

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

40th Legislative Day

5/10/2011

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PRESIDING OFFICER: (SENATOR CLAYBORNE)

The regular Session of the 97th General Assembly will please come to order. Will the Members please be at their desk? Will our guests in the galleries please rise? The invocation today will be given by Pastor Michael Dye of Knox Knolls Free Methodist Church, Springfield, Illinois.

PASTOR MICHAEL DYE:

(Prayer by Pastor Michael Dye)

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Maloney, to lead us in the Pledge.

SENATOR MALONEY:

(Pledge of Allegiance, led by Senator Maloney)

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Madam Secretary, Reading and Approval of the Journal.

SECRETARY ROCK:

Senate Journals of Friday, May 6th, and Monday, May 9th, 2011.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Hunter.

SENATOR HUNTER:

Mr. President, I move to postpone the reading and approval of the Journal just read by the Secretary, pending arrival of the printed transcript.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Hunter moves to postpone the reading and approval of the Journal, pending arrival of the printed transcripts. There being no objection, so ordered. Committee Reports.

SECRETARY ROCK:

I have a committee report correction. The following

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correction was made on the report from the Senate Committee on Licensed Activities, which reported House Bill 1973 Do Pass and should have reported House Bill 1973 as postponed in committee.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Resolutions.

SECRETARY ROCK:

Senate Resolution 222, offered by Senators Frerichs, Brady and all Members.

It is a death resolution, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Consent Calendar. Madam Secretary, Appointment Messages.

SECRETARY ROCK:

Appointment Message 95

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.

To be Commissioner of the Illinois Liquor Control Commission:

Stephen B. Schnorf

Annual Compensation: \$34,053

Appointment Message 96

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

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consent of this Honorable Body is respectfully requested.

To be Assistant Director of the Department of Commerce and Economic Opportunity:

Dan Seals

Annual Compensation: \$121,090

Appointment Message 97

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.

To be a Member of the Southwestern Illinois Development Authority:

Kennard Tucker

Expenses

Appointment Message 98

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.

To be a Member of the Southwestern Illinois Development Authority:

Kevin C. Kaufhold

Expenses

Appointment Message 99

To the Honorable Members of the Senate, Ninety-Seventh

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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.

To be a Member of the Southwestern Illinois Development Authority:

John Hipskind

Expenses

Appointment Message 100

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.

To be a Member of the Illinois Finance Authority:

Barrett F. Pedersen

Expenses

Appointment Message 101

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.

To be Director of the Division of Financial Institutions within the Department of Financial and Professional Regulation:

Roxanne Nava

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Annual Compensation: \$115,613

Appointment Message 102

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.

To be a Member of the Weatherization Initiative Board:

Percy Harris

Expenses

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The Senate will stand at ease for a few moments to allow the Committee on Assignments to meet. The members on the Committee on Assignments will come to the President's Anteroom immediately. The Senate will stand at ease. Senator Trotter in the Chair. (at ease)

PRESIDING OFFICER: (SENATOR TROTTER)

President Clayborne back in the Chair.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Clayborne, Chairman of the Committee Assignments, reports the following Legislative Measures have been assigned: Refer to the Criminal Law Committee - House Bill 1958, House Bill 2582, House Bill 3366, House Bill 3417 and House Bill 3503; refer to the Education Committee - Senate Resolution 149; refer to the Executive Committee - House Bill 2972 and House Bill 3241; refer to the Judiciary Committee - House Bill 1589; refer

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to the Licensed Activities Committee - Senate Bill 2255 and House Bill 700; refer to the State Government and Veterans Affairs Committee - House Bill 3276 and House Bill 3315; refer to the Transportation Committee - House Bill 3308.

Signed by Senator James F. Clayborne, Chairman.

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to the Agriculture and Conservation Committee - Committee Amendment 1 to House Bill 3274; refer to the Commerce Committee - Committee Amendment 1 to House Bill 1262; refer to the Criminal Law Committee - Committee Amendment 1 to House Bill 1069, Committee Amendment 1 to House Bill 1073, Committee Amendment 1 to House Bill 1554 and Committee Amendment 1 to House Bill 3033; refer to the Education Committee - Committee Amendment 1 to House Bill 78, Committee Amendment 1 to House Bill 2086, Floor Amendment 1 to House Bill 2397 and Committee Amendment 1 to House Bill 3440; refer to the Energy Committee - Committee Amendment 1 to House Bill 1558; refer to the Environment Committee - Committee Amendment 1 to House Bill 2056; refer to the Executive Committee - Committee Amendment 1 to House Bill 222, Committee Amendment 1 to House Bill 1530, Committee Amendment 1 to House Bill 1960; refer to the Human Services Committee - Committee Amendment 1 to House Bill 653, Committee Amendment 1 to House Bill 1488; refer to the Insurance Committee - Committee Amendment 2 to House Bill 1870; refer to the Judiciary Committee - Committee Amendment 1 to House Bill 1153, Committee Amendment 1 to House Bill 1549, Committee Amendment 1 to House Bill 1574, Committee Amendment 1 to House Bill 1909, Committee Amendment 1 to House Bill 2362, Committee

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Amendment 1 to House Bill 3012 and Committee Amendment 1 to House Bill 3335; refer to the Labor Committee - Committee Amendment 1 to House Bill 2927; refer to the Licensed Activities Committee - Floor Amendment 2 to House Bill 220, Floor {sic} (Committee) Amendment 1 to House Bill 1973; refer to the Local Government Committee - Committee Amendment 1 to House Bill 248, Committee Amendment 1 to House Bill 1576, Committee Amendment 1 to House Bill 1605, Committee Amendment 1 to House Bill 2974 and Committee Amendment 1 to House Bill 3425; refer to the Public Health Committee - Committee Amendment 2 to House Bill 299, Committee Amendment 1 to House Bill 1095, Committee Amendment 1 to House Bill 1571 and Committee Amendment 1 to House Bill 1600; refer to the Revenue Committee - Floor Amendment 1 to House Bill 363, Committee Amendment 1 to House Bill 1215 and Committee Amendment 1 to House Bill 1518; refer to the State Government and Veterans Affairs Committee - Committee Amendment 1 to House Bill 237, Committee Amendment 1 to House Bill 1195, Committee Amendment 1 to House Bill 3188, Committee Amendment 1 to Senate Resolution 199; refer to the Transportation Committee - Committee Amendment 1 to House Bill 880, Committee Amendment 1 to House Bill 1462 and Committee Amendment 1 to House Joint Resolution 27; refer to the Criminal Law Subcommittee on Special Issues - Committee Amendment 1 to House Bill 233, Committee Amendment 1 to House Bill 1263, Committee Amendment 1 to House Bill 1689, Committee Amendment 1 to House Bill 1908, Committee Amendment 1 to House Bill 3042 and Committee Amendment 1 to House Bill 3285; re-refer from the Executive Committee to the Judiciary Committee - Floor Amendment 1 to Senate Bill 1044; re-refer from the Executive Subcommittee on State Government

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Operations to the Executive Committee - House Bill 1444.

Signed by Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Ladies and Gentlemen, the following committees will be meeting to take up committee or Floor amendments. Human -- Judiciary will meet at 2:30 p.m. today in Room 400. Education will meet in 409 at 4 p.m. Tomorrow, Revenue will meet at 2 p.m. in 400. Licensed Activity {sic} (Activities) will meet tomorrow in -- 409 at 2 p.m. The regular scheduled committees that -- on the Calendar will still take place as presented on the Calendar. Senator Sullivan, for what purpose do you seek recognition?

SENATOR SULLIVAN:

A point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point.

SENATOR SULLIVAN:

Ladies -- Mr. President and Ladies and Gentlemen of the Senate, today is Illinois Main Street Legislative Day. I'm so excited, I dropped something here. So -- but we're pleased to welcome participants of fifty-one communities around the State of Illinois and I have a couple from my district here - Quincy and Beardstown I know are in the audience as well - but -- that have Main Street programs. They are here today in the President's Gallery. I would ask that we welcome to the Senate those individuals with the Main Street program, as well as our former colleague, Senator Larry Woolard. Is Larry still on the Floor or has he left? There he is. Our former colleague, Senator Larry Woolard, who is also with the program. If they --

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if we could welcome them all to the State Senate, I would appreciate it.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Pankau, for what purpose do you seek recognition?

SENATOR PANKAU:

Thank you, Mr. President. For the purpose of an announcement.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your announcement.

SENATOR PANKAU:

Tonight is -- is dress rehearsal for Capitol Capers that is tomorrow night. We start -- the dress rehearsal is over at the Hilton, starting at 5:30 tonight or whenever you get out of committee, whichever comes first. Tomorrow is the actual performance of Capitol Capers. Now this only happens every two years. So, believe me, we're -- we're going to make it extra, extra, extra special. So, the Capitol Capers starts at 5:30, with the actual performance starting at 6:30 tomorrow at the Hilton again. So, let's all get there tonight and practice, because they're counting on us to be good. Talk to you later.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine, for what purpose do you seek recognition?

SENATOR HAINE:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point.

SENATOR HAINE:

Want to take a moment to remind the Body that one hundred and forty-six years ago today, the Union armies, under the

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command of William Tecumseh Sherman, captured the traitor Jefferson Davis, effectively ending the Civil War and fulfilling the pledge Lincoln made. March south, march south, Mr. President, to victory. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Also, another announcement. Today - she's not on the Floor - is Senator Kimberly Lightford's birthday. The Senate will stand in recess to the call of the Chair. After committee meetings, the Senate will reconvene to receive committee reports. The Senate stands in recess.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR HARMON)

Senate will come to order. Madam Secretary, Messages from the House.

SECRETARY ROCK:

A Message from the House by Mr. Mahoney, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bill 1362.

It passed the House, May 10th, 2011. Mark Mahoney, Clerk of 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

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concurrence of the Senate, to wit:

House Joint Resolution 31.

Offered by Senator Althoff. Adopted by the House, May 10th, 2011. Mark Mahoney, Clerk of the House. It is substantive, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Frerichs, Chairperson of the Committee on Agriculture and Conservation, reports House Bill 390 Do Pass; and House Bills 2094 and 3274 Do Pass, as Amended.

Senator Delgado, Chairperson of the Committee on Public Health, reports House Bills 105, 1391, 1463, 1663, 1888, 3090 and 3294 Do Pass; House Bill 299 and 1600 Do Pass, as Amended; Senate Resolution 170 Be Adopted.

Senator Hunter, Chairperson of the Committee on Human Services, reports House Bills 286, 785, 1470, 1521, 1591, 1656, 1659, 2917, 2982 and 3010 Do Pass; House Bill 653 and 1488 Do Pass, as Amended; and Senate Resolution 125 Be Adopted, as Amended.

Senator Maloney, Chairperson of the Committee on Higher Education, reports House Bills 1079, 1710 and 1957 Do Pass.

Senator Wilhelmi, Chairperson of the Committee on Judiciary, reports House Bills 83, 186, 192, 1317, 1712, 3025, 3478 and 3636 Do Pass; House Bills 1153, 1549, 1574, 1909, 2362, 3012 Do Pass, as Amended; Senate Amendment 2 to Senate Bill 400 and Senate Amendment 1 to Senate Bill 1044 recommended Do Adopt.

Senator Sandoval, Chairperson of the Committee on Transportation, reports House Bills 147, 173, 1256, 1385, 1884,

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2265, 2860, 3172 and 3256 Do Pass; and House Bill 880 Do Pass, as Amended.

Senator Lightford, Vice-Chairperson of the Committee on Education, reports House Bills 190, 1197, 1204, 1240, 1466, 1831, 3022 and 3539 Do Pass; House Bills 78, 2086 and 3440 Do Pass, as Amended; Senate Resolution 176 Be Adopted; and Senate Amendment 1 to House Bill 2397 recommended Do Adopt.

PRESIDING OFFICER: (SENATOR HARMON)

There being no further business to come before the Senate, the Senate stands adjourned until the hour of 11 a.m. on the 11th day of May, 2011. The Senate stands adjourned.