Committee. This appointment will automatically expire upon adjournment of the Senate Local Government Committee.

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

[March 11, 2015]

Senate President

cc: Senate Minority Leader Christine Radogno

PRESENTATION OF RESOLUTIONS**SENATE RESOLUTION NO. 214**

Offered by Senator Haine and all Senators:
Mourns the death of John Carl Richardson.

SENATE RESOLUTION NO. 215

Offered by Senator Bertino-Tarrant and all Senators:
Mourns the death of Christine M. "Kris" Toborg.

SENATE RESOLUTION NO. 216

Offered by Senator McConaughay and all Senators:
Mourns the death of Michael J. Ruffulo.

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

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

SENATE RESOLUTION NO. 217

WHEREAS, More than half of Illinois residents receive their water from groundwater wells; this makes Illinois groundwater a valuable natural resource that needs to be protected; and

WHEREAS, Next to breathable air, groundwater may be the next most important resource necessary for human life; and

WHEREAS, Agricultural irrigation is the single largest use of groundwater, nourishing much of the produce and livestock that fills our grocery stores; and

WHEREAS, Groundwater can be found beneath the surface virtually anywhere, making it possible to live in rural or even remote places where public water systems do not exist; and

WHEREAS, Groundwater makes it possible for ecosystems teeming with life to exist as it supplies plants and animals with life-giving water and often meets critical water needs in the midst of drought because of its abundance beneath the surface of the earth; and

WHEREAS, Spring is a good season to have an annual water well checkup before the peak water use season begins according to the National Ground Water Association and the Illinois Association of Groundwater Professionals (IAGP); and

WHEREAS, An abandoned well as defined by the Illinois Water Well Construction Code is a water or monitoring well that is no longer used to supply water, or that is in such a state of disrepair that the well or boring has the potential for transmitting contaminants into an aquifer or otherwise threatens the public health or safety; furthermore, the code requires that an abandoned well be properly sealed within 30 days after it is abandoned and no longer in use; and

WHEREAS, The IAGP encourages the Illinois Department of Public Health and units of local government to identify the number and location of abandoned wells, educate communities of the need for building demolition policies and procedures to include inspection for abandoned wells, provide evaluation processes to determine appropriateness of well for non-potable use, support annual inspections by local

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government of well non-potable use, build awareness and raise funds to provide help and support well-sealing, and to recognize private wells as a viable means to reduce and conserve potable water for non-potable use; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we designate March 8-14, 2015 as "Illinois Groundwater Awareness Week"; and be it further

RESOLVED, That we urge the Governor to issue a proclamation calling on the people of the great State of Illinois to observe the week by learning more about groundwater and its importance in peoples' lives and to encourage them to act in ways that value and protect this resource.

INTRODUCTION OF BILL

SENATE BILL NO. 2028. Introduced by Senator Duffy, a bill for AN ACT concerning regulation. The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

REPORTS FROM STANDING COMMITTEES

Senator Mulroe, Chairperson of the Committee on Public Health, to which was referred **Senate Bill No. 73**, reported the same back with the recommendation that the bill do pass. Under the rules, the bill was ordered to a second reading.

Senator Delgado, Chairperson of the Committee on Education, to which was referred **Senate Bills Numbered 1340 and 1561**, reported the same back with the recommendation that the bills do pass. Under the rules, the bills were ordered to a second reading.

Senator McGuire, Chairperson of the Committee on Higher Education, to which was referred **Senate Bill No. 1457**, reported the same back with the recommendation that the bill do pass. Under the rules, the bill was ordered to a second reading.

Senator Biss, Chairperson of the Committee on Human Services, to which was referred **Senate Bill No. 653**, 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 Biss, Chairperson of the Committee on Human Services, to which was referred **Senate Resolution No. 90**, reported the same back with the recommendation that the resolution be adopted. Under the rules, **Senate Resolution No. 90** was placed on the Secretary's Desk.

Senator Raoul, Chairperson of the Committee on Judiciary, to which was referred **Senate Bills Numbered 804, 1304 and 1308**, reported the same back with the recommendation that the bills do pass. Under the rules, the bills were ordered to a second reading.

Senator Raoul, Chairperson of the Committee on Judiciary, to which was referred **Senate Bill No. 751**, 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.

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Senator Noland, Chairperson of the Committee on Criminal Law, to which was referred **Senate Bill No. 1588**, 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 T. Cullerton, Vice-Chairperson of the Committee on Local Government, to which was referred **Senate Bills Numbered 86, 650, 781, 791, 807, 1252, 1360 and 1612**, reported the same back with the recommendation that the bills do pass.

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

Senator T. Cullerton, Vice-Chairperson of the Committee on Local Government, to which was referred **Senate Bills Numbered 663 and 740**, 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.

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. 6

WHEREAS, It is important to recognize those who contributed to the betterment of the State of Illinois through public service; and

WHEREAS, James Allen was born on December 28, 1960; his parents were Ken and Judy Allen; and

WHEREAS, James Allen's parents were both public servants; his father served as an Illinois State Trooper for 6 years and as a Volunteer Firefighter in Morris for 27 years; his mother served as a Health Technician for Grundy and Will Counties for 24 years; and

WHEREAS, James Allen was raised and educated in Morris School District 54 and spent many days at the firehouse with his father; as a young adult, he took a position with the City of Morris Public Works Department; and

WHEREAS, James Allen became a Morris Volunteer Firefighter at the age of 21, which at that time was the youngest age allowed to join the fire department; and

WHEREAS, To be a member of the Fire Department in Morris is a greatly desired and very noble status to achieve; the Morris Fire Department is highly respected in the fire service and James Allen knew that being a member required honor and sacrifice; and

WHEREAS, James Allen married Donna Brown; together, they had a son, Kenneth James Allen; and

WHEREAS, On March 18, 1985, James Allen responded with his fellow firefighters to a reported house fire on West Southmor Road in Morris; he and 2 other firefighters advanced a hose line down into the basement to the seat of the fire; and

WHEREAS, The second fire company was in the process of cutting a ventilation hole on the first floor when a back draft occurred in the basement; 2 of the firefighters were able to make it to the exit; however, James Allen did not emerge with the other firefighters; and

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WHEREAS, Several attempts were made to re-enter the basement with additional hose lines in an attempt to rescue James Allen, which were unfortunately unsuccessful; and

WHEREAS, James Allen's son, Kenneth James Allen, was 3 years old when his father gave his life in the line of duty; and

WHEREAS, A life-like statue of James Allen stands in a local park dedicated to his memory; the name of the donor has never been made public; and

WHEREAS, The base of the statue is inscribed "James Allen Embodied the Essence of America's Volunteer Spirit ... The Volunteer Fireman ... A Morris Volunteer Fireman ... Totally Committed ... A Man of Self-Sacrifice and Courage ... A Bearer of Noble Spirit ... A Premier Public Servant ... Killed in The Line of Duty Fighting a Fire March 18, 1985 at age 24"; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we designate the section of Illinois Route 47 over the CSX Railway in Morris between High Street and Benton Street as the Firefighter James Allen 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 Firefighter James Allen Memorial Highway; and be it further

RESOLVED, That suitable copies of this resolution be presented to the family of Firefighter James Allen, the Morris Fire Protection and Ambulance District, the Mayor of the City of Morris, and the Secretary of the Illinois Department of Transportation.

Adopted by the House, March 5, 2015.

TIMOTHY D. MAPES, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 6 was referred to the Committee on Assignments.

READING BILL FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 220, sponsored by Senator Sullivan, was taken up, read by title a first time and referred to the Committee on Assignments.

CONSIDERATION OF RESOLUTION ON SECRETARY'S DESK

Senator Raoul moved that **Senate Resolution No. 146**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Raoul moved that Senate Resolution No. 146 be adopted.

The motion prevailed.

And the resolution was adopted.

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:

Committee Amendment No. 1 to Senate Bill 26

Committee Amendment No. 1 to Senate Bill 41

Committee Amendment No. 1 to Senate Bill 94

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Committee Amendment No. 1 to Senate Bill 747
 Committee Amendment No. 1 to Senate Bill 785
 Committee Amendment No. 1 to Senate Bill 788
 Committee Amendment No. 1 to Senate Bill 818
 Committee Amendment No. 1 to Senate Bill 838
 Committee Amendment No. 1 to Senate Bill 1339
 Committee Amendment No. 1 to Senate Bill 1369
 Committee Amendment No. 1 to Senate Bill 1440
 Committee Amendment No. 1 to Senate Bill 1444
 Committee Amendment No. 1 to Senate Bill 1498
 Committee Amendment No. 1 to Senate Bill 1549
 Committee Amendment No. 1 to Senate Bill 1573
 Committee Amendment No. 1 to Senate Bill 1599
 Committee Amendment No. 1 to Senate Bill 1898

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

Floor Amendment No. 1 to Senate Bill 82
 Floor Amendment No. 1 to Senate Bill 1377

At the hour of 12:27 o'clock p.m., the Chair announced that the Senate stand at ease.

AT EASE

At the hour of 12:30 o'clock p.m., the Senate resumed consideration of business.
 Senator Sullivan, presiding.

Senator Bivins asked and obtained unanimous consent for the purpose of a Republican caucus immediately upon adjournment.

At the hour of 12:31 o'clock p.m., the Chair announced that the Senate stand at ease.

AT EASE

At the hour of 12:39 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 March 11, 2015 meeting, reported the following Senate Bills have been assigned to the indicated Standing Committees of the Senate:

Agriculture: **Senate Bills Numbered 1668, 1669, 1735 and 1799.**

Appropriations I: **Senate Bills Numbered 1797 and 1822.**

Commerce and Economic Development: **Senate Bills Numbered 1626, 1674, 1682, 1702, 1741, 1791, 1803 and 1921.**

Criminal Law: **Senate Bills Numbered 1632, 1634, 1635, 1638, 1639, 1657, 1687, 1688, 1725, 1744, 1747, 1788, 1798, 1855, 1867, 1889, 1904, 1938 and 1940.**

Education: **Senate Bills Numbered 665, 1628, 1679, 1793 and 1905.**

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Energy and Public Utilities: **Senate Bills Numbered 1480, 1645, 1726, 1727, 1743, 1878, 1881 and 1908.**

Environment and Conservation: **Senate Bills Numbered 178, 1672, 1673, 1707, 1739, 1840 and 1858.**

Executive: **Senate Bills Numbered 249, 1213, 1226, 1631, 1633, 1665, 1666, 1715, 1723, 1724, 1733, 1776, 1784, 1794, 1813, 1831, 1900, 1919 and 1951.**

Financial Institutions: **Senate Bills Numbered 1697, 1861, 1882 and 1942.**

Higher Education: **Senate Bills Numbered 760, 1655, 1656, 1709, 1710, 1711, 1712 and 1818.**

Human Services: **Senate Bills Numbered 721, 1708, 1728, 1729, 1750, 1751, 1752, 1754, 1762, 1775, 1777, 1778, 1792, 1847, 1893, 1894, 1947 and 1950.**

Insurance: **Senate Bills Numbered 1680, 1719, 1764, 1781, 1802 and 1902.**

Judiciary: **Senate Bills Numbered 1258, 1630, 1636, 1637, 1640, 1670, 1678, 1700, 1713, 1716, 1717, 1734, 1748, 1761, 1763, 1787, 1790, 1810, 1824, 1833, 1834, 1857, 1864, 1866, 1868, 1877, 1883, 1901, 1920, 1933 and 1943.**

Labor: **Senate Bills Numbered 1681, 1683, 1755, 1812 and 1859.**

Licensed Activities and Pensions: **Senate Bills Numbered 1685, 1820, 1826, 1827 and 1932.**

Local Government: **Senate Bills Numbered 1745, 1746, 1815, 1853 and 1854.**

Public Health: **Senate Bills Numbered 679, 1684, 1800, 1811, 1821 and 1862.**

Revenue: **Senate Bills Numbered 1625, 1627, 1642, 1660, 1675, 1691, 1714, 1732, 1737, 1786, 1801, 1804, 1832, 1903, 1906 and 1907 and 1948.**

Special Committee on Restorative Justice: **Senate Bills Numbered 1617, 1785, 1829 and 1830.**

State Government and Veterans Affairs: **Senate Bills Numbered 563, 1694, 1808, 1846, 1898 and 1941.**

Transportation: **Senate Bills Numbered 1641, 1667, 1704, 1706, 1753, 1759, 1780, 1819, 1835, 1885, 1891, 1899, 1944 and 1949.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its March 11, 2015 meeting, reported the following Senate Resolutions have been assigned to the indicated Standing Committees of the Senate:

Commerce and Economic Development: **Senate Resolution No. 151.**

Criminal Law: **Senate Resolution No. 175.**

Education: **Senate Resolution No. 89.**

Environment and Conservation: **Senate Resolution No. 120.**

Financial Institutions: **Senate Resolution No. 142.**

Higher Education: **Senate Resolution No. 138.**

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Human Services: **Senate Resolutions Numbered 140 and 148.**

Labor: **Senate Resolution No. 114.**

Public Health: **Senate Resolutions Numbered 141, 147 and 149.**

State Government and Veterans Affairs: **Senate Resolutions Numbered 161 and 176.**

Transportation: **Senate Resolution No. 139.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its March 11, 2015 meeting, reported that the Committee recommends that **Senate Bills numbered 1606 and 1607** be referred from the Committee on Executive to the Committee on State Government and Veterans Affairs.

Senator Clayborne, Chairperson of the Committee on Assignments, during its March 11, 2015 meeting, reported that the Committee recommends that **Senate Bills numbered 1254 and 1273** be referred from the Committee on Human Services to the Committee on Executive.

Senator Clayborne, Chairperson of the Committee on Assignments, during its March 11, 2015 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Energy and Public Utilities: **Committee Amendment No. 1 to Senate Bill 41.**

Environment and Conservation: **Floor Amendment No. 1 to Senate Bill 1377.**

Executive: **Committee Amendment No. 1 to Senate Bill 1334; Committee Amendment No. 1 to Senate Bill 1339; Committee Amendment No. 1 to Senate Bill 1369; Committee Amendment No. 1 to Senate Bill 1444; Committee Amendment No. 1 to Senate Bill 1605.**

Insurance: **Committee Amendment No. 1 to Senate Bill 1359.**

Judiciary: **Committee Amendment No. 1 to Senate Bill 1298; Committee Amendment No. 1 to Senate Bill 1447.**

Licensed Activities and Pensions: **Committee Amendment No. 1 to Senate Bill 749; Committee Amendment No. 1 to Senate Bill 1440.**

Revenue: **Committee Amendment No. 1 to Senate Bill 1549.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its March 11, 2015 meeting, reported that the following Legislative Measure has been approved for consideration:

Floor Amendment No. 1 to Senate Bill 23

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

MESSAGE FROM THE PRESIDENT

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

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, IL 62706

[March 11, 2015]

March 11, 2015

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 Don Harmon to temporarily replace Senator Emil Jones 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

At the hour of 12:46 o'clock p.m., the Chair announced the Senate stand adjourned until Thursday, March 12, 2015, at 12:00 o'clock noon.

[March 11, 2015]