

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

105th Legislative Day

4/24/2012

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PRESIDING OFFICER: (SENATOR CLAYBORNE)

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 Clint Cook, Real Life Church, Springfield, Illinois.

PASTOR CLINT COOK:

(Prayer by Pastor Clint Cook)

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The Pledge of Allegiance will be led by Senator Maloney.

SENATOR MALONEY:

Thank you, Mr. President. We have two special guests, my grandson, J.D., and my granddaughter, Lucy, are going to lead us in the Pledge. Go ahead.

(Pledge of Allegiance)

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Thank you, the Maloney grandchildren. Mr. Secretary, Reading and Approval of the Journal.

SECRETARY ANDERSON:

Senate Journal of Thursday, April 19th, 2012.

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.

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There being no objection, so ordered. Mr. Secretary,
Resolutions.

SECRETARY ANDERSON:

Senate Resolution 718, offered by Senator McCann and all
Members.

Senate Resolution 719, offered by Senator McCann and all
Members.

Senate Resolution 720, offered by Senator Haine and all
Members.

And -- Senate Resolution 721, offered by Senator Koehler
and all Members.

They're all death resolutions.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Resolutions Consent Calendar. Introduction of Senate
Bills.

SECRETARY ANDERSON:

Senate Bill 3916, offered by Senator Schmidt.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

House Bills 1st Reading.

SECRETARY ANDERSON:

House Bill 4662, offered by Senator Dillard.

(Secretary reads title of bill)

1st Reading of this House bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

All Members at the sound of my voice please come to the
Floor. We're going to proceed on Secretary's Desk, Resolutions.
All Members at the sound of my voice please come to the Floor

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for action. Turning to page 50, under Secretary {sic} Desk, Resolution {sic}, Senate Resolution 609. Senator Collins, do you wish to proceed? Mr. Secretary, read the resolution.

SECRETARY ANDERSON:

Senate Resolution 609, offered by Senator Collins.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Collins, to explain.

SENATOR J. COLLINS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I stand here today to introduce Senate Resolution 609 to commemorate the hundred and twenty-sixth anniversary of the ordination of Father Augustus Tolton as the first African-American priest in the United States and designate the date of April 24th, 2012, as Father Augustus Tolton Day. And the reason I'm so proud to introduce this resolution is because I feel that Father Augustus Tolton's life and his human spirit proves what can be accomplished against insurmountable odds. In 1861, his father had joined the Union soldiers to fight in the Civil War against the abolition of slavery. He later died fighting for that freedom. So his mother, a slave, with the three children, in which Augustus was one, fled to Missouri in the light of escaping, avoiding the Confederate bounty hunters. After Missouri, she later settled in Quincy, Illinois, in the district of my colleague, Senator John Sullivan. And as a child, the Franciscan Fathers and the nuns educated Augustus, Father Augustus Tolton, and he later -- received his First Communion and Confirmation in Quincy. And because the Franciscan Fathers were impressed with his intelligence, they decided to pursue -- or felt that he should pursue a priestly education and become a

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priest. But based on the racial climate in the -- in the United States at that time, he was denied access to any seminary in the States. Then the Franciscan Fathers implored Rome to accept Father -- or, Augustus Tolton at the time. And so, in -- at the age of twenty-six, Augustus traveled to Rome to pursue studies toward the priesthood in 1880. Six years later, on April 24th, 1886, he was ordained a priest at St. John Lateran Basilica in Rome. He returned to the United States and had a ministry in Quincy, but later died in the {sic} heat stroke at the age of forty-three. And so, as an African-American, as a Catholic, as an Illinois citizen, I stand here to recognize the work and the priestly dedication of Father Augustus Tolton, who has been presented for the Cause for beatification and canonization. It was officially opened in February of -- 24, 2011. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Mr. President. I'd like to speak to the resolution. The -- and thank you, Senator Collins, for -- for your work on this issue. I -- I'd also like to just, for the record, put some information out there, and some of it Senator Collins referred to, but I'd like to add to it a little bit. 'Cause in 1862, Martha Tolton and her three children, including her son Augustus, found refuge in Quincy, where -- just across the river from Missouri, where the family had been enslaved. Of course, as many people know, Quincy was an important stop on the Underground Railroad and had a small but growing African-American Catholic community that welcomed the Toltons. Local white priests, especially Father Peter McGirr of St. Peter

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Church and School, welcomed young Augustus and insisted on his education despite widespread opposition to allowing a black child to go to school with white children. While working in a factory to support his mother and sister and continuing his education and serving Mass every morning before work, Augustus Tolton felt the stirrings of a call from God to the priesthood. No seminary in America would accept him, so he attended a seminary and was ordained in Rome. There, the Cardinal overruled a committee's decision to send him to Africa as a missionary, saying "America has been called the most enlightened nation in the world. We shall see whether it deserves that honor. If the United States has never before seen a black priest, it must see one now." Father Tolton was sent back to Quincy to St. Joseph's Church. I think on this anniversary of Father Tolton's groundbreaking ordination, I'm proud to represent the people of Quincy in helping to recognize his achievements in our community, as well as in Chicago and wherever he went. Speaking -- speaking as a -- at a conference in -- of black Catholics in Washington, D.C., Father Tolton said, "The Catholic Church deplores a double slavery - that of the mind and that of the body. She" - meaning the Catholic Church - "endeavors to free us of both. I was a poor slave boy but the priests of the Church did not disdain me." I want to thank, again, Senator Collins for -- and -- and all of our -- the Members here in the Senate for their work on this resolution, and it's certainly on behalf of the children and the poor. Thank you very much.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The question is, shall Senate Resolution 609 pass. All

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those in favor, vote Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Senator Kotowski, for what purpose do you seek recognition?

SENATOR KOTOWSKI:

Thank you, Mr. President. Point of personal privilege.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point.

SENATOR KOTOWSKI:

Thank you. My announcement is -- is not as -- as important as the last one in terms of the impact that an individual had on history in this State, but it is important as it relates to this Body here. Tomorrow is the annual House versus the Senate softball game. And we -- we're supposed to have security in this room to keep out the riffraff. Apparently, security is not working today. Get him out. Thank you, Joe. Get him out. Get him out! Thank you, Representative. I don't know who that guy was, but I'm glad he's out. Tomorrow is a very important game. And it's where we come together as a -- as a group and as a Body to -- well, to overcome, and to -- to do our best, and to -- well, to succeed. I was visited by the spirit of Senator Hendon last night. I was -- screamed in my sleep, telling that we must win, we must prevail, we must achieve. And I wanted to do -- make sure -- tomorrow, it's -- it's 5:30 at Lincoln Park, the first pitch. I want people to get there in time. My -- I'm -- I'm a manager this year, but my co-manager is Ed Maloney. And I think, first and foremost, we should win this game for Ed Maloney because this is Ed's final year here. He's -- amazing contributions as a Senator in this Chamber. But I also think we should do it for our dear friend John Millner, who's not here,

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who's home with his wife, who, unfortunately, is -- is sick right now. But we should come together - Republicans and Democrats - and win - and Independents, like Senator Raoul - and win this game, because the fact remains, if we do one thing this year, one thing, not just get the budget passed, it's that we beat the House, that we prevail, that we succeed, that we achieve beyond our wildest dreams - and that makes sure that Kwame, this year, who is an unbelievable athlete, who always gets hurt running from home to first base, that he's able to round first base and get to second for the first time in five years. So, tomorrow, 5:30, at Lincoln Park. As I say to the sixth grade basketball team that I coach, "Play your best, have fun, be a good sport, and no quitting." Go, Senate.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The Senate will stand at ease for a few minutes 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. (at ease) Senator Crotty in the Chair. (at ease)

PRESIDING OFFICER: (SENATOR CROTTY)

The Senate will come to order. Senator Bivins, for what purpose do you rise?

SENATOR BIVINS:

Thank you, Madam President. On a point of personal privilege.

PRESIDING OFFICER: (SENATOR CROTTY)

State your point.

SENATOR BIVINS:

Thank you. I'd like -- I have with me two gentlemen today

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from my district: Mr. Tom Demmer, who is the Director of Strategic Planning at KSB Hospital, and Andy Blankenbaker, who is the owner of Benjamin's in Galena. So I'd like to give -- please give them a warm Springfield welcome.

PRESIDING OFFICER: (SENATOR CROTTY)

Welcome to the Senate Floor. Senator Steans, for what purpose do you rise?

SENATOR STEANS:

For a point of personal privilege.

PRESIDING OFFICER: (SENATOR CROTTY)

State your point.

SENATOR STEANS:

Yes, I would like to introduce -- with me today. I have a visitor. His name is Hassan Abdelhameed. He is from Egypt. He's here as part of a fellowship, where the Heartland International programs has four Egyptian fellows and four Moroccan fellows here, funded through a State Department program. They're here learning about non-profit and governmental policy making in Illinois. He himself is an attorney who works on human rights issues for a member of parliament and for a non-profit organization, an NGO, on human rights and development issues. So, please welcome Hassan Abdelhameed, and please welcome him and introduce yourselves to him when you have a chance. Thank you.

PRESIDING OFFICER: (SENATOR CROTTY)

Welcome to Springfield and the Senate Floor. Mr. Secretary, Committee Reports.

SECRETARY ANDERSON:

Senator Clayborne, Chairman of the Committee on

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Assignments, reports the following Legislative Measures have been assigned: Refer to Agriculture and Conservation Committee - House Bill 4819; refer to Criminal Law Committee - House Bills 102, 3825, 3914, 4081, 4974, 4995, 5451, 5482, 5486, 5505 and 5771; refer to Education Committee - House Bill 5825 and 5826; refer to Executive Committee - House Bills 222, 1981, 4036 and 4136; refer to Higher Education Committee - House Bills 1864 and 4757; refer to Human Services Committee - House Bills 3893 and 5641; refer to Insurance Committee - House Bill 4096; refer to Judiciary Committee - House Bills 4028 and 5586; refer to Labor Committee - House Bill 3782; refer to Licensed Activities Committee - House Bill 5033; refer to Local Government Committee - House Bills 3895 and 4715; refer to Pensions and Investments Committee - House Bill 3969; refer to Public Health Committee - House Bill 5009; refer -- refer to Revenue Committee - House Bill 4110, 4242, 5111, 5283 and 5480; refer to State Government and Veterans Affairs Committee - House Bills 5315 and 5450; re-refer from Labor Committee to Executive Committee - House Bill 5201.

Signed, Senator James F. Clayborne, Chairman.

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to Agriculture and Conservation Committee - Committee Amendment 1 to House Bill 3611; refer to Commerce -- Commerce Committee - Committee Amendment 1 to House Bill 3091, Committee Amendment 1 to House Bill 5025 and Committee Amendment 2 to House Bill 5025; refer to Criminal Law Committee - Floor Amendment 2 to Senate Bill 2621, Floor Amendment 1 to Senate Bill 2781, Committee Amendment 1 to House Bill 3366, Committee

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Amendment 1 to House Bill 3801, Committee Amendment 1 to House Bill -- 4636, Committee Amendment 1 to House Bill 4983, Committee Amendment 1 to House Bill 5099, Committee Amendment 1 to House Bill 5233, Committee Amendment 2 to House Bill 5233 and Committee Amendment 1 to House Bill 5278; refer to Education Committee - Floor Amendment 2 to Senate Bill 636, Floor Amendment 2 to Senate Bill 3259 and Committee Amendment 1 to House Bill 5689; refer to Energy Committee - Committee Amendment 1 to House Bill 4761, Committee Amendment 1 to House Bill 5814; refer to Environment Committee - Committee Amendment 1 to House Bill 4986; refer to Executive Committee - Floor Amendment 1 to Senate Bill 402, Committee Amendment 1 -- Committee Amendment 2 to Senate Bill 3773, Committee Amendment 1 to House Bill 4596 and Committee Amendment 1 to House Bill 5078; refer to Insurance Committee - Floor Amendment 3 to Senate Bill 679; refer to Judiciary Committee - Committee -- Committee Amendment 3 to Senate Bill 2894, Committee Amendment 2 to House Bill 4687, Committee Amendment 1 to House Bill 5016, Committee Amendment 1 to House Bill 5434; refer to Labor Committee - Committee Amendment 1 to House Bill 4177; refer to Local Government Committee - Committee Amendment 1 to House Bill 4145; refer to Revenue Committee - Committee -- Committee Amendment 1 to House Bill 2557; refer to State Government and Veterans Affairs Committee - Committee Amendment 1 to House Bill 4531, Committee Amendment No. 1 to House Bill 4569 and Committee Amendment 1 to House Bill 5650; refer to Transportation Committee - Floor Amendment 1 to Senate Bill 2651, Floor Amendment 1 to Senate Bill 2652, Committee Amendment 1 to House Bill 3982 and Committee Amendment 1 to House Bill 5021.

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Signed, Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR CROTTY)

Dean Williams, from WFLD-TV Chicago Fox, requests permission to video and take pictures. Leave being granted. Ladies and Gentlemen, the following committees will be meeting to take up committee or Floor amendments: At 5:01 p.m., Education will meet in Room 409; and tomorrow, at 12:01 p.m., Criminal Law will meet in Room 212; and Executive will meet tomorrow at 3:01 p.m. in Room 212. Senator Murphy, for what reason -- what purpose do you rise?

SENATOR MURPHY:

Purpose of an announcement, Madam President.

PRESIDING OFFICER: (SENATOR CROTTY)

State your announcement.

SENATOR MURPHY:

First, I'd just like to announce that Senator Millner will be out all week, back home in the district with a family medical situation, and ask that his absence be noted and excused. And, secondly, the Senate Republicans would request a caucus in Room 409 for one hour.

PRESIDING OFFICER: (SENATOR CROTTY)

The record will so reflect Senator Millner's absence. And the Senate Republicans have moved to recess to -- recess the Senate for purposes of a one-hour caucus. Seeing no objection, the motion to recess is granted. Because the Republicans will be caucusing for one hour, all of our committees will now be set back till 2:30 -- starting at 2:30. There being no further business to come before the Senate, pursuant to the adjournment resolution, the Senate stands adjourned until the hour of 11

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a.m. on the 25th day of April, 2012. The Senate stands
adjourned.