

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

110th Legislative Day

5/3/2012

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Good morning. The regular Session of the 97th General Assembly will please come to order. Will all the Members be at their desks? Will our guests in the galleries please rise? The invocation today will be given by Pastor Shaun Lewis, Capitol Commission, Springfield, Illinois. Pastor Lewis.

PASTOR SHAUN LEWIS:

(Prayer by Pastor Shaun Lewis)

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 March 21st, 2012.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hunter.

SENATOR HUNTER:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hunter moves to approve the Journals just read by the Secretary. There being no objection, so ordered. Mr. Secretary, Reading and Approval of the Journal.

SECRETARY ANDERSON:

Senate Journal of Wednesday, May 2nd, 2012.

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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 the arrival of printed transcripts. There being no objection, so ordered. Mr. Secretary, Committee Reports.

SECRETARY ANDERSON:

Senator Jacobs, Chairperson of the Committee on Energy, reports House Bill -- 5071 Do Pass; and House Bill 5814 Do Pass, as Amended.

Senator Collins, Chairperson of the Committee on Financial Institutions, reports House Bill 3985 Do Pass.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, just for the point of an announcement to all the Members that are not on the Senate Floor. Will all Members please come to the Senate Floor immediately? We will be going to House Bills 2nd Reading first and then we will be going to 3rd Readings. We will be taking substantive Floor action. All Members please come to the Floor immediately. Ladies and Gentlemen, as announced earlier, we're going to be going to the Order of House Bills 2nd Reading. On page 16 of your printed Calendar, starting at the top of the Calendar with regard to House Bills 2nd Reading, we have House Bill 222. Senator Garrett. Senator Garrett, on 222. Out of the record. Oh,

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there you are. Excuse me, Senator Garrett. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 222.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Executive adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Next up, we have House Bill 404. With leave of the Body, we will skip 404 and come back to it. We have House Bill 411. Senator Raoul. Senator Raoul, on 411. Out of the record. House Bill 587. Senator Hutchinson. Senator Hutchinson, on 587. Out of the record. House Bill 1261. Senator Sandoval. Out of the record. House Bill 1299. Senator Noland. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

House Bill 1299.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. House Bill 1404. Leader Clayborne. Out of the record. House Bill 1473. Senator Delgado. Senator Delgado. Out of the record. House Bill 1605. Senator Harmon.

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Mr. Secretary, read the bill.

SECRETARY ANDERSON:

House Bill 1605.

(Secretary reads title of bill)

2nd Reading of the bill. Committee on Revenue adopted Amendments 1 and 2. {sic}

PRESIDING OFFICER: (SENATOR SULLIVAN)

Are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. House Bill 2562. Senator Bivins. Out of the record. House Bill 2984. Leader Clayborne. Out of the record. Turn to the top of page 17 of your Calendar. Senator Jones, for what purpose do you rise?

SENATOR J. JONES:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your point.

SENATOR J. JONES:

Thank you. Up here in the gallery, I have a group of students, the Student Council, from St. Elmo Elementary School visiting today, along with their -- two of their teachers, Dawn and Sandy. So, if we could welcome them to Springfield and the Illinois Senate. Give 'em a big welcome.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Would our guests from St. Elmo please rise? Welcome to the Illinois Senate today. Great to have you here. Thanks for

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visiting. Ladies and Gentlemen, we are on the top of page 17 of the printed Calendar, on the Order of House Bills 2nd Reading, and we have House Bill 3091. Senator Jones. Emil Jones. Out of the record. House Bill 3366. Senator Dillard. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

House Bill 3366.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Criminal Law adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Next up, we have House Bill 3611. Senator Koehler. Out of the record. House Bill 3779. President Cullerton. Out of the record. House Bill 3782. Leader Radogno. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

House Bill 3782.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. House Bill 3875. Senator Muñoz. Out of the record. House Bill 3893. Leader Crotty. Out of the record. House Bill 3935. Senator Haine, on 3935. Mr. Secretary, read

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the bill.

SECRETARY ANDERSON:

House Bill 3935.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Financial Institutions adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. House Bill 4003. Senator Lightford. Out of the record. House Bill 4022. Senator Hutchinson. Out of the record. House Bill 4031. Senator Raoul. Out of the record. House Bill 4036. Senator Kotowski. Out of the record. Ladies and Gentlemen, let's turn to the top of page 18 of the printed Calendar. Again, we're on the Order of House Bills 2nd Reading. We have House Bill 4076. Senator Martinez. Out of the record. House Bill 4078. Senator Sandoval. Out of the record. House Bill 4096. Senator Martinez. Out of the record. House Bill 4126. Senator Althoff. 4126. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

House Bill 4126.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. House Bill 4129. Senator Kotowski. Out of

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the record. House Bill 4136. President Cullerton. Out of the record. House Bill 4177. Senator Hunter. Out of the record. House Bill 4242. Senator Forby. Out of the record. Senate {sic} Bill 4324. Senator Steans. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

House Bill 4324.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. House Bill 4442. Senator Crotty. Out of the record. House Bill 4444. Senator Sandoval. Out of the record. House Bill 4447. Senator Frerichs. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

House Bill 4447.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. At the bottom of page 18, Ladies and Gentlemen, we have House Bill 4453. Leader Lightford. Out of the record. Let's turn to the top of page 19. We have House Bill 4479. Senator Hutchinson. Out of the record. House Bill 4492. Senator Crotty. Out of the record. House Bill 4500. Senator Crotty. Out of the record. House Bill 4513. President Cullerton. Out of the record. House Bill 4514. Senator Althoff. Mr. Secretary, please read the bill.

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House Bill 4514.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. House Bill 4520. Senator Althoff. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

House Bill 4520.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. House Bill 4521. President Cullerton. Out of the record. House Bill 4523. Senator Althoff. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

House Bill 4523.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. House Bill 4526. Senator Steans. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

House Bill 4526.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

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PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. House Bill 4531. Senator Emil Jones. Out of the record. House Bill 4545. Senator Crotty. Out of the record. Senate {sic} Bill 4548. Senator Althoff. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

House Bill 4548.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. House Bill 4562. Senator Crotty. Out of the record. Ladies and Gentlemen, let's turn to the top of page 20. Still on the Order of House Bills 2nd Reading, we have House Bill 4563. Senator Steans. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

House Bill 4563.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. House Bill 4560. Senator Murphy, for what purpose do you rise?

SENATOR MURPHY:

Purpose of an announcement, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your announcement, Senator Murphy.

SENATOR MURPHY:

Senator Bivins is back home in the district with a family

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situation, with his son returning from Afghanistan. Just ask that the record so reflect.

PRESIDING OFFICER: (SENATOR SULLIVAN)

The record will so -- so reflect his being home with his son who's just returned from the military. Great to have him back. Ladies and Gentlemen, we are on page 20 of the printed Calendar, on the Order of House Bills 3rd Reading. We have House Bill 4568. President Cullerton. There you are. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 4568.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. House Bill 4569. Senator Jones. Out of the record. House Bill 4570. President Cullerton. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

House Bill 4570.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. With leave of the Body, we will return to 4573, and let's go to 4590. Senator Bivins. Out of the record. Senate {sic} Bill 4592. Senator... Very good. Ladies and Gentlemen, with leave of the Body, we will return to House Bill 4590. As mentioned earlier, Senator Bivins has an excused --

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Ladies and Gentlemen, with leave of the Body, we will return to 4592, which is Senator Millner's bill. Senator Althoff is a cosponsor on the bill and has been given authority to move the bill. So, Senator Althoff, do you wish to proceed? Mr. Secretary, please read the bill, on 4592.

SECRETARY ANDERSON:

House Bill 4592.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Senator Hutchinson, for what purpose do you rise?

SENATOR HUTCHINSON:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your point.

SENATOR HUTCHINSON:

I have with me this very lovely Page for the Day. Her name is Jenna Ferguson. She's from Manhattan and she's a sophomore at Lincoln-Way Central High School, sixteen years old. And please give her a wonderful, warm Senate welcome.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Welcome to the Illinois State Senate. Great to have you here today. Thanks for joining us. Ladies and Gentlemen, House Bill 4609. Senator Lightford. 4609. Out of the record. Senate {sic} Bill 4636. Senator Mulroe. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

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House Bill 4636.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Criminal Law adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. House Bill 4637. Senator McGuire. Senator McGuire, on 4637. Do you wish to move it to 3rd? Mr. Secretary, read the bill.

SECRETARY ANDERSON:

House Bill 4637.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Criminal Law adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Next up, we have House Bill 4666. Senator Raoul. Out of the record. House Bill 4674. President Cullerton. Please read the bill.

SECRETARY ANDERSON:

House Bill 4674.

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(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Executive adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. House Bill 4697. Senator Forby. Please read the bill.

SECRETARY ANDERSON:

House Bill 4697.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. House Bill 4715. Senator Koehler. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

House Bill 4715.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Ladies and Gentlemen, turn to the top of page 21 of your printed Calendar. We have House Bill 4749. Senator Althoff. Senator Althoff. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

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House Bill 4749.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. House Bill 4862. Senator LaHood. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

House Bill 4862.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. With leave of the Body, we will come back to -- 4863 and go to 4926. Senator Dillard. 4926. Please read the bill.

SECRETARY ANDERSON:

House Bill 4926.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. House Bill 4937. Senator Dillard. Please read the bill.

SECRETARY ANDERSON:

House Bill 4937.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

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PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Ladies and Gentlemen, we're shifting gears here a little bit. Please go to the bottom of page 25 of your printed Calendar, on the Order of Constitutional Amendments 3rd Reading. It's on the bottom of page 25 of your Calendar. Ladies and Gentlemen, as I just mentioned, on the bottom of page 25 of your printed Calendar, we have -- on the Order of Constitutional Amendments 3rd Reading, we have House Joint Resolution Constitutional Amendment 49. President Cullerton, do you wish to proceed? Indicates that he does. Mr. Secretary, read the resolution in full for a third time.

SECRETARY ANDERSON:

House Joint Resolution Constitutional Amendment.

(Secretary reads HJRCA No. 49)

3rd Reading in full of this House joint resolution constitutional amendment.

PRESIDING OFFICER: (SENATOR SULLIVAN)

President Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. The constitutional amendment that was just read, that would, if passed, be on the ballot, would require certain measures that affect pensions to pass with a three-fifths majority. We should look at it in -- in three sections: first, the General Assembly; secondly, units of local government and school districts; and third, retirement system boards. If an -- if the amendment's adopted, a bill that included a benefit increase under any retirement system would need to receive a three-fifths majority in each House in order to pass. If the Governor vetoes

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the bill outright, or offers amendatory language, then the General Assembly could only override or accept that veto by a two-thirds majority vote in each house. The amendment would also require any action by a unit of local government or a school district that provides an emolument increase to an official or employee which has the effect of increasing that official's or employee's pension to also pass by a three-fifths majority. And finally, if a pension system board wished to reverse or supersede a previous interpretation of its enabling pension statute and the action would result in either an increase to a person's pension or entitling a person to now receive a pension, then that action would only be valid by a three-fifths majority vote. This bill passed 113 to nothing in the House - this constitutional amendment - and I would encourage an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any -- any discussion? Senator Link, for what purpose do you rise?

SENATOR LINK:

Thank you, Mr. President. To the resolution.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the resolution, Senator Link.

SENATOR LINK:

Throughout the debate, both in the House and in the committee in this Chamber, the sponsors of this joint resolution -- it has become clearly stated that this proposed constitutional amendment will only apply to the limited actions of the State or local governments specifically in voting on pension increases. By limiting the application of the three-

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fifths majority vote requirement to the specific terms of the pension code which -- making changes in pension benefit -- it also has been clearly stated that the increased majority vote requirements shall not apply in any way to agreements of arbitration awarded {sic} -- occur subject to the Illinois Public Labor Relations Act. I believe that it is important to note that a vote for this amendment shall not be voted {sic} to in any way reduce or abridge collective bargaining rights under current law.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any further discussion? Any further discussion? Seeing none, President Cullerton, to close. Ladies and Gentlemen, the question is, shall House Joint Resolution Constitutional Amendment 49 pass. All those in favor will vote Aye. Opposed, Nay. And 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 51 voting Aye, 2 voting Nay, 0 voting Present. House Joint Resolution Constitutional Amendment 49, having received the required three-fifths constitutional majority, is adopted and is declared ratified. Ladies and Gentlemen, the Senate will stand at ease for a few moments to allow the Committee on Assignments to meet. Will all members on the Committee on Assignments please come to the President's Anteroom immediately? The Senate will stand 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:

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Refer to Executive Committee - House Bill 1157 and 2842; refer to Insurance Committee - House Bill 153; refer to Transportation Committee - House Bill 4660; Be Approved for Consideration - Senate Bill 3348, 3695, 3788 and Floor Amendment 2 to House Bill 3810.

Signed, Senator Don Harmon, Chairman.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Senator Lauzen, for what purpose do you rise?

SENATOR LAUZEN:

Thank you, Mr. President. For an introduction.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please make your introductions.

SENATOR LAUZEN:

Thank you, Mr. President. Today, we are joined by nine students and some parents from St. Peter's School in Geneva, Illinois. And as I read off your name, would you please rise, and then we're going to welcome you to the Senate. But the students who are here - and it's for the Illinois History Fair - are Chase Schaben - so if you'd stand up - then Maggie Schubert, Ashley Fritz, Mary Grace Phelan, Riley Wise, Anthony Gustley, Henry Fedhaus, Justin Caceres, Coleen Cahill, and they're accompanied by their parents, led by Wendy Schaben. Could the Senate please welcome constituents from St. Peter's?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Will our guests from St. Peter's -- great to have you here today. Thank you for joining us. Welcome to the Illinois State Senate. Senator Muñoz, for what purpose do you rise?

SENATOR MUÑOZ:

Point of personal privilege.

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your point, Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, Ladies and Gentlemen of the Senate, for those of you that don't know, the Police Memorial is going on today at 11 a.m. It's by the statue on the west lawn. Please keep in your prayers the officers that were killed in the line of duty this year and the past year. Their families are here today. So their -- names of those officers, that will be put on the plaque with the additional officers that already have lost their lives in the line of duty.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Muñoz, thank -- thank you for that introduction. We'll keep those men and women in our thoughts and their families in our thoughts and prayers. Ladies and Gentlemen, we're going to turn to page 8 of the printed Calendar, on the Order of House Bills 3rd Reading. The middle of the page, we have House Bill 3810. President Cullerton. President Cullerton seeks leave of the Body to return House Bill 3810 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 3810. Mr. Secretary, are there any committee or Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 2, offered by President Cullerton.

PRESIDING OFFICER: (SENATOR SULLIVAN)

President Cullerton, on Amendment 2.

SENATOR CULLERTON:

Yes, thank you, Mr. President, Members of the Senate. This

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bill creates a Tuition and Fee Waiver Task Force. This amendment ensures that the four Legislative Leaders would each get two appointments to the Task Force. Move for its adoption.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion on the amendment? Seeing none, all those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Now on the Order of 3rd Reading is House Bill 3810. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

House Bill 3810.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

President Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. The bill, as it passed the House, abolished the General Assembly tuition waiver program. This bill keeps that abolition and, at the same time, creates the Tuition and Fee Waiver Task Force, which shall review and evaluate the tuition and fee waiver programs offered by public institutions of higher education. They would report their findings on or before April 15th of 2013 so that the next General Assembly would have time to act on their recommendations. Be happy to answer any questions and ask for

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an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Senator Dillard, for what purpose do you rise?

SENATOR DILLARD:

Thank you, Mr. President. Just getting my orders here from my Leader. I want to commend Senator Cullerton for doing an about-face on this particular issue, which is long overdue. It's not easy to change your position in this building. I especially want to thank my Leader, Senator Christine Radogno, who has, for years, long before it was the popular thing to do - - to be a leader in trying to eliminate and abolish a program that had become a dinosaur. I once was a proponent of legislative scholarships, but times change. Times changed fiscally; times changed ethically. And this program has now the surveillance of the United States Attorney's Office and it's time, as an institution, we let this perk, which was properly used for many years, go. And it is -- it is time that, you know, we step up and do what's right. This program is not free. And I never thought it was free. In reality, when we offer and issue these waivers, the economic reality is such at public universities that these costs are in fact passed on to the other students who are in those classes, who are in those universities. And nothing in life is free. And with skyrocketing tuition, as Senator Frerichs and others who represent - Senator Righter - major public universities in this State know, the tuitions are really now at a point where they are having a real stranglehold on middle-class families and families who are first-generation families trying to send their

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kids to schools. So, I want to also commend Governor Quinn. Pat has jumped out early on this. Last summer I met with him in Elmhurst and he amendatorily vetoed a bill of mine to sort of force this issue over in the House in the fall, which the Speaker would not take up. But I want to commend Governor Quinn, who's been out front on this issue. So it's time to end this dinosaur of a program. Times change and I think that this change today will help, I hope, improve the confidence that the people of this State have in the Illinois General Assembly. I always worry about our reputation and what we -- we show the people in terms of leadership, and it's time to -- to end and kill this dinosaur of a program. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Further discussion? Senator Lightford, for what purpose do you rise?

SENATOR LIGHTFORD:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Lightford.

SENATOR LIGHTFORD:

Mr. President, I not often totally disagree with Senator Dillard. Think he's a fine gentleman from the Elmhurst community, and we're both Leathernecks and share that compassion. But I have to say I'm in total opposition of most of the things that he said. And -- and on behalf of the Governor, I think this is a travesty for the Governor, to take scholarships away from people who really, truly, need them. I've been an advocate for education since I arrived here in the General Assembly and I believe in offering educational

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opportunities for those who really, really need them. I know this program was established - I just learned that from Senator Trotter's testimony in committee yesterday - in 1909, when many of us, all of us -- none of us were even born when this scholarship program was established; therefore, noting that there was a need even back then, in 1909. So we're talking about a program that's well over a hundred years old. I find it to be fair distribution. Every legislator, a hundred and seventy-seven, had an opportunity to help eight individuals in their respective districts, an opportunity to attend one of our fine State universities. It did not take away funding from GRF. And I find it to be, first, years ago, the excuse, that it was expensive. Now it's turned into, there's legislators abusing. I believe in disciplining those who have come and made mishaps and done things wrongly. But to allow all of us, all of our constituents to not have an opportunity to receive a legislative scholarship because you have a small number of a hundred seventy-seven that may have had mishaps is really, really a travesty, when we know that we have not properly funded the MAP grant. We know that. We know that we have not properly funded the education budget. In fact, we need a supplemental just to cover GSA. All of our local school districts, even our K through 12 schools, aren't even receiving payment from the General Revenue Fund, and it's very difficult for a lot of those students to attain a education well enough that they don't even need remedial courses before they can even attend our universities. And that's where we're putting our young people in a position today; that we're not providing the best educational opportunities for them, as we should. The President

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added a commission, a commission to take a look at all of the tuition waivers. Oh, it finally came up that there was about three hundred and fifty million plus dollars that was really going out for all of the universities and they use them as they please. Well, you know, in 2010, in this Chamber, we voted for reforms. In 2011, we voted for reforms. And I voted for both of those bills, because I feel there is room to reform how this program works that would allow all of us to be on one accord. We'd have structure, but not take away from people in our district who really need this help. But the Governor didn't see fit for that to happen. It passed the Senate, it passed the House, and the Governor vetoed it. I think this will be one of his regrets, vetoing the General Assembly scholarship opportunity to reform that particular program. It's almost like this commission is -- is it the chicken before the egg? Is the cup half empty/half full? You know, it's almost like pulling the cart before the horse - that we have this commission to take a look at scholarship waivers and, at the same time, abolish this program. Why not wait until we get findings that will determine the legitimacy of this program and that will determine how we unify such a system? I rise in opposition, total opposition, of elimination of this scholarship program. I do support, however, establishing a commission to take a look at all the scholarship waivers. And I would urge us, later in the month, when we're talking education funding and we're talking MAP funding, to remember this vote that you just took. Because those same individuals who are now unable to receive scholarships will need more of MAP grant opportunities, that's already lessened, with our support in the GRF. So, again, I

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would support that and encourage all of us to vote No or Present on this issue, because I think we're -- we all say we want to support education for young people; this isn't a good way to show it, with green lights.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any further discussion? Seeing none, President Cullerton, do you wish to close? President Cullerton.

SENATOR CULLERTON:

Yes, thank you. It is a very complicated issue. I think Senator Lightford made some very good points. You know, you wouldn't think that we would take relish in eliminating over fourteen hundred opportunities for kids to have scholarships to go to college, and yet that's what the bill does. But, there were abuses, and we have some major, major issues to deal with down here in the next month. Everybody knows what a distraction this is. Now this task force, I think is going to be very, very important. Actually, the -- the amount of money that we spend - I got the latest numbers - on these tuition waivers is four hundred and fourteen million dollars. And many of these things have no standards whatsoever. So the same attention that everybody put on the legislative scholarships ought to be put on the other tuition waivers, and we might have that task force also address the concerns about eliminating the opportunity for these young people to get a college education. So, with that, I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Ladies and Gentlemen, the question is, shall House Bill 3810 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish?

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Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 43 voting Aye, 5 voting Nay, 5 voting Present. House Bill 3810, having received the required constitutional majority, is declared passed. Senator Harmon, for what purpose do you rise?

SENATOR HARMON:

Thank you, Mr. President. For purposes of an introduction.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please make your introduction. Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. We have some very special guests in the gallery behind me today. They're students from St. Giles Grade School in Oak Park, in my district, and they're here in Springfield today to compete in the Illinois State History Fair. So I'd like to ask you -- I'd like to introduce them all: Sarah Lewis, Kevan Casson, Drew Johnson, Mickey McGuire and Maeve Dunaway. They're here with parents, Maxine Lewis, Amie Casson, Diane Johnson and Katie McGuire. If you'd join me in welcoming them to the Senate and to Springfield and wishing them good luck in the Illinois State History Fair.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Let's welcome Leader Harmon's guests to the Illinois State Senate. Great to have you here today, folks. Thank you for coming. Ladies and Gentlemen, if you'll turn to the middle of page 26 of your printed Calendar. On the Order of Secretary's Desk, Resolutions, we have Senate Joint Resolution 73. We'll let it come up on the board. There it is. Senate Joint Resolution 73. Senator McCarter, do you wish to proceed? Mr. Secretary, please read the resolution.

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SECRETARY ANDERSON:

Senate Joint Resolution 73, offered by Senator McCarter.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCarter, on your resolution.

SENATOR McCARTER:

Ladies and Gentlemen, I'm -- I'm honored to announce today that we're recognizing a -- a man by the name of Jeremy Hubbard. First, let me -- let me thank Senator Cullerton for bringing this directly to the Floor. I think it's -- it's appropriate today that -- at the Fallen Police Officers Memorial Service today, we recognize Jeremy Hubbard. He was killed in the line of duty on August 10th, 2010. He graduated from Effingham High School in 1993, joined the Cowden Police Department in 2007, and completed his basic training with the Police Training Institute in Mattoon in 2008, and then joined the Effingham County Sheriff's Department in 2010. He received many commendations and was highly regarded by his coworkers, his community members, and the village. Cowden Police Officer Jeremy Hubbard is remembered by his wife, Trisha Hubbard; his sons, Dylan and Jordan; his sister, Julia Poulter; and a grateful community; and, today, this General Assembly. If you do travel on Highway 128, as you enter the town, small town of Cowden, at least you will be remembered -- you will be reminded, once again, of the dedicated service and sacrifice that Jeremy Hubbard made for our State. I ask you to join me in -- in this resolution with an affirmative vote. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion on the resolution? Seeing none, as this resolution requires the expenditure of

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State funds, a roll call vote will be required. The question is, shall Senate Joint Resolution 73 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 50 voting Aye, 0 voting Nay, 0 voting Present. Senate Joint Resolution 73, having received the required constitutional majority, is declared adopted. 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 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 85.

Offered by Senator Hunter.

(Secretary read HJR No. 85)

Adopted by the House, May 3rd, 2012. Timothy D. Mapes, Clerk of the House.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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 on any of the resolutions on the Consent Calendar?

SECRETARY ANDERSON:

No objections filed, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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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, and the motion carries and the resolutions are adopted. On the Order of Resolutions is House Joint Resolution 85. Mr. Secretary, read the resolution.

SECRETARY ANDERSON:

House Joint Resolution 85, offered by Senator Hunter.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hunter moves to suspend the rules for the purpose of the immediate consideration and adoption of House Joint Resolution 85. Those in favor will say Aye. Opposed, Nay. The Ayes have it, and the rules are suspended. Senator Hunter moves for the adoption of House Joint Resolution 85. All in favor will say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Ladies and Gentlemen, there being no further business to come before the Senate, pursuant to the adjournment resolution, the Senate stands adjourned until the hour of 12 p.m. on the 8th day of May, 2012. The Senate stands adjourned.