

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

80th Legislative Day

2/9/2012

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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 desks? Will our guests in the galleries please rise? The invocation today will be given by Pastor Shaun Lewis, of the Capitol Commission, Springfield, Illinois.

PASTOR SHAUN LEWIS:

(Prayer by Pastor Shaun Lewis)

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Pledge of Allegiance, led by Senator Maloney.

SENATOR MALONEY:

(Pledge of Allegiance, led by Senator Maloney)

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Mr. Secretary, Reading and Approval of the Journal.

SECRETARY ANDERSON:

Senate Journals of January 11th, 18th and 24th, 2012.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Hunter.

SENATOR HUNTER:

Mr. President, I move that the Journals just read by the Secretary be approved, unless some Senators has additions or corrections to offer.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Hunter moves to approve the Journal {sic} just read by the Secretary. There being no objections, so ordered. Mr. Secretary, Reading and Approval of the Journal.

SECRETARY ANDERSON:

Senate Journal of Wednesday, February 8th, 2012.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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Senator Hunter.

SENATOR HUNTER:

Mr. President, I move to postpone the readings and approval of the Journal just read by the Secretary, pending the 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. Senator Cultra, for what purpose do you seek recognition?

SENATOR CULTRA:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point, Senator Cultra.

SENATOR CULTRA:

I'd like to introduce -- I have my brother with me today and also my son. My brother is also in the nursery business, and he's Terry Cultra. And my son is Sayer Cultra. So I'd like to have a warm welcome to Springfield.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Welcome to Springfield. Thanks for coming. Mr. Secretary, Resolutions.

SECRETARY ANDERSON:

Senate Joint Resolution Constitutional Amendment No. 47, offered by Senator Dillard.

Senate Joint Resolution Constitutional Amendment No. 48, offered by Senator Tom Johnson.

Senate Joint Resolution Constitutional Amendment No. 49, offered by Senator Tom Johnson.

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And Senate Joint Resolution Constitutional Amendment No. 50, offered by Senator Tom Johnson.

They're substantive.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Mr. Secretary, Committee Reports.

SECRETARY ANDERSON:

Senator Harmon, Chairperson on the Committee on Executive, reports Senate Bill 2844 Do Pass.

Senator Holmes, Chairperson of the Committee on State Government and Veterans Affairs, reports Senate Bills 2524, 2837 and 2846 Do Pass.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Mr. Secretary, Messages from the House.

SECRETARY ANDERSON:

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

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

House Joint Resolution Constitutional Amendment 29.

Offered by Senator Hutchinson. Adopted by the House, February 8th, 2012. Timothy D. Mapes, Clerk of the House. It is substantive, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Will all Members at the sound of my voice please come to the Chamber so we can proceed with final action? All Members at the sound of my voice please come to the Senate Chamber. Announcement to the Members. If I can have everyone's

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attention, I'd like to make this announcement. I would like to remind everyone that this Friday, February 10th, is the deadline for introduction of Senate bills. Again, if you have Senate bills to introduce, the deadline for filing those bills is Friday at 1 p.m. Again, Friday is the deadline for introduction of Senate bills. Top -- we're going to deal with resolutions at the top of the Order on page 3. Senate Resolution 398. Senator Sullivan. And this will be a roll call. Senator Sullivan wishes to proceed. Mr. Secretary, read the resolution.

SECRETARY ANDERSON:

Senate Resolution 398, offered by Senator Sullivan.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Sullivan, to explain.

SENATOR SULLIVAN:

Thank you, Mr. President, Members of the Senate. The resolution designates Illinois Route 103, which is located in Schuyler County, as the Trooper Floyd J. Farrar Memorial Highway. Trooper Farrar was killed by a drunk driver in 1968 on Illinois Route 103 as he was assisting a -- a driver -- helping fix a tire for a -- the driver of a -- of a different vehicle. Trooper Farrar served in the U.S. military, serving in World War II. He served, prior to his death, twenty-three years as a member of the Illinois State Police. And it's -- it's certainly past due time to recognize this -- this gentleman's service. This -- this tragic incident was brought to my attention by Illinois State Police Lieutenant Brad Lacey, who kind of dug up this information and made me aware of it, and so that's why we have the resolution here. I know that in Transportation Committee yesterday, Senator Bomke had some of his constituents,

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and one of those constituents was actually Trooper Farrar's brother and some other family members. So to have them in committee yesterday as we were working on this resolution was certainly, I think, a very good thing. So I ask for your support of the resolution.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Question is, shall Senate Joint {sic} Resolution 398 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. Senate Joint Resolution 398 -- I'm sorry, Senate -- Senate Joint Resolution -- oh, I'm sorry. Senate Resolution 398, having received 42 Yeas, no Nays, none voting Present, having received the required constitutional majority, is declared adopted. Senate Resolution 404. Senator Millner. Senator Millner. Senator Millner. Out of the record. Senate Resolution 530. Senator Koehler. Mr. Secretary, read the resolution.

SECRETARY ANDERSON:

Senate Resolution 530, offered by Senator Koehler.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Koehler, to explain.

SENATOR KOEHLER:

Thank you, Mr. President, Members of the Senate. Senate Resolution 530 urges Congress to adopt a farm bill and that it would support and promote the development of local and regional food systems. As we know, there's an emerging market in Illinois for specialty crops. We see them at farmers' markets all throughout the State. For every dollar that's spent at a

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farmers' market about a dollar thirty-five is returned to the local economy. And I think that this -- just a good thing for us to do, for health reasons, for economic reasons, and I would urge your support.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall Senate Resolution 530 pass. All those in favor will vote Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Senate Resolution 558. Senator Frerichs. Mr. Secretary, read the resolution.

SECRETARY ANDERSON:

Senate Resolution 558, offered by Senator Frerichs.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Frerichs, to explain.

SENATOR FRERICHS:

Thank you very much, Mr. President. Senate Resolution 558 designates February 17th, 2012 as Agricultural Communications Day in the State of Illinois. It's to honor the formation of the major of Agricultural Communications and the program at the University of Illinois in 1961.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall Senate Resolution 558 pass. All those in favor will vote Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Senator Haine, on Senate Joint Resolution 40. Mr. Secretary, read the resolution.

SECRETARY ANDERSON:

Senate Joint Resolution 40, offered by Senator Haine.

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Senator Haine, to explain. Out of the record. We're proceeding to final action on Senate Bills 3rd Reading, middle of the page 2. Senator Jacobs, on Senate Bill 1132. Senator Jacobs. Senator Jacobs. Senator Jacobs. Out of the record. Senator Jacobs, on Senate Bill 2259. Senator Jacobs. Senator Jacobs. Senator Jacobs. Out of the record. Senator Garrett, on Senate Bill 2492. Senator Garrett. Senator Garrett. Out of the record. Senator Forby, on Senate Bill 2528. Senator Forby. Out of the record. I'm sorry. I'm sorry, Larry. Senator Bomke, on Senate Bill 2494. Mr. Secretary, read the -- the bill.

SECRETARY ANDERSON:

Senate Bill 2494.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Bomke, to explain the bill.

SENATOR BOMKE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 2494 simply allows the Secretary of State shall -- issue Gold Star license plates to all siblings of persons who has lost his or her life while serving in the Armed Forces, instead of to only one surviving sibling in an absence of a surviving parent.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2494 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the



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record. There are 39 voting Yea, none voting Nay, none voting Present. Senate Bill 2494, having received the required constitutional majority, is declared passed. Bill Haine, on Senate Bill 2561. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

Senate Bill 2561.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine, to explain.

SENATOR HAINE:

Thank you, Mr. President. This is a bill which is an initiative of the Department of Corrections. And what it does is speed and make easier for them the records relating to an -- the evaluation of an individual that may be a target of the Sexually Violent Persons Commitment Act. Under current law, for the Department and others to get these -- these records to evaluate a case, they have to get the AG of the State or the -- the State's Attorney to file a -- a -- an action to get them. They can get them, so there isn't any new law here, except it speeds up the process. And time is of the essence in these cases, because they want to get 'em into court, get a judge to hear them, and commit sexually violent persons.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2561 pass. All those in favor, vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There are 40 voting Yea, none voting Nay, none

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voting Present. Senate Bill 2561, having received the required constitutional majority, is declared passed. Senator -- Senator Sullivan, on Senate Bill 2566. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

Senate Bill 2566.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Sullivan, to explain.

SENATOR SULLIVAN:

Thank you, Mr. President, Members of the Senate. Last fall, we passed legislation that secured a funding -- secured funding for the regional offices of education for this current fiscal year. As a part of that legislation, we also created a Streamlining Illinois' Regional Offices of Education Commission. During our discussions during the debate, in committee and on the Floor both, that Commission -- the original language asked the Commission to present their findings to the General Assembly by August. We thought that was too late to incorporate it into the budget discussions for this current fiscal year. So, as a commitment that I made last fall, we agreed that we would move that reporting date up till April the 2nd {sic} (1st) of -- of this year, of 2012. That's all this legislation does. I'd be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2566 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the

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record. There are 40 voting Yea, none voting Nay, none voting Present. Senate Bill 2566, having received the required constitutional majority, is declared passed. Stephanie Fryer and Antonio {sic} (Anthony) Brino, of the Illinois Statehouse News, seeks leave to videotape. Seeing no objection, leave is granted. Senator Sullivan, on Senate Bill 2568. Out of the record. Senator Sullivan, on Senate Bill 2571. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

Senate Bill 2571.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Sullivan, to explain.

SENATOR SULLIVAN:

Thank you, Mr. President. Last year, we created -- we passed legislation that created the automobile Dealer Recovery Trust Fund. It was an initiative of the Attorney General. And a part of that agreement was that smaller dealers that sold less than twenty-five vehicles a year would be exempt from paying the additional fee. Well, we didn't realize that, of course, that dealers transfer cars from one dealer to another and they -- they're not from a dealer to the retailer. So what this legislation does is it exempts those sales of vehicles from one dealer to another dealer.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2571 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who

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wish? Have all voted who wish? Have all voted who wish? Take the record. There are 39 voting Yea, none voting Nay, none voting Present. Senate Bill 2571, having received the required constitutional majority, is declared passed. Senator Holmes, on Senate Bill 2824. Mr. -- Mr. Secretary, read the bill.

SECRETARY ANDERSON:

Senate Bill 2824.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Holmes, to -- to explain.

SENATOR HOLMES:

Thank you. This is an initiative of the Department of Healthcare and Family Services. And the bill amends the State Comptroller Act to prevent the Comptroller from garnishing child support payments for debts owed to the State. The Comptroller added an amendment that in cases of debt owed to the State, interest payments may be deducted by the Comptroller, while payments from the Child Support Endowment {sic} (Enforcement) Trust Fund may not be deducted. Basically, this change is necessary to comply with federal law.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2824 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There are 41 voting Yea, none voting Nay, none voting Present. Senate Bill -- 2824, having received the required constitutional majority, is declared passed. Senator

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Mulroe, on Senate Bill 2839. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

Senate Bill 2839.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Mulroe, to explain the bill.

SENATOR MULROE:

Thank you, Mr. President, Members of the Senate. This is an initiative brought by the DNR. It's actually to clean up a - a drafting error when it was initially enacted. There was an exemption for lifejackets or flotation devices that was meant to apply to sailboards, not sailboats. The original legislation had sailboats. So we're correcting it to have it only apply to sailboards, instead of the sailboats. I know of no opposition.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall Senate Bill 2839 pass. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There are 40 voting Yea, none voting Nay, none voting Present. Senate Bill -- 2839, having received the required constitutional majority, is declared passed. We will now proceed to the Order of Resolutions Consent Calendar. With leave of the Body, all those resolutions read in today will be added to the Consent Calendar. Mr. Secretary, have there been any objections filed to any of the resolutions on the Consent Calendar?

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No objections filed, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? If not, the question is, shall the resolutions on the Consent Calendar be adopted. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The motion carries, and the resolution {sic} is adopted. On the Order of Resolutions is... Mr. -- Mr. Secretary, read the Messages from the House.

SECRETARY ANDERSON:

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. 60

Offered by Senator Hunter.

(Secretary reads HJR No. 60)

Adopted by the House, February 8th, 2012. Timothy D. Mapes, Clerk of the House.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

On the Order of -- on the Order of Resolution is House Joint Resolution 60. Mr. Secretary, read the resolution.

SECRETARY ANDERSON:

House Joint Resolution 60, offered by Senator Hunter.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Hunter moves to suspend the rules for the purpose of the immediate consideration and adoption of House Joint Resolution 60. Those in favor will say Aye. Opposed, Nay. The Ayes have it, and the rules are suspended. Senator Hunter moves

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for the adoption of House Joint Resolution 60. All in favor will say Aye. Opposed, Nay. The Ayes have it. Resolution is adopted. If I can have everyone's attention, I'd like to make an important announcement. I would like to remind everyone that this Friday, February 10th, is the deadline for the introduction of Senate bills. Again, if you have Senate bills to introduce, the deadline for filing those bills is Friday, February 10th, at 1 p.m. - 1 p.m. Thank you. Senator Holmes, for what purpose do you seek recognition?

SENATOR HOLMES:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state -- please state your point, Senator Holmes.

SENATOR HOLMES:

I just want everybody to be aware that we have probably one of the best staffers, somebody I couldn't imagine doing a lot of what I do without him -- having his help. He has been the greatest for responding quickly, bringing up some great ideas. And I'm going to miss him. He has been my staffer in State Government. We've worked on financial auditing. And unfortunately, obviously how absolutely wonderful and how good he is at his job, word must have gotten out to the Attorney General's Office, because they've decided they need his services. So he will be sorely, sorely missed here by me and by many of you. But I do want to say to him, congratulations, best of luck, and we look forward to still working with you. So, thank you so much, to Art Mitchell.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Congratulations, Art. We wish you much luck in the future.

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There -- there being no further business to come before the Senate, the Senate stands adjourned until the hour of 11 a.m. on the 22nd of February, 2012. The Senate stands adjourned.