

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

88th Legislative Day

2/29/2012

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PRESIDING OFFICER: (SENATOR SULLIVAN)

The regular Session of the 97th General Assembly will please come to order. Will the Members be at their desks? Will our guests in the galleries please rise? The invocation today will be given by Reverend Joseph Eby, Chatham Presbyterian Church, Chatham, Illinois. Reverend Eby.

THE REVEREND JOSEPH EBY:

(Prayer by the Reverend Joseph Eby)

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Please remain standing for the Pledge of Allegiance. Senator Jacobs, to lead us in the Pledge.

SENATOR JACOBS:

(Pledge of Allegiance, led by Senator Jacobs)

PRESIDING OFFICER: (SENATOR SULLIVAN)

Mr. Secretary, Reading and Approval of the Journal.

SECRETARY ANDERSON:

Senate Journal of Tuesday, February 28th, 2012.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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 SULLIVAN)

Thank you. Senator Hunter moves to postpone the reading and approval of the Journal, pending arrival of the printed transcripts. There being no objection, so ordered. Mr. Secretary, Resolutions.

SECRETARY ANDERSON:

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Senate Resolution 637, offered by Senator Sandoval.

Senate Resolution 638, offered by President Cullerton.

Senate Joint Resolution 61, offered by Senator Meeks.

They're all substantive, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Resolutions Consent Calendar. Mr. Secretary, Committee Reports.

SECRETARY ANDERSON:

Senator Sandoval, Chairperson of the Committee on Transportation, reports Senate Bill -- 3555 Do Pass; Senate Bills 3214, 3358, 3452 Do Pass, as Amended.

Senator Lightford, Vice-Chairperson of the Committee on Education, reports Senate Bill 3259 Do Pass; Senate Amendment No. 1 to Senate Bill 3410 recommended Do Adopt.

Senator Koehler, Chairperson of the Committee on Local Government, reports Senate Bills 3182, 3183, 3324, 3536 Do Pass; Senate Bill 3184 Do Pass, as Amended; and Senate Amendment 2 to House Bill 3129 recommended Do Adopt.

Senator Garrett, Chairperson of the Committee on Environment, reports Senate Bill 2867, 3414, 3442 and 3672 Do Pass; Senate Bill 2947 Do Pass, as Amended.

Senator Noland, Chairperson of the Committee on Criminal Law, reports Senate Bills 2873, 3433, 3500, 3510, 3665, 3673, 3693 and 3697 Do Pass; Senate Bills 2520 and 3655 Do Pass, as Amended.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Mr. Secretary, Messages from the House.

SECRETARY ANDERSON:

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

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

House Bill 3888.

We have like Messages on House Bills 3960, 4447, 4586, 4598 and 4993. Passed the House, February 28th, 2012. Timothy D. Mapes, Clerk of the House.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Mr. Secretary, House Bills 1st Reading.

SECRETARY ANDERSON:

House Bill 3888, offered by Senator Schmidt.

(Secretary reads title of bill)

House Bill 3960, offered by Senator Martinez.

(Secretary reads title of bill)

House Bill 4586, offered by Senator Haine.

(Secretary reads title of bill)

House Bill 4993, offered by Senator Holmes.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, will all those Members within the sound of my voice please come to the Senate Floor? We're ready to take up action. Would all the Members please come to the Senate Floor immediately? Senator Koehler, for what purpose do you rise?

SENATOR KOEHLER:

Yes, just an announcement, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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Yes, state your announcement, Senator Koehler. Ladies and Gentlemen, if we could just -- Ladies and Gentlemen, if we could have your attention, Senator Koehler has an important announcement. If you -- if you would give him your undivided attention. If everybody would give Senator Koehler your undivided attention, please. Senator Koehler.

SENATOR KOEHLER:

Thank you, Mr. President. Just want to let the Members of the Senate know that Senator Forby is not with us this morning. There was a severe tornado in his area. He is home assessing the damage and meeting with the families. And I'd like to ask the Senate, again, to stand and give a moment of silence for the number of deaths that occurred and for all the families whose lives have been disrupted.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Would everybody please rise for a moment of silence? (Moment of silence observed) Thank you, Ladies and Gentlemen. Ladies and Gentlemen, once again, if we can have your attention. Will all Members within the sound of my voice please come to the Senate Floor immediately? We're ready to go to substantive Floor action. All Members within the sound of my voice please come to the Senate Floor immediately. Ladies and Gentlemen, if you will turn to the bottom of page 8 of the printed Calendar, the bottom of page 8, on the Order of Secretary's Desk, Resolutions - bottom of page 8 - is Senate Resolution 404. Senator Millner. Senator Millner, on Senate Resolution 404. Out of the record. Senate Resolution 516. Senator Radogno. 516. Out of the record. Senate Resolution 545. Senator Link. Senator Terry Link. Out of the record. Turning to the top of

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page 9 of the printed Calendar, we have Senate Resolution 546. Senator Delgado. Senator Delgado. Out of the record. Senate Resolution 580. Senator Harmon, on Senate Resolution 580. Out of the record. Out of the record. Yes. Senate Resolution 586. Senator Kotowski, on Senate Resolution 586. Out of the record. Next up is Senate Resolution 596. Senator Hunter, on Senate Resolution 596. Out of the record. Senate Joint Resolution 40. Senator Haine, on Senate Joint Resolution 40. Out of the record. Senate Joint Resolution 46. Senator Trotter. Senator Trotter, on Senate -- Joint Resolution 46. Out of the record. Senate Joint Resolution 51. Senator Harmon. Senate Joint Resolution 51. Out of the record. And Senate Joint Resolution 54. Senator Emil Jones. Mr. Secretary, please read the resolution.

SECRETARY ANDERSON:

Senate Joint Resolution 54, offered by Senator Emil Jones.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Jones.

SENATOR E. JONES:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate joint resolution designates the bridge located at 99th and 100th Street and Dr. Martin Luther King Drive in the Rosemoor and Roseland Heights community as the "Dr. Martin Luther King Jr. Memorial Bridge". Senate Joint Resolution 54 also requires that the Illinois Department of Transportation erect plaques or signs giving notice of the name "Dr. Martin Luther King (Jr.) Memorial Bridge". I appreciate your support. Thank you.

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Thank you, Senator Jones. Is there any discussion on the resolution? Is there any discussion? Seeing none, the question is, shall Joint -- Senate Joint Resolution 54 pass. All those in favor will vote Aye. Opposed, Nay. As this resolution requires the expenditure of State funds, a roll call vote will be required. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 48 voting Aye, 0 voting Nay, 0 voting Present. Having received -- Joint -- House -- excuse me, Senate Joint Resolution 54, having received the required constitutional majority, is declared adopted. Senator Harmon, for what purpose do you rise?

SENATOR HARMON:

Thank you, Mr. President. I rise to make an introduction and an announcement.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please make your introduction and announcement, Senator Harmon.

SENATOR HARMON:

Thank you. Ladies and Gentlemen of the Senate, we are joined on the Senate Floor today by a very special collection of guests, certainly no strangers to the Senate. Here with President Cullerton is former Senate President Phil Rock; his wife, Sheila. Also with -- with Mr. and Mrs. Rock are their -- two of their children: My classmate, Meghan, who is ten years younger than me, but still in my class at Saint Giles, along with her daughter -- daughters, Kyleigh and Maggie, and her son, Connor; the Rock's son, Jay Rock, who is here with his daughters, Julia and Sarah. So please welcome the entire Rock

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family back to the Senate Chamber.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Welcome to the Illinois State Senate. Love -- great to have you here today. Senator Harmon.

SENATOR HARMON:

And it's been pointed out to me that Jill Rock is also here, although it seems like you've never left. So, God bless you. Thank you. I also would like to make an...(microphone cutoff)... Tonight, President Cullerton and I are going to be co-hosting a -- an event over at Maldaner's from 6 to 8 - a book signing. President Rock has written a book aptly called Nobody Calls Just to Say Hello: Reflections on Twenty-Two Years in the Illinois Senate. It's a wonderful read. I'm about three-quarters of the way through it. I'd encourage you all to come over to visit with the Rocks, to get your own copy of the book, and enjoy our company tonight. So, thank you all very much.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you, Senator Harmon. Jill welcome back. Mr. President, for what purpose do you rise?

SENATOR CULLERTON:

Thank you, Mr. President. I, also, would like to welcome former President Rock to the Floor of the Senate again. I hope that twenty-one, twenty-two years from now, if you guys are still here, if I come back, you'll give a similar recognition for me. I hope I can do it. I hope you really do come tonight to our book signing. I -- I think it'll be very interesting. I -- I have to tell you that I came to the Senate about twenty-one years ago, I filled a vacancy created by Dawn Clark Netsch's election to the -- be the Comptroller. And I came over from the



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House as a freshman. And the President of the Senate, Mr. Rock, was fantastic, for a young freshman to join his caucus. I came from the House, and I know this is going to sound strange to you, but back then I was the Floor leader for the Speaker. And when I came to the Senate, back then, the Senate was very, very, maybe -- the relationship between the Senate and the Speaker was not that -- that good, because some of the Senators thought that maybe the Speaker kind of ran the place. And so for me to come from the House over here to the Senate, I was not -- I was a little worried about how I was going to be -- accepted, but President Rock did a fantastic job in integrating me and teaching me, and it was a great way to start off. We were only in the Majority for a couple of years, and then after that, we were in the Minority. But I'll tell you, there was no one, no one that I've -- I've ever served with in thirty-three years that could get up on this Floor without using any notes and give a better speech to any topic that affected State government. So I'm really honored to have the President here today and look forward to seeing you guys tonight. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you, President Cullerton. Thanks again, President Phil Rock. Great to have you here today. Senator Annazette Collins, for what purpose do you rise?

SENATOR A. COLLINS:

Thank you, Mr. President. I just noticed that you all voted on Senate Joint Resolution 54 and I would like to be recorded as Aye on that bill, please.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Absolutely. The record will so indicate your intentions.

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Thank you...

SENATOR A. COLLINS:

All right. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

...Senator Collins. Ladies and Gentlemen, if I could have your attention for an announcement. March 9th is the deadline for reporting all substantive Senate bills from committees. Committee amendments to any Senate bill to be heard next week must be filed before this Friday, March the 3rd, at 2 p.m. That will provide time for amendments to be assigned to the committees so they can be heard before those committees -- before the committee passage deadline next week. Again, March 9th is the deadline for reporting all substantive Senate bills from committees. Committee amendments to any Senate bill to be heard next week must be filed before this Friday, March the 3rd, at 2 p.m. That will provide time for the amendments to be assigned to the committees so they can be heard before the committee passage deadline next week. Thank you. Thank you. A correction to that last announcement: Committee amendments to any Senate bill to be heard next week must be filed before this Friday, which is March the 2nd, not March the 3rd, as I previously announced. Committee amendments to any Senate bill to be heard next week must be filed before this Friday, which is March the 2nd, at 2 p.m. Ladies and Gentlemen, if I could have your attention, the Senate will stand at ease for a few minutes to allow the Committee on Assignments to meet. Will all members on the Committee on Assignments please come to the President's Anteroom immediately? Committee on Assignments, all members please come to the Anteroom immediately. The Senate will stand

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at ease. (at ease) Senate will come to order. Mr. Secretary,  
Committee Reports.

SECRETARY ANDERSON:

Senator Harmon, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to Criminal Law Committee - Senate Bills {sic} 2899, Committee Amendment No. 1 to Senate Bill 3178, Committee Amendment No. 1 to Senate Bill 3458, Senate Bill 3537, Committee Amendment 1 to Senate Bill 3637, and Senate Bill 3824; refer to Energy Committee - Committee Amendment No. 1 to Senate Bill 3170 and Committee Amendment No. 1 to Senate Bill 3176; refer to Environment Committee - Committee Amendment No. 1 to Senate Bill 2950; refer to Executive Committee - Senate Bill 3450, Committee Amendment No. 1 to Senate Bill 3576 and Committee Amendment No. 1 to Senate Bill 3827; refer to Human Services Committee - Senate Bill 3601; refer to Judiciary Committee - Committee Amendment No. 1 to Senate Bill 3439, Committee Amendment No. 1 to Senate Bill 3593, Committee Amendment No. 1 to Senate Bill 3594, Committee Amendment No. 1 to Senate Bill 3780; refer to Labor Committee - Committee Amendment No. 1 to Senate Bill 2943; refer to Licensed Activities Committee - Committee Amendment No. 1 to Senate Bill 3061, Floor Amendment No. 1 to Senate Bill 3202, Committee Amendment No. 1 to Senate Bill 3279, Committee Amendment No. 1 to Senate Bill 3380, and Senate Bill 3574; refer to Local Government Committee - Committee Amendment No. 2 to Senate Bill 3169; refer to Public Health Committee - Floor Amendment 1 to Senate Bill 680, Committee Amendment No. 1 to Senate Bill 2961; refer to Revenue Committee - Committee Amendment -- Amendment No. 1 to Senate Bill 3212, Committee

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Amendment -- Amendment No. 1 to Senate Bill 3241; refer to State Government and Veterans Affairs Committee - Committee Amendment No. 2 to Senate Bill 3245, Committee Amendment No. 1 to Senate Bill 3660; refer to Transportation Committee - Floor Amendment No. 7 to Senate Bill 952, Committee Amendment No. 1 to Senate Bill 2825 and Committee Amendment No. 1 to Senate Bill 3530; re-refer from State Government and Veterans Affairs Committee to Executive Committee - Senate Bill 2491; and Be Approved for Consideration - Senate Bill 679, Floor Amendment No. 3 to House Bill 3129.

Signed by Senator Don Harmon, Chairman.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, if you will turn to -- to the middle of page 8 of the printed Calendar, on the Order of House Bills 3rd Reading. Middle of page 8 of the printed Calendar, House Bills 3rd Reading. Ladies and Gentlemen, if we can have your attention, we're on 3rd Reading now. And first on the Calendar -- okay. Once again, Ladies and Gentlemen, on the middle of page 8 of the printed Calendar, on the Order of House Bills 3rd Reading, we have House Bill 506. Senator Muñoz. House Bill 506. Out of the record. We have House Bill 735. Senator Muñoz. House Bill 735. Out of the record. We have House Bill 3129. Senator Harmon, on 3129? Out of the record. We have House Bill 3474. Senator Harmon. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 3474.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I am sponsoring House Bill 3474 on behalf of the Philip J. Rock Center and School in Glen Ellyn, and it's apropos that the man for whom the school is named is here with us on the Floor today. For those of you who don't know, the -- the Rock Center is a unique institution in the State of Illinois. It is a school for students who are both blind and deaf, and it's available to students in any school district across the State. This is curative legislation for a very odd problem. When the school was created, the teachers were clearly participants in the Teachers' Retirement System. The non-teacher employees of the school have for decades been making contributions to IMRF, as has the employer. Because of the odd way the school was structured, it was done through a fiscal agent, a local school district, and with the last round of true-ups on the -- with the market downfall, it became apparent that the non-teaching employees of the school were not technically eligible to be in IMRF. This bill would cure that problem. There is no fiscal impact. The contributions to date have all been made; they will continue to be made by the school. There is an unfunded liability that the school will bear. There is language in the bill that provides for dealing with that unfunded liability on the very remote chance that the Rock Center were to go out of business; in which case, that six-hundred thousand dollar liability would be spread across all of the other school districts in the State on a -- a per capita basis. All those

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school districts have the opportunity to send students to the school today. So it seems like a fair and equitable way to resolve that very remote possibility. This has been negotiated. IMRF is supportive of the bill. The Rock School, the -- the -- the Pinckneyville School District -- or, the -- the school district for which -- has served as a fiscal agent is for it. I am not aware of any opposition and I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you, Senator Harmon. Is there any discussion on the bill? Is there any discussion? Seeing none, the question is, shall House Bill 3474 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? Mr. Secretary, take the record. On that question, there are 49 voting Aye, 0 voting Nay, 0 voting Present. House Bill 3474, having received the required constitutional majority, is hereby declared passed. Continuing on the Calendar - again, we're on page 8, middle of the page - we have House Bill 3636. Senator Mulroe. Out of the record. Ladies and Gentlemen, if I could have your attention for an announcement. The following committee will be meeting to take up Floor amendments: Licensed Activities will meet in Room 409 at 2:01 p.m. this afternoon. Again, Licensed Activities will meet in Room 409 at 2:01 p.m. this afternoon to take up Floor amendments. Ladies and Gentlemen, there being no further business to come before the Senate, the Senate stands adjourned until the hour of 12 p.m. on the 1st day of March, 2012. The Senate stands adjourned.