

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

64th Legislative Day

10/26/2011

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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 Pat McManus, House of Praise Family Church, in Aurora, Illinois.

PASTOR PAT McMANUS:

(Prayer by Pastor Pat McManus)

PRESIDING OFFICER: (SENATOR SULLIVAN)

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)

Madam Secretary, Reading and Approval of the Journal.

SECRETARY ROCK:

Senate Journal of Tuesday, October 25th, 2011.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hunter.

SENATOR HUNTER:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hunter moves to postpone the reading and approval of the Journal, pending arrival of the printed transcripts. There being no objection, so ordered. Madam Secretary, Reading and Approval of the Journal.

SECRETARY ROCK:

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Senate Journals of April 6th, 7th, 8th, 11th, 12th, 13th  
14th, 15th, 22nd and 27th, 2011.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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 SULLIVAN)

Senator Hunter moves to approve the Journals just read by  
the Secretary. There being no objection, so ordered. Ed  
Marshall with WBBM-TV CBS requests permission to videotape, and  
also Tony Yuscus with blueroomstream.com also requests the  
same. Seeing no objection, leave is granted. Madam Secretary,  
Resolutions.

SECRETARY ROCK:

Senate Resolution 399, offered by Senator Holmes.  
It is a death resolution, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Resolutions Consent Calendar, Madam Secretary.  
Introduction of Senate Bills.

SECRETARY ROCK:

Senate Bill 2513, offered by Senator McCann.

(Secretary reads title of bill)

1st Reading of this Senate bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Madam Secretary, Committee Reports. Madam Secretary,  
Messages from the House.

SECRETARY ROCK:

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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 43.

Offered by Senator Sandack. Adopted by the House, April -- excuse me, October 25th, 2011. Timothy D. Mapes, Clerk of the House. It is a death resolution, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Resolutions Consent Calendar. Madam Secretary, Motions on File with regard to the Governor's veto action.

SECRETARY ROCK:

Yes, Mr. President. I have override total veto motions filed on Senate Bill 178, by Senator Frerichs; Senate Bill 1652, by Senator Jacobs; Senate Bill 1918, filed by Senator Trotter; and a motion to override the amendatory veto on Senate Bill 2062, filed by Senator Sullivan.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Madam Secretary, print those on the Calendar. The Senate will stand at ease for a few moments to allow for some paperwork to reach us. (at ease) The Senate will come to order. Don Moseley with WMAQ-TV and Jordan Guzzardo with WGN-TV, both request permission to videotape. Seeing no objection, leave is granted. Ladies and Gentlemen, we're just waiting on some paperwork to catch up with us, so we're going to continue to stand at ease. (at ease)

PRESIDING OFFICER: (SENATOR CROTTY)

The Senate will come to order. Senator Sullivan, for what

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purpose do you rise?

SENATOR SULLIVAN:

Thank you, Madam President. Just for a point of personal privilege.

PRESIDING OFFICER: (SENATOR CROTTY)

State your point.

SENATOR SULLIVAN:

Good morning, Ladies and Gentlemen. Just -- I have a special group up in the gallery, over on the opposite side of -- of me. It is the Griggsville-Perry Unit School District Number 4. It's a senior government class, and we're just so thrilled to have 'em here today. They are under the tutelage of Cynthia Lightle and Kenneth Stauffer. If you two folks would stand up, and -- and I'm going to run through the list of students real quickly, if you don't mind. And when I mention your name if you'd stand up and remain standing. Kyle Bentley, Jacqueline Bingham, Marlee Bradshaw, Alana Brown, Dillon Butler, Morgan Deeder, Jenna Gresham, Josh Henry, Eddie Hull, Kyra Kessinger, Skyler Lambeth, Jays McIntre, Clayton Myers, Brock Rumpel, Kelsey Sargent and Ison Smith. Ladies and Gentlemen, it's always great to see young people here in the Senate and observing us, and I'd just like everybody to welcome the Griggsville-Perry Senior Government Class here to Springfield.

PRESIDING OFFICER: (SENATOR CROTTY)

Welcome to the Senate. Patrick Keating from WLS-TV ABC 7 Chicago requests permission to record. No objection, it's granted. Senator McCarter, for what purpose do you rise?

SENATOR McCARTER:

Point of personal privilege.

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PRESIDING OFFICER: (SENATOR CROTTY)

State your point.

SENATOR McCARTER:

Ladies and Gentlemen, I've got a special guest with me today, a man who maybe I should have brought along with me earlier, but with me today is Mr. Arthur Johnson. Arthur is the first Olympic boxer to win twelve national titles, a record that has stood for more than twenty-two years, the first American boxer to win Gold in the Inaugural Goodwill Games. He represented the United States in Seoul, Korea, making the 1988 Olympic team and advancing to the quarterfinals. In 1992, he embarked on a professional career with the legendary Angelo Dundee as his manager for ten years. As a professional, he won several world championship titles: Flyweight North American, Bantamweight, and two-time Junior Featherweight World Title. He's the author of the -- he's the founder of the Arthur Johnson Charitable Foundation, which is helping young people to stay in school, off drugs, and pursue education. He's currently working on providing a boxing gym for our community in the Metro-East St. Louis area in order to encourage those who have a desire to compete as amateur boxers, which he views as a positive outlet. You know, Arthur was raised in the projects of East St. Louis and wasn't given much to work with, but he took everything he had and succeeded. He -- I -- I'm very honored to call him my friend. He's not only -- not only beat poverty, but he's beat cancer twice. He -- he now has given everything he has to -- to help young -- young men and women have another chance. And so I'm just -- I'm very honored. He now lives in O'Fallon, in my community. I'm very honored, as well, to have with him his



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wife, LaTanya Johnson. LaTanya, stand up, please. And - go -- go ahead and give her applause - and as well, with the 100 -- 100 Black Men (of America) organization, he's got three of his friends - I want you to stand as well - Wade Wicks, Ernest Bradley, Sammie Lee Ashford, Jr. Thank you, gentlemen, for being with us. So, again, it's my pleasure to call him my friend, and I -- I wish you'd come over and introduce yourself. And he's got a couple of his Title belts with him, and if you'd like a picture with him -- if you can -- if you can -- if you got enough strength to lift 'em up, you can have the picture with him. But let's -- let's give him a warm welcome. Thank you.

PRESIDING OFFICER: (SENATOR CROTTY)

Welcome, Mr. Johnson, to the Senate Floor. Senator Dillard, for what purpose do you rise?

SENATOR DILLARD:

Thank -- thank you, Madam President and -- and Members. On a matter of personal privilege, if I may.

PRESIDING OFFICER: (SENATOR CROTTY)

State your point.

SENATOR DILLARD:

It's great to always have young people down here. Senator Sullivan introduced his group from Griggsville and I've been to Griggsville. It's great to have Mr. Turner here. But I have a -- a Page for a Day, who is a gifted student from Hinsdale Central High School. Katie Holland is here with her mother. It was kind of interesting; she saw a picture of herself with a group of gifted students taken a number of years ago, so she's grown up a lot and she's looking at colleges. She said she

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might go to Penn, which is in the Ivy League, although I have my U of I kind of colors on today. But would the Senate please welcome Katie Holland? And it's great to have her here on this historical day in Springfield.

PRESIDING OFFICER: (SENATOR CROTTY)

Welcome, Katie, to the Illinois Senate. Senator Cultra, for what purpose do you rise?

SENATOR CULTRA:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR CROTTY)

State your point.

SENATOR CULTRA:

I have someone here with me today. He's actually running for the Senate in the 52nd District, John Bambenek. If you'd just give him a warm Springfield welcome.

PRESIDING OFFICER: (SENATOR CROTTY)

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

SENATOR DELGADO:

Thank you, Madam President. For personal privilege and a legislative message, if you will -- information.

PRESIDING OFFICER: (SENATOR CROTTY)

State your point.

SENATOR DELGADO:

Thank you. Ladies and Gentlemen, good morning to you all. I just want to bring to your attention -- as many of you know, I chair Public Health, and I wanted to just make an announcement regarding the National Prescription Drug Take Back Day. The federal DEA has scheduled their third National Prescription Drug

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Take Back Day on Saturday, October 29th, from 10 a.m. to 2 p.m., to provide a venue for persons who want to dispose of unwanted and unused prescription drugs. To assist these efforts in Illinois, I, together with my State Representative, Luis Arroyo, in the House of Representatives, passed House Bill 3090. It amends the Safe Pharmaceutical Disposal Act to permit any city, village, or municipality to authorize its city hall or police department to display a container suitable for the use as a receptacle for used, expired, or unwanted pharmaceuticals. Please have your constituents to check with your local police department and county sheriff's office to drop off their donations on Saturday. National Prescription Drug Back -- Take Back Day addresses a vital public safety and public health issue. To address this issue, Illinois and the Senate Public Health Committee has been conducting subject matter hearings on Prescription Drug Abuse -- Prescription Drug Abuse. Our first hearing was held at the John A. Logan College in Carterville on June 9th. We are getting ready to post for the second hearing, which will take place on November 22nd at Parkland Community College in Champaign, the home of Senator Frerichs. Other hearings, to be announced, will follow in Chicago and DuPage County. Thank you, Madam President and Members of the Senate, for giving me this moment.

PRESIDING OFFICER: (SENATOR CROTTY)

Thank you, Senator. The Senate will stand at ease for a few minutes to allow the Committee on Assignments to meet. The member of -- members of the Committee on Assignments will come to the President's Anteroom immediately. Senate will stand at ease. (at ease) Senate will come to order. Madam Secretary,

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Committee Reports.

SECRETARY ROCK:

Senator Sullivan, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to the Executive Committee - Floor Amendment 2 to Senate Bill 405, Floor Amendment 3 to Senate Bill 405, Floor Amendment 2 to Senate Bill 965, and Motion to Accept the Governor's Recommendations -- excuse me, Motion to Accept the Specific Recommendations to Senate Bill 170; Be Approved for Consideration - Floor Amendment 1 to Senate Bill 747 and Floor Amendment 2 to Senate Bill 747.

Signed by John M. Sullivan, Chairman.

PRESIDING OFFICER: (SENATOR CROTTY)

The Senate Executive Committee will meet today at 11:45 and 11:46 a.m. in Room 212 to hear Floor amendments released by the Committee on Assignments. Senator Trotter, for what purpose do you rise?

SENATOR TROTTER:

Thank you, Madam President. I rise for purpose of an announcement.

PRESIDING OFFICER: (SENATOR CROTTY)

State your announcement.

SENATOR TROTTER:

Yes, I would like to announce, immediately upon adjournment of Executive Committee, we will recess for a caucus, a Democratic Caucus, in the President's Office, for a half an hour.

PRESIDING OFFICER: (SENATOR CROTTY)

There'll be a caucus meeting immediately after Exec. Thank

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you, Senator. Senator Koehler, for what purpose do you rise?

SENATOR KOEHLER:

Thank you, Madam President. A point of personal privilege.

PRESIDING OFFICER: (SENATOR CROTTY)

State your point.

SENATOR KOEHLER:

I want to introduce to the Senate Woody Shadid, who is here from Normal. He is a member of the central Illinois Shadid family and is second cousin to former Senator George Shadid. And he is here with his wife, Jane, and son, Bill, and daughter-in-law, Jean. So I'd like the Senate to give 'em a good welcome and have 'em stand.

PRESIDING OFFICER: (SENATOR CROTTY)

Will our guests in the gallery please rise? And we welcome the Shadid family to the Senate. Senator Martinez, for what reason do you rise?

SENATOR MARTINEZ:

Good -- good morning. For point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR CROTTY)

State your point.

SENATOR MARTINEZ:

Good morning, everyone in the Chambers, Senators, my -- and people in the gallery. October is not only Breast Cancer Awareness Month, but it also shines a light on another issue, that is very important to me and so many, that plague our communities, neighborhoods. It's domestic violence. During Domestic Violence Awareness Month, we recognize the significant achievement we have made in reducing domestic violence in

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America and we recommit ourselves to the important work still before us. The ramification of domestic violence are staggering. Women are among the most vulnerable, suffering the highest rate of intimate partner violence. Exposure to domestic violence puts our young men and women in danger of long-term physical and emotional harm. Children who experience domestic violence are at a higher risk for failure in school, emotional disorder, and substance abuse, and are more likely to perpetuate the cycle of violence themselves later in their lives. So to commemorate Domestic Violence Awareness Month, I have provided purple ribbons. And I know many of you already are wearing purple so there's something purple. I really appreciate that. I encourage everyone to wear it so we can stand together today and show the residents of Illinois and other states across the nation our dedication to ending domestic violence. Thank you very much.

PRESIDING OFFICER: (SENATOR CROTTY)

Thank you, Senator. The Senate will come to order. Will all Members please come to the Floor for the veto overrides? Senator Cultra, for what purpose do you rise?

SENATOR CULTRA:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR CROTTY)

State your point.

SENATOR CULTRA:

I would -- in the Republican side of the gallery here, we have a group from Champaign County. They're known as the Active Senior Republicans. Their president is Mary Jo Reik. And I'd just like to welcome them to Springfield. If we could give 'em

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a warm Springfield welcome to the Active Senior Republicans. Thanks for coming down today.

PRESIDING OFFICER: (SENATOR CROTTY)

Will our guests in the gallery please rise? And welcome to the Illinois Senate. Will the Senate please come to order? We're going to start on the Supplemental Calendar. Everyone would be in their seats. This is final action. Okay, on Senate Bill 178, Senator Frerichs. Do you wish to proceed? Madam Secretary, he -- read the motion.

SECRETARY ROCK:

I move that Senate Bill 178 do pass, notwithstanding the veto of the Governor.

Filed by Senator Frerichs.

PRESIDING OFFICER: (SENATOR CROTTY)

Senator Frerichs.

SENATOR FRERICHS:

Thank you much, Madam President. I'm calling for an override of Senate Bill -- the Governor's veto of Senate Bill 178. The original bill contains three significant changes to the administration and oversight of the State Employees Group Health Insurance Program. The amendment contains the Healthcare Purchasing Reorganization Act, which transfers back the duties of the administration of healthcare purchasing functions from the Department of Healthcare and Family Services back to the Department of Central Management Services. Two, additionally, the amendment enables the Commission on Government Forecasting and Accountability, COGFA, to function as a backstop to proposed healthcare contracts by triggering a process by which a written determination disapproving a proposed contract would require a

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joint resolution passed by the General Assembly to initiate that contract. And, thirdly, the amendment allows for the procurement to be canceled by the chief procurement officer if HFS fails to enter into a final contract agreement with a vendor within ninety days before the start of the fiscal year. Once that is canceled, contracts with existing healthcare vendors would be extended for a period of two years while a new RFP is issued. I'd be happy to answer any questions of the Body.

PRESIDING OFFICER: (SENATOR CROTTY)

Is there any discussion? Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you -- thank you, Madam President and Ladies and Gentlemen of the Senate. I -- I have a very high regard for the sponsor and -- and I have a very full understanding of what he's trying to accomplish. As the Senate Co-Chair of the Commission on Government Forecasting and Accountability, however, I would respectfully suggest either a No or a Present vote on the motion, particularly as I -- I think that there are alternatives that exist to taking a situation and making it more complicated. And by that I mean, this legislation was filed and passed in direct response to a major contract award that went contrary to a clean competitive bidding process, where through no -- the vendors -- the vendors performance was not at issue. The vendor had performed very well. Health Alliance had performed exceptionally well for a number of years in providing health insurance for many, many Illinois State employees and their families. Under the tougher contracting laws that we passed overwhelmingly in the aftermath of what occurred during the Blagojevich administration, we removed the chief procurement



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officer out of agencies and put them behind the firewall of the Executive Ethics Commission, and we also, as a result of that, prohibited and restricted the level of communication that the vendor who had the contract could have had with the State to determine the best price point. In short, a very highly regarded, well-performing vendor lost fair and square in the point system. This legislation is an effort to effectuate a do-over by giving the Commission the ability to countermand a decision that was made by the chief procurement officer in the Executive Ethics Commission, in concert with the Department of Healthcare and Family Services, with respect to health insurance contracts that come before the Commission. I'd like for us to explore alternatives, besides doing this, because my greatest fear, Ladies and Gentlemen of the Senate, is the precedent that we're going to send by doing this. We're going to tell -- we're going to tell everybody who wants to do business with the State that there's an alternative route to their destination if they're seeking insurance contracts in the event that they do not succeed in winning a competitive -- a competitive bid process that's done everything on the up and up. So for that reason, as -- trust me, as the Senate Co-Chair, I -- I have a very high regard for the sponsor. I'm very sympathetic to what he wants to accomplish. I think this is the wrong remedy at the wrong time and I'd wish for us to explore some alternatives. And I respectfully ask for a No or Present vote. Thank you.

PRESIDING OFFICER: (SENATOR CROTTY)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Madam President. A question of the sponsor and

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then a couple of comments. First, I appreciate the -- the comments of the previous speaker and I understand the efforts of trying to put together a procurement process that is above reproach. The problem is, as the sponsor will -- I'm sure can speak to, there were some problems with this procurement. There were some problems with understanding the procurement. There were some concerns with the numbers that came back with that. And so, for the sake of having something worked out that is above reproach, that is going to be fair for all the citizens of Illinois and for the employees of Illinois, this legislation at least will allow us some time to continue the negotiations. I think it's fair enough for us to say that we currently have a -- bipartisan discussions going on with the Governor's Office, with the carriers, to try to come up with a -- an agreement that is going to be in keeping with the procurement rules, but also address some of the concerns that were raised. Is that your understanding as well?

PRESIDING OFFICER: (SENATOR CROTTY)

Senator Frerichs.

SENATOR FRERICHS:

Yeah, thank you very much, Senator Syverson. We're at a point right now, where, yes, there were some concerns with the process. This wasn't in -- this wasn't filed in response to just them not receiving it. There are concerns with the authority of COGFA. And this bill was actually filed after COGFA had issued a ruling that the administration didn't follow. I am very interested in working with the administration. Just yesterday, for the first time, as brought forward by someone in the administration, saying that they would like to work with the

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General Assembly. But, unfortunately, we're working on deadlines here in the Senate. If this is not overridden by Thursday, then I don't have the ability to and then a lot of pressure goes away. It is my hope that if we can override this veto here today here in the Senate, we'll have an extra couple of weeks to perhaps find some sort of agreed solution before the House votes.

PRESIDING OFFICER: (SENATOR CROTTY)

Senator Syverson.

SENATOR SYVERSON:

Thank you. So, to make sure I understand this, there -- we have discussions going on right now to try to reach an agreement that all parties would agree to. It would help eliminate the lawsuits that are out there. It would bring certainty to State employees, university employees, to the carriers in Illinois that we would have some certainty in place on a long-term contract if we can get this agreement worked out. Now that's going to take a couple days. But if it does get worked out, then the intent is that this bill would not be called in the House because there would be an agreement in place. So, this just is a legislative safety valve, but the -- the intent is, if an agreement's worked out, that this would not be called then in the House, because the -- 'cause we would have the concerns already addressed. Is that correct?

PRESIDING OFFICER: (SENATOR CROTTY)

Senator Frerichs.

SENATOR FRERICHS:

As the questioner is well-aware, once something leaves this Chamber, we lose our control over it, but that is definitely the

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intent. I think there are many parties interested in negotiating, but no agreement has been reached yet and that's why we're moving forward as we are today.

PRESIDING OFFICER: (SENATOR CROTTY)

Senator Syverson.

SENATOR SYVERSON:

I guess, just in -- just in closing, this is a extremely important issue that affects tens of thousands of people in Illinois and I believe that all the parties are working for a -- an agreement that is going to be positive for the taxpayers, the process, and for the employees of Illinois. And so, moving this forward is just one of those steps, but the goal, I believe, and that's why I urge my Members to support this override, as a way to keep that -- those negotiations going so we can have a resolution done in the next week to put this to rest. So, thank you very much.

PRESIDING OFFICER: (SENATOR CROTTY)

Seth Perlman from the Associated Press requests permission to take still photos and Randy J. Squires, Chicago News Co-op, also requests permission to take still photos. Seeing no objection, they're permitted. Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President. To the gentleman's motion, if I might.

PRESIDING OFFICER: (SENATOR CROTTY)

To the motion.

SENATOR RIGHTER:

Thank you, Madam President. Ladies and Gentlemen of the Senate, this is one of those rare moments where people are

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paying attention and it's kind of quiet in the Chamber and it is something of tremendous significance here. Remember back in the first week in April, when the Governor's Office came out with its -- its announcement with regards to State health insurance for employees and retirees, and there was an uproar. And then that was made worse by what I think many on both sides of the aisle could fairly judge to be the administration's struggle to manage the information out to the people who were going to be deeply affected by the decisions the administration were -- made. And the General Assembly, pushed by its constituents, reacted. The General Assembly got in the game here - both Chambers, both parties - and decided, you know, we need to play a part in this decision-making process. With all due respect to the Senate Chair -- Co-Chair of COGFA, while he may have been opposed, the majority of the Commission on Government Forecasting and Accountability twice voted to get engaged in this process on behalf of the General Assembly. This Senate and the House of Representatives voted in overwhelming majorities to pass this legislation to say the General Assembly ought to have a say in this. This affects thousands of retirees and employees all across the State, people who have served this State in good faith and who have retired from this State and whose healthcare decisions could be deeply affected by what happens with this bill. Right now, as Senator Syverson said and Senator Frerichs said, the Governor's Office is at the table with both parties of the General Assembly, trying to work out an agreement that everyone can live with. If this goes down - in other words, if the motion to override fails - the Governor's Office walks away from the General Assembly. The Governor's Office, with all due

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respect, has no more reason to negotiate with the General Assembly, because there's not an override hanging over its head. Ladies and Gentlemen, this Chamber and the House Chamber made a decision in April to get engaged in this battle. We are almost through to where we can have a reasonable solution, a compromise, that people of both parties and the administration and the Legislative Branch can live with. But in order to do that, as Senator Frerichs and Senator Syverson have suggested, we need to move this motion over to the House of Representatives. I would urge everyone in the Senate to please vote Aye on the motion. Thank you, Madam President.

PRESIDING OFFICER: (SENATOR CROTTY)

Thank you. Senator Raoul.

SENATOR RAOUL:

To the motion: You all know that I -- I -- I've got two kids. I've got a thirteen- and eleven-year-old and I often discuss civics lessons with them, and we learn about the function of the Legislature and the Judiciary and the Executive Branch of government and the separation of powers. And the role of the Legislature is not to preside over procurement. And if we're going to do it for this bill, I -- I -- I agree with Senator Schoenberg, we're going to start doing it for all sorts. Where -- where does it stop? I can understand the notion that we're doing this for the sake of a negotiation, but where does that stop? We start introducing legislation not because we believe it is good legislation, but because we're trying to use it as leverage. Where does that stop? The Governor runs for office every four years. A majority of the voters determine who the Governor is. We got to live with it. He or she will

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appoint people to the various agencies. They're going to make decisions with regards to procurement. We -- we may agree with some of those decisions and we may disagree with others. We, as a Legislature, we pass legislation to define the procurement process; but we're the Legislature, we're not the Executive Branch of government. And we have to respect that, not only in this State but in this country. And so, if I'm right about what I teach my thirteen- and my eleven-year-old with regards to the functions of the different branches of government, maybe I ought to get them lobbyist cards so they could come down here and teach the Members of the General Assembly the separation of powers. They would certainly know to vote No on this override and I hope that the fifty-nine Members of this Chamber know what my thirteen- and eleven-year-old know. Vote No.

PRESIDING OFFICER: (SENATOR CROTTY)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Madam President, Members of the Illinois Senate. You know, in my thirty years of, almost, working in government and in my fifteen years as a procurement official in the federal government, I have never seen anything like this type of motion in my experience. I am appalled at my colleague, Senator Frerichs, would even move to -- motion to override Senate Bill 178. This bill makes significant -- would make significant changes that would limit transparency, competition, and fairness in the procurement process. It would limit companies from doing business in Illinois. Companies will not bid for Illinois valued group health insurance business under these types of conditions that are being purported in Senate Bill 178. It is

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unconscionable and it is ridiculous that after the bid process and the award and the savings of over a hundred million dollars to the taxpayers of Illinois, we would allow vendors and lobbyists to come back to this Chamber and ask for the contract to be rebid or even entertain a negotiation. There was a formal bid process. There was competition. The taxpayers won. This particular vendor lost. I am asking the Members of the Illinois Senate to vote No to override Senate Bill 178, 'cause it is the wrong message, at the wrong time, to the taxpayers of Illinois. Let's save the taxpayers of Illinois the money that's needed to afford other services for the people of Illinois. This is not the one. Thank you.

PRESIDING OFFICER: (SENATOR CROTTY)

Senator Schoenberg, I know your name was used in -- previous speakers.

SENATOR SCHOENBERG:

Yes.

PRESIDING OFFICER: (SENATOR CROTTY)

Do you wish to address the motion?

SENATOR SCHOENBERG:

Yes. Yes, Madam President, I appreciate that. And I appreciate the comments that several of my colleagues who support my position on this have made up until this point. You know, I have a -- I have a tremendous regard for the work that the Commission on Government Forecasting and Accountability does. We have a strong level of cooperation between Democrats and Republicans. We really do try to transcend the politics of very high-stakes policy matters. And -- and I, while -- and I think, while Senator Syverson's points, some of them, were



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understandable and they were well made, that, nonetheless, I think Senator Syverson probably would admit that he shares my view that because this procurement was the first major test case of the new purchasing laws that we operate under, that we want - - through every action that's taken, we want to have absolute certainty that there's no inadvertent -- unintended consequence or inadvertent legal exposure that occurs as a result of any actions that we take. So, I know, I've -- we've been in sidebar conversations on the Floor on this matter. I think those discussions will continue, and for that reason, I -- I would hope that others would share my view that this is not a timely - - this is not a timely motion and that perhaps we should reconsider it at another time or strike it down now. Thank you.

PRESIDING OFFICER: (SENATOR CROTTY)

Thank you, Senator. Fanna Haile-Selassie from WSIL ABC requests permission to take still photos. There being no objection, leave is granted. Senator Syverson.

SENATOR SYVERSON:

Thank you, Madam President. Since my name was used..

PRESIDING OFFICER: (SENATOR CROTTY)

Purpose -- what purpose do you rise?

SENATOR SYVERSON:

To the bill.

PRESIDING OFFICER: (SENATOR CROTTY)

To the bill.

SENATOR SYVERSON:

Since my name was mentioned in the discussion. The points that Jeff raises -- or, excuse me, the points that Senator Schoenberg raises certainly are appropriate ones that need to be

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taken into consideration. This is a unique case, where there are a lot of moving parts, that there are discussions going on to try to reach a resolution. And so based on that, Senator, I know you probably have the votes here to pass this override, but would you be willing to pull this from the record for twenty-four hours, allow some of those discussions to take place to get some answers and get some legal responses from the different players in this to make sure that we're -- what we're doing is going to be the right thing? So would you be willing to pull this and give us twenty-four hours to try to get something worked out?

PRESIDING OFFICER: (SENATOR CROTTY)

Senator Frerichs.

SENATOR FRERICHS:

I -- I would say, in deference to my colleagues who have put forward a reasonable request, in deference to the opponents who would like to continue to work on this - it is my understanding that we have till tomorrow as our deadline to take action on this - I will grant another twenty-four hours for talks to continue. If at the end of that twenty-four hours, there is no agreement reached, then it is my intent to call it at that time. But in deference to my colleague's request, I would pull this from the record.

PRESIDING OFFICER: (SENATOR CROTTY)

Okay, out of the record. Jason -- Wambsgans from the Chicago Tribune requests permission to take still photos. There being no objection, leave is granted. Now, again on Supplemental Calendar. Senate Bill 1652. Senator Jacobs. Do you wish to proceed? Out of the record. On Senate Bill 1918,

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Senator Trotter. Do you wish to proceed? Madam Secretary, read the motion.

SECRETARY ROCK:

I move that Senate Bill 1918 do pass, notwithstanding the veto of the Governor.

Filed by Senator Trotter.

PRESIDING OFFICER: (SENATOR CROTTY)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Madam President. I ask the -- the Body to override 1918, the -- the -- the Governor's total veto. I ask because at a time when we're, in this State, grappling with the horrendous economic situation we're in, one of the -- the bright spots and revenue generators are some of our convention centers and McPier, who have been very diligent in going throughout this country, throughout the world, trying to get conventions and -- and organizations to -- to bring their conventions and their -- their works, their parades, their circuses to Illinois, highlighting some of the wonders that we have to offer. What my bill did was allowed them to, one, get reimbursed for all the dollars that they put in for the promotional work that they did in trying to sell Illinois to the world. And I've asked that DECO {sic} (DCEO) - which we know is horrendous in -- in paying their bills and -- and actually getting those dollars back to agencies so they can go out and sell Illinois - I've asked that you -- we circumvent them and allow these conventions to go to the Treasurer's Office and actually get the reimbursement in a timely manner, so they can continue to do the good work that they've done. So with that,

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I'm asking the Body to override the Governor, who doesn't see it that way, who -- who's made these convention centers, these money builders, last and not first, where they should be.

PRESIDING OFFICER: (SENATOR CROTTY)

Senator Dillard.

SENATOR DILLARD:

Thank you. I'm a hyphenated cosponsor of Senator Trotter's bill and I rise in support of the gentleman's motion. The changes that we made here are important to our tourism industry and, very importantly, there are provisions in here that allow the Auditor General to have oversight in some cases of these funds. So, from a transparency and auditing standpoint, this bill makes perfect sense. But the Governor has withheld some of these moneys, even though there's a statutory mandate to have them spent on tourism and the convention industry, and it makes perfect sense what Senator Trotter wants to do to get rid of DCEO in charge of these tourism grants. This is better transparency and it's certainly better for the very important tourism and convention industry, which is very important to the State of Illinois. And I rise in support of the override as well. Thank you.

PRESIDING OFFICER: (SENATOR CROTTY)

Senator Steans.

SENATOR STEANS:

To the motion.

PRESIDING OFFICER: (SENATOR CROTTY)

To the motion.

SENATOR STEANS:

I just want to express some hesitation about this. I very

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much appreciate what the sponsor is trying to do on this bill. I'm concerned that we have many social service agencies and many other organizations that are not also getting timely payment and this might put others in front of the line on that. So just think people should take a cautionary note and consider their vote.

PRESIDING OFFICER: (SENATOR CROTTY)

Senator Trotter, to close.

SENATOR TROTTER:

I just ask for an Aye vote on this revenue builder for the State.

PRESIDING OFFICER: (SENATOR CROTTY)

The question is -- is, shall Senate Bill 1918 pass, notwithstanding the veto of the Governor. 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. On that question, there are 52 voting Aye, 2 voting Nay, 3 voting Present and 2 not voting. Senate Bill 1918, having received the required three-fifths majority, is declared passed, notwithstanding the veto of the Governor. Ben Yount from Illinois Statehouse News requests permission to videotape. There being no objection, leave is granted. Senator Schoenberg, for what purpose do you rise?

SENATOR SCHOENBERG:

I rise to pledge that this is the last time I'm going to speak today on the Floor.

PRESIDING OFFICER: (SENATOR CROTTY)

I'll hold you to that, Senator.

SENATOR SCHOENBERG:

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The -- if -- Madam President, if -- if the record could please reflect, I attempted to indicate my support for Senate Bill -- for the motion on Senate Bill 1918, however, my switch didn't register that affirmative vote. So please have the record reflect that I wished to have voted Aye.

PRESIDING OFFICER: (SENATOR CROTTY)

The record will so reflect. Senator Emil Jones, for what purpose... Someone want to turn off Senator Jones' button? Thank you. Now on Senate Bill 2062. Senator Sullivan. He wishes to proceed. Madam Secretary, read the motion.

SECRETARY ROCK:

I move that Senate Bill 2062 do pass, notwithstanding the specific recommendations of the Governor.

Filed by Senator Sullivan.

PRESIDING OFFICER: (SENATOR CROTTY)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Madam Chairman {sic}, Members of the Senate. I -- I have filed a motion to override the amendatory veto on Senate Bill 2062. The original bill was the FutureGen project here in Illinois, using Illinois coal and using it to generate electricity and energy in the State with a state-of-the-art plant to do it in as -- with a -- as -- to reduce the -- to near-zero the emissions. What -- what was -- the Governor vetoed out of it was that portion of the legislation that dealt with the Illinois Power Agency. That agency was moved from under the Governor's supervision to the Executive Ethics Commission. The -- the Governor did not like that move and he's vetoed that and I'm asking that we override that veto. And I'll

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be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR CROTTY)

Is there any discussion? There being none, the question is, shall Senate Bill 2062 pass, notwithstanding the specific recommendations of the Governor. 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. On that question, there are 56 voting Aye, none voting Nay, 1 voting Present and 2 not voting. Senate Bill 2062, having received the required three-fifths constitutional majority, is declared passed, notwithstanding the specific recommendations of the Governor. Senator Muñoz in the Chair.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senate will come to order. On page 2 of the Calendar, we're going to Senate Bill 634. Senator Crotty, do you wish to proceed? Indicates she does. Senator Crotty seeks leave of the Body to return Senate Bill 634 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 634. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Crotty.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Crotty.

SENATOR CROTTY:

Thank you. Senate Amendment 2 to Senate Bill 634 amends the School Code regarding the designation of members of the Bremen Township School Trustee Board. Currently, the trustee board consists of three elected members. Under Senate Bill 634,

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the trustee board would consist of seven members, one appointed by each of the seven school districts within the township - that would be school board appointments - and the current trustee board members would remain on the board until their terms expire. The appointments to the trustee board must be made within sixty days after the effective date of this amendatory Act. The trustee board must reorganize which -- within thirty days after the trustees of schools have been appointed. Each member of the trustee board shall serve at the pleasure of the appointing board of education for a term of two years, unless reappointed. A majority of the members shall constitute a quorum. The members shall appoint a chair from their membership to serve a term of two years and a president pro tem may be appointed. Members are entitled to indemnification and protection against claims and suits by the board that appointed the trustees. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Is there any discussion? Any discussion? 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 ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR MUÑOZ)

3rd Reading. Now on the Order of 3rd Reading, Senate Bill 634. Senator Crotty indicates she wishes to proceed. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 634.



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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Crotty.

SENATOR CROTTY:

Thank you, Mr. President. And the Senate amendment is the bill and I already explained it. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Is there any discussion? Any discussion? Being none, the question is, shall Senate Bill 634 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. On that question, there are 54 voting Yea, 1 voting Nay, 0 voting Present. Senate Bill 634, having received the required constitutional majority, is declared passed. Senator Murphy, for what purpose do you seek recognition?

SENATOR MURPHY:

Purpose of an announcement, Mr. President. The Republicans would request a thirty-minute caucus upon adjournment of the Senate Executive Committee. Caucus to be held in Room 409, as we currently have no home.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senate Republicans will have a thirty-minute caucus after Senate Executive Committee. Senator Lauzen, for what purpose do you seek recognition?

SENATOR LAUZEN:

Thank you, Mr. President. Just I'd like to correct the

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record. My intention on Senate Bill 634 was to vote No. If you could have the record reflect that intention, I'd appreciate it.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Record will reflect Senator Lauzen to be a No on Senate Bill 634. Senator Murphy, for what purpose do you seek recognition?

SENATOR MURPHY:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Please proceed.

SENATOR MURPHY:

We are joined today by Kitty Weiner, from Congressman and former State Senator Roskam's office, and Gayle Smolinski, the Mayor of Roselle. If you could give them a warm Senate welcome.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Persons in the gallery please rise. Mayor, welcome to the Senate. ...be on page 4 of the Calendar, House Bills 2nd Reading. House Bill 230. Senator Koehler. Out of the record. House Bill 1224. Senator Hutchinson. Indicates she wishes to proceed. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 1224.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on State Government and Veterans Affairs adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Have there been any Floor amendments approved for consideration?

SECRETARY ROCK:

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No further amendments reported.

PRESIDING OFFICER: (SENATOR MUÑOZ)

3rd Reading. House Bill 3372. Senator Koehler. Out of the record. Senate will come to order. The Senate will stand in recess to the call of the Chair. After committee meetings, the Senate will reconvene to receive committee reports and for further Floor action. The Senate stands in recess.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senate will come to order. Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Harmon, Chairperson of the Committee on Executive, reports Senate Amendment 2 to Senate Bill 965 and Motion to Accept the Governor's Amendatory Veto of Senate Bill 170, both recommended Do Adopt.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Will all Members within the sound of my voice please report to the Senate Floor? All Members report to the Senate Floor. We will be doing final action. Senator Crotty in the Chair.

PRESIDING OFFICER: (SENATOR CROTTY)

Senator Lauzen, for what purpose do you rise?

SENATOR LAUZEN:

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

PRESIDING OFFICER: (SENATOR CROTTY)

State your point.

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SENATOR LAUZEN:

All right. I'd like to introduce my Page for a Day. His name is Keegan Bennett from -- he's a fifth grader at St. Rita School in Aurora, Illinois, and he is here with Megan Bennett, his mom. I think that one of Megan's claims to fame is that she helped my wife, Sarah, and I raise our four kids by babysitting. And now she has four children of her own and they're all just delightful kids. So I'd like to welcome Keegan and Megan Bennett to the Senate. I'd appreciate your help.

PRESIDING OFFICER: (SENATOR CROTTY)

Welcome to the Senate Floor. I have Ed Cross with WAND requests -- permission to videotape. I have Andrew Thomason from the Illinois Statehouse News, also to film. Mike Flannery from FOX Chicago News to record the proceedings. And Jason Wambsgans from the Chicago Tribune to take still photos. If there's no objection, leave is granted. To fulfill our responsibilities under Article V, Section 9 of the Constitution, we will now proceed to the Order of Advise and Consent. Senator Muñoz.

SENATOR MUÑOZ:

Thank you, Madam President. I move that the Senate resolve itself into Executive Session for the purposes of acting on the appointments set forth in Appointment Messages 139, (1)40, 141, 142, 143, 144, 145, (1)46, (1)47, 148, 149, 150, 168, 169, 173, 174, 175, 176, (1)78, 179, 180, 181 and (1)82, 183, 184 and 185.

PRESIDING OFFICER: (SENATOR CROTTY)

Senator Muñoz moves that the Senate resolve itself into an Executive Session, for the purpose of acting on the appointments set forth in the Appointment Messages 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 168, 169, 173, 174, 175, 176,

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178, 179, 180, 181, 182, 183, 184 and 185. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the motion carries. The Senate is resolved into an Executive Session. Madam Secretary, Executive Appointments - Appointment Messages. Appointment Message 147.

SECRETARY ROCK:

Madam President, the Committee on Executive Appointments recommends that the Senate do advise and consent to the following salaried appointment:

To be Chairperson and Member of the Illinois Labor Relations Board, Local Panel, for a term commencing July 25th, 2011, and ending January 28th, 2013: Robert M. Gierut.

PRESIDING OFFICER: (SENATOR CROTTY)

Senator Muñoz.

SENATOR MUÑOZ:

Madam President, I now seek leave to consider the appointment on a roll call. Will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR CROTTY)

Is there any discussion? There being none, the question is, does the Senate advise and consent to the appointment from the Appointment Message just read. 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. On that question, there are 53 voting Aye, none voting Nay, 1 voting Present, 5 not voting. A majority of the Senators elected concurring by the record vote, the Senate does advise and consent to the appointment just read. Madam Secretary, Executive Appointments - Appointment Messages.

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Appointment Message No. 168.

SECRETARY ROCK:

Madam President, the Committee on Executive Appointments recommends that the Senate do advise and consent to the following salaried appointment:

To be a Member of the Prisoner Review Board, for a term commencing August 1st, 2011, and ending January 19th, 2015: Jennifer Parrack.

PRESIDING OFFICER: (SENATOR CROTTY)

Senator Muñoz.

SENATOR MUÑOZ:

Madam President, I now seek leave to consider the appointment on a roll call. Will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR CROTTY)

Is there any discussion? There being none, the question is, does the Senate advise and consent to the appointment from the Appointment Message just read. 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. On that question, there are 54 voting Aye, none voting Nay, 2 voting Present, 3 not voting. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the appointment just read. Madam Secretary, Executive Appointments - Appointment Messages. Appointment Message 169.

SECRETARY ROCK:

Madam President, the Committee on Executive Appointments recommends that the Senate do advise and consent to the

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following salaried appointment:

To be Director of the Illinois Department of Veterans' Affairs, for a term commencing August 6th, 2011, and ending January 21st, 2013: Erica J. Borggren.

PRESIDING OFFICER: (SENATOR CROTTY)

Senator Muñoz.

SENATOR MUÑOZ:

Madam President, I now seek leave to consider the appointment on a roll call. Will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR CROTTY)

Is there any discussion? There being none, the question is, does the Senate advise and consent to the appointment from the Appointment Message just read. 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. On that question, there are 54 voting Aye, none voting Nay, 2 voting Present, 3 not voting. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the appointment just read. Madam Secretary, Motions -- one minute. Madam Secretary, Motions in Writing - Appointment Messages.

SECRETARY ROCK:

Pursuant to Senate Rule 10-1(c), as the Chairman of the Executive Appointments Committee, I move to compile the following Appointment Messages to be acted on together by a single vote of the Senate: Appointment Messages 139, 140, 141, 142, 143, 144, 145 and 146; Appointment Messages 148, 149, 150; Appointment Messages 173, 174, 175, 176; Appointment Messages

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178, 179, 180, 181, 182, 183, 184 and 185.

Filed by Assistant Majority Leader Antonio Muñoz, Chair, October 19th, 2011.

PRESIDING OFFICER: (SENATOR CROTTY)

Is there any discussion? Senator Muñoz moves to compile the Appointment Messages to be acted on together by a single vote of the Senate. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the motion carries. Madam Secretary, Executive Appointments - Appointment Messages. Madam Secretary, read the compiled appointments.

SECRETARY ROCK:

To be Members of the Illinois Finance Authority, for a term commencing September 9th, 2011, and ending July 21st, 2014: Gila Bronner, John Durburg, Michael Goetz and Terrence O'Brien.

To be Members of the Health Facilities and Services Review Board, for a term commencing June 2nd, 2011, and ending July 1st, 2011: Robert Hilgenbrink; and for terms commencing July 14th, 2011, and ending July 1st, 2014: Robert Hilgenbrink and Richard Sewell.

To be Members of the Illinois Student Assistance Commission, for a term commencing June 3rd, 2011, and ending June 30th, 2013: Miguel del Valle; for a term commencing June 3rd, 2011, and ending June 30th, 2015: Kym Hubbard; for terms commencing July 7th, 2011, and ending June 30th, 2013: Mark Donovan and Kim Savage; for a term commencing July 7th, 2011, and ending June 30th, 2015: Kendall Griffin; for terms commencing July 7th, 2011, and ending June 30th, 2017: Maria {sic} (Marina) Faz-Huppert and Verett Ann Mims; and for a term commencing September 9th, 2011, and ending June 30th, 2017:



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Paul Roberts.

To be Members of the Workers' Compensation Medical Fee Advisory Board, for terms commencing September 12th, 2011, and ending December 5th, 2013: Avi Bernstein, Jason Keller, William McAndrew, Dianne McGuire, Barbara Molloy, Kimberly Moreland, John Smolk and Michael Vender.

PRESIDING OFFICER: (SENATOR CROTTY)

Senator Muñoz.

SENATOR MUÑOZ:

Madam President, I move that the Senate do advise and consent to the non-salaried appointments just compiled. Will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR CROTTY)

Is there any discussion? There being none, the question is, does the Senate advise and consent to the Appointment Messages just read. All those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Aye, none voting Nay, none voting Present, 5 not voting. A majority of the Senators elected concurring by the record vote, and the Senate does advise and consent to the Appointment Messages just read. Senator Muñoz.

SENATOR MUÑOZ:

Thank you, Madam President. I move that the Senate arise from Executive Session.

PRESIDING OFFICER: (SENATOR CROTTY)

Senator Muñoz moves that the Senate arise from Executive Session. All those in favor will say Aye. Opposed, Nay. The

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Ayes have it, and the motion carries. The Senate has risen from Executive Session. Senator Murphy, what -- for what purpose do you rise?

SENATOR MURPHY:

Point of personal privilege, Madam President. I rise for a sad announcement. We'll have a -- a broader -- a...

PRESIDING OFFICER: (SENATOR CROTTY)

Excuse me, Senator. Can everyone please give Senator Murphy your attention? He has an announcement. Please.

SENATOR MURPHY:

We -- we'll have a -- we'll have a resolution on this that hopefully can be read when we come back, but for those who haven't heard, my predecessor, Senator Wendell Jones, passed away yesterday morning in his home in Florida, and like I say, we'll do the -- do the resolution when we come back. But for those of you who served with him, you know what a really delightful person he was, and it's a loss for all of us. So I'd just ask for a moment of silence to remember Wendell Jones.

PRESIDING OFFICER: (SENATOR CROTTY)

Everyone will please rise for a moment of silence for one of our colleagues, Wendell Jones. (moment of silence observed) Thank you, Senator Murphy. Now we're going to move to the Supplemental Calendar. On Senate Bill 1652, Senator Jacobs. Senator Jacobs, do you wish to proceed? Madam Secretary, read the motion.

SECRETARY ROCK:

I move that Senate Bill 1652 do pass, notwithstanding the veto of the Governor.

Filed by Senator Jacobs.

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PRESIDING OFFICER: (SENATOR CROTTY)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam Chairman {sic}. As everyone knows, the people of Illinois have an insatiable appetite for power. And our job in the Illinois General Assembly is to make sure that we provide efficient, more intelligent, and more -- more affordable power. If you look around the room here, everybody's on the phone, everybody's got a computer in front of 'em, everybody's got a smartphone in their -- in their pocket. We need the power. And the problem we have in Illinois is that for the last hundred years, we've been operating on power that was created by Thomas Edison, and Thomas has been gone a long time. So what we need to do is upgrade that power. What we have today is currently comparable to the Pony Express, and it's time for us to put in a smart grid so that we can have smart citizens in Illinois. The -- the smart grid's important because it's going to create two thousand four hundred and fifty jobs. I don't know the last time I was in the legislative Body when anyone stood up and said they were going to create two thousand four hundred and fifty jobs, and these are good-paying jobs. These aren't "maybe" jobs; these are jobs that are written into the contract, into the agreement. We also want to reduce outages. Everybody complains about outages. I know I complain about outages. I've had 'em. My neighbor, recently, when her power went out, she had six hundred dollars' worth of insulin in her refrigerator. And the power was out for a long time. She lost all her insulin. Who pays her? And then I want to just address one other thing that -- this notion that there's a automatic

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rate -- hikes in this bill, it's just not true. I think it's our job as legislators to move Illinois forward, to pass modernization. Illinois can't afford to move into the future on technology stuck in the past. I would note that today the Chicago Tribune said this: Today it is time to say "Yes to the smart grid". I ask for your favorable approval.

PRESIDING OFFICER: (SENATOR CROTTY)

Senator Sullivan in the Chair.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion? Senator McCarter, for what purpose do you rise?

SENATOR McCARTER:

To the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator McCarter.

SENATOR McCARTER:

I apologize if I repeat some of the things that we talked about yesterday on the trailer bill for this, but, again, one of the last good things we've got going in this State for businesses is affordable power. We've increased taxes on people. We've got high -- high regulation. And we still have high work -- workers' comp rates. There are companies, not just within -- within my district, but throughout the State, who are basing their decision on whether they're going to invest in this State with jobs, real jobs, like the other side is talking about in this bill, based on whether we follow a path that we have in the past of deregulation and continuing to keep rates low. I've suggested that there's other ways to pay for smart grid. I'm not sure smart grid's the real issue here. I think the real

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issue is that this is a new way to recalculate rate hikes, because Ameren and ComEd didn't get -- get the approval that they wanted from the ICC. Let's be -- let's be honest, that's what this is about. Putting the name "smart grid" on it doesn't make it any better. There are other ways to pay for smart grid. I suggested some of those yesterday. And approving a -- a cost of a smart meter, like other states have done, and I think that's a better way to introduce market principles into what we know is a monopoly and not, without the people's choice, increase their rates in the middle of a really bad economic time. I don't want to be one that did that. I understand that capital investments cost money and that the utilities have to be profitable. I understand that. But to use smart grid as the name for another way to calculate rates, I think is just wrong. Also, influence is an issue, and I'm not going to go into what I did last time, but there's been a lot of money flowing from the power companies. And I'm not going to accuse anybody of their vote being for sale, but we know that money influences votes. Did I receive money? Yes, I did, but it's not influencing my vote, 'cause I really believe this is the right thing to do. I just urge -- urge you to vote No. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR DUFFY:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Duffy.

SENATOR DUFFY:

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This smart grid technology does not prevent outages from storms, like we experienced recently. It's not going to stop acts of God, but what it will do, in theory, is reroute power quicker if a storm occurs. Even in the new trailer bill, this State is still guaranteeing profits for the power company. What other companies in this State get such a sweet deal of guaranteed profits? When I met with representatives from the power company, what I suggested is that there be a third-party audit of the power company. We should know, from somebody other than the company or the ICC, that the power companies are operating the most efficient and cost-effective way possible before we allow them to increase rates. Why allow a rate increase if the company is not operating as efficiently and as effectively as possible? Nobody has responded to me about my audit request, nor has any representative from the company followed up with me about my request. Regarding the ethics side of this bill that Senator McCarter touched on, I have in the past, before this bill was in play, accepted unsolicited donations from ComEd. But I have a rhetorical question for you: Who is worse, the drug user or the drug dealer? Who is worse, legislators who accept unsolicited donations from companies who are pushing specific bills or the CEOs who write the big checks in order to gain votes? When I met with representatives from the power company, every one of them, every time, sat there and talked about how ethically challenged the State of Illinois was, how it's an embarrassment and difficult to operate in this State. However, this same company have absolutely no problems when they want to pass a bill in the Legislature to pull out the checkbook and pay over 1.3 million dollars to legislators after

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this bill was introduced - 1.3 million dollars in donations. What is the point of this flurry of donations? Is it just coincidence that all this money has been paid out to legislators since the smart grid bill was introduced? Are these donations helping or hurting our State's reputation? Is this typical pay-to-play politics in Illinois? And what about the sponsor of this bill, is it coincidence that a close family member of his is the lobbyist for the bill? Is it right that this bill move through the sponsor's committee with lightning speed?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator -- Senator Duffy. Excuse me, just a minute. Senator Duffy, let's -- let's keep our comments to the contents of the bill, please. Senator Duffy.

SENATOR DUFFY:

I appreciate that, Mr. President. I appreciate the leeway since I was voted into the Senate just as you were by the same number of people, and my people, the constituents in my area, also what to be heard about these issues. If this is how the business in Illinois gets done, no wonder so many companies have said no thanks and prefer to do business elsewhere. I agree with the Governor and fully support his veto.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you, Senator Duffy. Is there other discussion? Is there any other discussion? Seeing none, Senator Jacobs, to close.

SENATOR JACOBS:

Thank you, Mr. President. This bill is about grid modernization, about reliability, about jobs, and economic development. It's about regulatory reform. It's about customer

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savings and a cleaner environment. You know, there's that saying that I sort of like, that "you should never wrestle with a pig, because when you do, you get dirty, and besides, the pigs tend to like it." So, I'm going to let your comments go, Senator, but I think they're inappropriate. I would just ask for a positive vote. I think we should try to stick to the issues in the Illinois Senate. We've had a great history in the past by treating each other as gentlemen and not rogues. They've done that in the House, and if you want to join the House, I suggest you take out papers and run. I ask for your affirmative vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you, Senator Jacobs. Ladies and Gentlemen, the question is, shall House Bill 1652 pass, notwithstanding the veto of the Governor. 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? Madam Secretary, take the record. On that question, there are 36 voting Aye, 19 voting Nay, 2 voting Present. Senate Bill 1652, having received the required three-fifths majority, is declared passed, notwithstanding the -- the veto of the Governor. Ladies and Gentlemen, on the Supplemental Calendar is Senate Bill 178. Senator Frerichs. Do you wish to proceed? Indicates that he does. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move that Senate Bill 178 do pass, notwithstanding the veto of the Governor.

Filed by Senator Frerichs.

PRESIDING OFFICER: (SENATOR SULLIVAN)



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Senator Frerichs.

SENATOR FRERICHS:

Thank you very much, Mr. President. This was a bill that we started to debate earlier today. At the request of a colleague, Senator Syverson, I pulled this from the record to give him twenty-four hours. He has begun some negotiations that we think at this point are probably fruitless. So I'm calling for the actual vote on the override of 178. And I'm sure Senator Syverson would like to speak. And I'll be happy to take questions for other Members of the Body.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR SYVERSON:

Thank you, Mr. President. And thank you, Senator Frerichs, for allowing us a few hours to try to see if an agreement can be worked out. I think in the absence of passing this and moving it to the House, we probably will not get further negotiations done. So, again, I appreciate you allowing us the time to try to make an attempt at this. And now, after this passes here, we can continue the discussions, but that'll at least give us a couple more weeks. So, thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you, Senator Syverson. Is there any further discussion? Senator Schoenberg, for what purpose do you rise?

SENATOR SCHOENBERG:

To the -- to the motion. You know, it -- Mr. President and Ladies and Gentlemen of the Senate, it was my anticipation that we were going to give this more -- that we were going to give

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this more time, that the sponsor, who is very well-intended with what he wants to achieve, nonetheless was going -- I think I recall the remarks were that -- that there was going to be a twenty-four-hour window in which there would be further discussion on the issue, and then certainly everybody would have the opportunity, one way or the other, to determine, starting with the sponsor himself, whether or not there was sufficient progress. I think only about two and a half hours have elapsed since we had that conversation, maybe three. I broke my watch a month ago and I haven't been on time since. So I -- I'm a bit mystified. If we're going to have this vote now, my encouragement would be to my colleagues, since we've got about twenty-some-odd hours left till that twenty-four-hour period expires, to vote Present if you want to keep the discussions going. Or if you share my point of view that this sets up a very precarious and potentially dangerous situation with respect to a major test case of our new sweeping procurement laws that were billed as reform, then you should join me and vote No. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you, Senator Schoenberg. Further discussion? Senator Dale Righter, for what purpose do you rise?

SENATOR RIGHTER:

To the gentleman's motion, if I might, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Ladies and Gentlemen of the Chamber, with all due respect to the previous speaker, he must

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not have heard what Senator Syverson said. Senator Syverson met with the Governor's Office and the Governor's Office said, "You know, we're really not interested in doing anything." Okay, now how many of us, at one point or another during our time here, have had to move a bill or move something in order to keep someone at the table? And that's exactly what's happening here and that's exactly the commitment that Senator Syverson released Senator Frerichs from on the Floor just a moment ago. In order for us to move the process forward, we have to move this override forward. I want to thank, again, the Members, particularly on my side of the aisle, who voted overwhelmingly in favor of Senate Bill 178 and those who have agreed in order to see that the General Assembly gets to stay at the table here, that we move further along with regards to this override, have agreed to change their votes. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Further discussion? Senator Sandoval, for what purpose do you rise?

SENATOR SANDOVAL:

Thank you, Mr. President. To the bill -- to the motion to override.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the motion, Senator Sandoval.

SENATOR SANDOVAL:

You know, this -- this just smacks of hypocrisy for all the Members of the Illinois Senate, especially on -- for my colleagues on that side of the aisle, including my good friend and colleague from Champaign. You know, in this business, I've heard since I've been here, now going on ten years, that you

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always hear this phrase, "my word is my bond". And I hear that over and over again, that "my word is my bond". And just a couple hours ago, as Senator Schoenberg indicated, we heard a commitment to wait twenty-four hours to reconsider, if anything, movement on this motion to override. You know, I've heard it one too many times, but this is just unconscionable, once again, that, you know, we take this action against your word, against the bond that the gentleman from Champaign offered to Members of the Illinois Senate. You know, I'm appalled. This is a conundrum, as indicated by Senator Haine at one time. To the merits of the -- to the merits of the bill or the motion to override: Once again, for all those advocates who continue to talk about that the State is in dire straights, that we need to be more efficient, we need to be more transparent, we need more accountability, all those values were taken into account in the awarding of the contract that was made under the official procurement process of the State of Illinois. And now we are going to be part of a process to undo that and allow the vendor that wouldn't have made it possible for the taxpayers to save a hundred million dollars to get back in the game. That should not happen tonight and I'm asking the gentleman from Champaign to remove his motion for consideration this evening and to be true to his word and his bond, as we all like to think of here in the Illinois Senate.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Frerichs, do you care to comment on that? Senator Frerichs.

SENATOR FRERICHS:

Yes, I do. Thank you very much, Mr. President. There's a

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lot of talk made about being true to your word. The word I made was to Senator Syverson. He came to me, approached me and asked me to -- for twenty-four hours to negotiate in good faith. I granted that to him. He came to me and released me of my word. But if we want to talk about hypocrisy, I think that hypocrisy is people who stand up and -- and pretend that another twenty hours might influence their decision when their minds are made up. Their minds are made up -- made up right now. It's clear things aren't going to change. That's why I'm moving it today. If we want to talk about transparency, I'd say, read this bill. What this bill will do is take this process and it provides a check and balance, the Legislature over the Executive. And that check is in case there were something nefarious that were to happen, that were to happen behind closed doors, if a decision be made in such a way, and I'm not saying that's what happened here, but I'm saying were like that to happen, the process would have to go in front of COGFA. And I heard someone say that, "Well, then you're letting twelve people make these decisions and let politics introduce these twelve people". If COGFA were to have a majority of support here under this bill, opposition to awarding of a State group health insurance contract, it would still need to come before both houses of the General Assembly in a joint resolution. It would require a majority in both Chambers. And I say that if -- if there were something nefarious going on over there, under that light, we would have an opportunity to stand up and speak about that. And that's why I think this bill provides more transparency. And there was talk about savings, a hundred million dollars in savings. Well, I think, quite frankly, the reason a majority of COGFA originally

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opposed this -- opposed this bill, is because we weren't convinced of those savings. We didn't see them. There -- there are promises, but there were a lot of questions asked that we didn't get answers to. And so I do think that this bill can help with savings, increase transparency, and I do believe I've been -- remained true to my word to my colleague.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Further discussion? Senator Raoul, for what purpose do you rise?

SENATOR RAOUL:

I rise for the purpose of encouraging my colleagues to vote No to this motion. Where does this stop? You know, there are all sorts of procurements that will take place this year, next year, and we, individually as legislators, can use the process that was referred to on the other side of the aisle, use a legislative process to hold those -- is that the -- is that the precedent that we want to set? I don't think so. There's a -- and I've got issues with the procurement reforms we made. I think we need to revisit those, but it's the law. And the procurement process, as it exists, is the law and we ought to respect it while it exists, and if there's some changes we need to make, that is the role of the Legislature. The role of the Legislature is not to put itself in the shoes of the Executive Branch. Again, I refer to what I discuss with my two kids and they understand it. So you all need to understand it, too. We are the Legislature. We are not the Governor. We -- we -- none of us hold the position of director of any agency. We're not the -- the -- the people in charge of procurement. Let's not set this precedent, because somebody else will have a preferred

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vendor in another geographic area of the State in a few weeks and -- or a few months and that preferred vendor may not win out in a procurement process and we'll see another piece of legislation. And it'll happen again and again and again, because it happened today. I urge a No vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you, Senator Raoul. Further discussion? Senator Bill Haine, for what purpose do you rise?

SENATOR HAINE:

To the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To -- to the bill, Senator Haine.

SENATOR HAINE:

To the motion. Thank you, sir. Obviously the law that we passed, the procurement law, as was indicated with previous speakers, needs more work. Therefore, the procurement law that we just passed, which is the law, it's not going to be put under glass at the National Archives. It's subject to change. And let me just tell you what happened as a result of the procurement law being applied in this case. I respect the constitutional order and the Executive Branch's duties in this - - in this area, but they awarded a contract to entities which did not have adequate networks. My people were subjected to a situation where they were informed that they had to travel to Missouri to obtain medical care. Now that's not tolerable. Therefore, they come to us; they petitioned for a redress of a grievance, to quote what is under glass at the National Archives. And therefore, Senator Frerichs has worked out a framework, which is certainly extraordinary, because the

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application of the procurement law here, a new law, inartfully carried out, arguably, needed to be addressed, and that's all we're doing. We're not awarding it to a favored bidder. I don't care who the bidders are, but I do want the State employees and the retired employees to have an adequate network. I don't want 'em going to Clayton, Missouri, to see a doctor for primary care. So I don't really care who is appalled by this, I want the system to work. And if it takes a bill to override the -- the -- the Governor's Office to do it, then, by golly, I'm going to vote for it.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you, Senator Haine. Further discussion? Senator Schoenberg, I see your light's on for the second time. I assume because your name was used in debate. Senator Schoenberg.

SENATOR SCHOENBERG:

That -- that's correct, Mr. President. I -- let me share with you what my primary motivation was for more time. I did hear what Senator Syverson had to say, Senator Righter, and everyone's points are very well-taken. My primary interest in this was that I had told Director Hamos, today, that any discussions that were taking place on this matter, that we did not want any unintended consequence or any exposure, legally, from the fact that a contract was competitively bid with a best and final offer and an award was made and there were subsequent discussions that were taking place that might impact that outcome. And I specifically told her that I thought it was imperative that the Attorney General's Office be consulted with this. Why should the Attorney General's Office be consulted? Why did I want there to be twenty-four hours? Because the



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Attorney General's Office has been directly involved in the interpretation of this law, now on four occasions. The first is when the Commission, in seeking guidance on how to apply the existing law, asked for an -- an opinion from the Attorney General, when the Commission decided to take a different path through its actions and when those desires were reflected through this bill. The Attorney General has not only been involved in this issue on -- in the legislative arena, the Attorney General's been involved in this issue in the courts. The Attorney General has represented the State twice, on two separate occasions, on this issue and the role of the Commission relative to the awarding of this contract and its ability to approve it. And it's currently up for appeal. So there's four separate times that the Attorney General either has or is touching upon this issue. All I wanted was more time for the Attorney General, who's already intimately involved in this, to be able to provide guidance, direction, and protection from any inadvertent discussion or action that would potentially create some exposure for anybody. That was why I was looking for more time - not to give anybody any more leverage, not to give anybody any more opportunity, but simply so we could do our due diligence and not -- and not provide any exposure that was unwarranted. So, thank you very much, Mr. President and Ladies and Gentlemen of the Senate, for your indulgence on this issue. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you, Senator Schoenberg. Seeing no further discussion, Senator Frerichs, to close.

SENATOR FRERICHS:

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Thank you very much, Mr. President. There was talk about the Governor's Office running procurement. And I think I can agree, the Governor's Office -- the Executive Branch runs procurement, but that doesn't mean the Legislature should run and hide from all their decisions. We have a history of involvement in this. Back in 2005, under the Budget Implementation Act that codified the process by which HFS would coordinate with COGFA, COGFA was given advice and consent over State group health insurance contracts. Now, what that actually means is currently being litigated in the courts. There was talk about ongoing litigation. I'm not sure that's appropriate conversation here, but what I'm saying is this Body has -- has the right to step forward and say if we see things are going wrong, we can step forward. And so, Ladies and Gentlemen of the Senate, I'd request a favorable vote on this motion.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you, Senator Frerichs. Ladies and Gentlemen, the question is, shall Senate Bill 178 pass, notwithstanding the veto of the Governor. 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? Madam Secretary, take the record. On that question, there are 28 voting Aye, 28 voting Nay, 1 voting Present. House -- or, excuse me, Senate Bill 178, having not received the required three-fifths majority, is declared -- the motion fails. Senator Althoff, for what purpose do you rise?

SENATOR ALTHOFF:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

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Please state your announcement. Senator Althoff.

SENATOR ALTHOFF:

Ladies and Gentlemen of the Senate, as the Co-Chair of the Joint Task Force on Turkish-Illinois Relations, I'd like to remind the Body that on Sunday, Turkey experienced a 7.2 quake. Currently, the death toll exceeds four hundred and thirty lives and the injured in excess of thirteen hundred. What we would like to do to show our support and our condolences for what this country is experiencing, we are hosting a small solemn reception tomorrow morning in Secretary White's Office at 11 a.m. You can sign a large card, sending your good wishes and thoughts, and if you would like to make a monetary donation to the relief efforts, you can make your checks out to the Niagara Foundation, which is a not-for-profit organization, or you can bring whatever change you have in your pockets and contribute to those efforts. 11 a.m. tomorrow morning. We would appreciate your support, and share this with all of our friends and colleagues here in the Capitol. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you, Senator Althoff. Ladies and Gentlemen, we're going to turn to page 2 of the printed Calendar. Page 2 of the printed Calendar. At the bottom of page 2 is -- to -- on the Order of Senate Bills 3rd Reading is Senate Bill 678. President Cullerton. Indicates he wishes to proceed. Madam Secretary. Senator -- Senator Cullerton seeks leave of the Body to return Senate Bill 678 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is Senate Bill 678. Madam Secretary, are there any Floor amendments for consideration?

SECRETARY ROCK:

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Floor Amendment 1, offered by President Cullerton.

PRESIDING OFFICER: (SENATOR SULLIVAN)

President Cullerton, on Amendment 1.

SENATOR CULLERTON:

Yes, thank you, Mr. President, Members of the Senate. I'd like to adopt the amendment, as well as the second amendment, and then debate the bill on 3rd Reading. I move for the adoption.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion on Amendment 1? Is there any discussion? Seeing none, all those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Madam Secretary... 3rd Reading on Senate Bill 678. Madam Secretary, take Senate Bill 678 out of the record, please. Senator McCarter, for what purpose do you rise?

SENATOR McCARTER:

On Senate Bill 1652, I'd just like to be recognized as a No vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

The record will so indicate your intentions. Ladies and Gentlemen, if you'll turn to page 3 on the printed Calendar, still on the Order Senate Bills 3rd Reading, in the middle of the page is Senate Bill 965. President Cullerton. Indicates he wishes to proceed. Senator Cullerton seeks leave of the Body to

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return Senate Bill 965 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 965. Madam Secretary, are there any amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by President Cullerton.

PRESIDING OFFICER: (SENATOR SULLIVAN)

President Cullerton, on Amendment 1.

SENATOR CULLERTON:

Yes, thank you, Mr. President, Members of the Senate. This bill deals with speed cameras. I would like to adopt the amendment, as well as the second amendment, and then debate the bill on 3rd Reading.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion on Amendment 1? Seeing none, all those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 2, offered by President Cullerton.

PRESIDING OFFICER: (SENATOR SULLIVAN)

President Cullerton, on Amendment 2.

SENATOR CULLERTON:

These amendments -- this amendment tightens the bill. I'll move for its adoption and I'll explain the bill as -- as amended.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion on Amendment 2? Seeing none, all those in favor will say Aye. Opposed, Nay. The Ayes

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have it, and the amendment adopted. Are there any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 965. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 965.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

President Cullerton.

SENATOR CULLERTON:

Yes, thank you, Mr. President, Members of the Senate. As many of you know, I've been involved in highway safety measures for most of my career in the General Assembly, and so when the Mayor of Chicago asked me to sponsor this bill, I was happy to do so. This bill only applies to Chicago and I'll say at the outset that I would not be in favor of expanding it to any -- any other municipality, unless that municipality asks for it. But the City of Chicago and the City Council has asked for us to pass this legislation. It would allow for them to install an automated speed enforcement system in safety zones. Those would be an area basically a block from any school or park in the City of Chicago. We, in Amendment No. 2, after much discussion, both in committee and meetings with individual Senators, decided to tighten this -- provisions up. We said, for example, that if you're traveling five miles over the limit, you'd get a warning

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ticket, but you would not receive a fine. We removed colleges and universities and focused this bill on K through 12 schools. We also put a time frame in, so the camera would not be operated -- the time would be between 6 a.m. and 10 p.m., and in the case of the parks, an hour before and after when they close. And at the suggestion of a Senator in committee, we -- we changed the law with regard to the calibration requirement for the radar or lidar from sixty days to every week, based on the State Police policy. Now this bill is different than the law we currently have with regard to speed cameras in work zones. Speed cameras in work zones, we have a system where we take a picture of the driver. There's a three-hundred-and-fifty-dollar fine and that person then has a moving violation on their record if they're found guilty. This is different. This is akin to the current law that we have in place for red light cameras, in that the individual does not have their picture taken; it's just a picture of the license plate to determine the owner of the car. And you may recall that in the area of red light reforms last year, we changed the law to make sure that people were not unfairly charged with those -- with those violations, and those same protections are in this law. So it has to be reviewed by a -- a police -- a third-party police officer or a retired police officer. There has to be a statistical analysis of the safety impact of the system. This -- the individual charged has the ability -- the -- the right to review the violation on the Internet. The location of each intersection, a road equipped with the camera, it has to be listed on the municipality's website. And a sign stating that the vehicle speeds are being photo enforced has to be present, and the municipality's

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prohibited from charging a violator any additional fees for administrative hearing. We have in Chicago a pedestrian fatality rate that's sixty-eight percent higher than New York City. And we do lose a number of -- young children in these crashes in the City of Chicago. We have seen in other areas of this nation where they've had this program, there's a big decrease in the number of tickets that are issued the first month. Seventy-eight percent decrease, because people figure out they should not be speeding. And as a result, safety ensues. So with that, I would indicate that the Speaker is in -- has filed a similar or identical bill. We are very open, as these bills pass over, if they do, to the other Chamber, for any further amendments that people feel are appropriate to further tighten the -- the bill to make sure that it's not unfair to anyone. And with that, I'd be happy to answer any questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR DUFFY:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Duffy.

SENATOR DUFFY:

I know this is going to surprise a lot of people, but I'm against this Big Brother piece of legislation. And let me tell you why. I think we need more cops, not cameras. These cameras would cover nearly half of the City of Chicago. Under the wording of this bill, these so-called safety zones, where speed



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cameras would be allowed, will include an estimated forty percent of the City, at least. They, once again, say these cameras are all about safety when we all know it's all about revenue - revenue to the State, revenue to the City of Chicago, revenue to the lobbyists, and huge revenue to the camera companies. The red light cameras, the -- only generate a fraction of the revenue that these speed cameras will generate, paid out over fifty-eight million dollars to the City of Chicago in 2009. The red light cameras also have paid out more than seventy-six million dollars to Redflex, the camera company that operates these cameras in Chicago. That seventy-six million dollars for the red light camera company is only a fraction of what these speed cameras will generate. Now what are the true plans for these speed cameras? If I look at one of the latest papers, there's a direct quote in here from Police Superintendent Garry McCarthy. As you know, Superintendent Garry McCarthy is going to be in charge of running these speed cameras, and he said, let me quote, this is "just a start". He went on to say, "...I would love to see this {sic} (is the) network expanding as we go further". He said, we have to prioritize where to start, and schools and parks seem to be the right place to start and then we will expand out from here. So, if people think that this bill is just going to sit like this and not expand, don't kid yourself. These speed cameras, with their influential supporters, lobbyists, and political sponsors, will soon be all over this State, not just Chicago. They will quickly be located in the suburbs and downstate. People in this State are sick and tired of being nicked-and-dimed to death. This is going to be just one more reason, a daily and constant

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reminder, why people look to do business in another state. Please vote No on this latest blatant revenue grab by the City of Chicago. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Further discussion? Senator Jacobs, for what purpose do you rise?

SENATOR JACOBS:

I can't help but think that there might be another reason why the previous speaker is opposed to red light cameras. And it may have something well to do that he's been shown on video twice passing through those red light cameras. And I hope...

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Jacobs.

SENATOR JACOBS:

I hope the...

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Jacobs. Senator Jacobs, let's keep the discussion to the bill, content of the bill. Further discussion? Senator Raoul, for what purpose do you rise?

SENATOR RAOUL:

Mr. President, to -- to the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To -- to the bill, Senator Raoul.

SENATOR RAOUL:

I share some of the -- I share some of the concerns raised by the first speaker. I'm reluctantly going to support this bill, because of the stated reason of protecting kids. But I, you know, I want everybody to reflect upon the fact that, you know, if we're to be all honest with ourselves, we've all gone

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five miles over the speed limit. And -- and where -- where I live, I live a block away from a park, and as soon as I get out of a block radius from that park, I'm a block away from an elementary school, and then as soon as I get out of a block radius of that elementary school, within another block or so, I'm a block away from a high school. As soon as I get a block away from that high school, I'm a block away from another elementary school. As soon as I get a block away from that elementary school, I'm a block away from another park. And so, I don't know whether it's the forty percent or what it is. I'm -- I'm encouraged by the fact that there are bills that are going to be passing each other and this discussion is going to continue. I'm -- I -- I am concerned about the remarks that were made about this being the -- only the beginning. I don't have a great appetite for -- creating a 1984 Big Brother society, either. However, I -- I -- I -- I have heard from constituents locally, concerned about protecting the kids. I intend to be engaged in conversations on how we can improve this bill. So I -- I will be reluctantly voting Aye.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Further discussion? Senator Cultra, for what purpose do you rise?

SENATOR CULTRA:

To the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Cultra.

SENATOR CULTRA:

Seems like about once a month my office is dealing with the tollway tickets that people in my area get. And just from the

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experience of trying to deal with the people at the Tollway to -  
- to get a -- a reasonable explanation as to what's going on, it  
-- it is very frustrating. And -- and to think that this will  
not affect anybody but in the Chicago area, you're going to be  
wrong. You're going to be sadly mistaken. It's going to affect  
every legislator here, because your constituents are going to be  
driving in Chicago and they're going to be going too fast and  
they're going to get a ticket and they're going to call you and  
it's -- it's going to be a mess. And if -- if the City of  
Chicago doesn't deal with it any better than what the Tollway's  
dealing with it, it's going to be a huge nightmare for all of  
us. And I think red light {sic} cameras, we're just not ready  
for 'em, this State's not ready for 'em and I'd urge a No vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you, Senator. 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:

Thank you, Mr. President. As one of the previous speakers  
mentioned reluctantly voting for the bill in this stage, I share  
those concerns, just at this stage. I've never been a fan of  
cameras. The idea that it would provide better safety for our  
schoolchildren going to and from school is a huge motivator.  
Except in the current draft language, 6 a.m. to 10 p.m., in my  
mind, exceeds children coming and going from school. And it  
doesn't really identify a precedence that that's what we're

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really looking to do, support children. I'd like to see it more in line with curfew, and I know that if we have children still out at 10 p.m., they're in violation of curfew, and it's really gone beyond the scope of what the bill is intended to do. So I appreciate the President for his willingness to continue to work on this legislation moving forward. I will be a Aye vote in this current stage, but I do want to stress that the time frame, I believe, exceeds the mission of the legislation. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Further discussion? Senator Righter, for what purpose do you rise?

SENATOR RIGHTER:

Thank you, Mr. President. Will the sponsor yield, please?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield. Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Mr. President, I'm -- I'm curious, are these cameras fixed or are they mobile? Can you move 'em around?

PRESIDING OFFICER: (SENATOR SULLIVAN)

President Cullerton.

SENATOR CULLERTON:

From what I understand, there's two types. There's one that is fixed, where they put like -- you know, it's like where they have to put a strip on the pavement and then another strip a little bit ways down, so you can measure the speed, and then there's -- that's one form, which is fixed, and then there's another form, which -- where they are mobile units like the ones we currently have in the work zones.

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

But the -- the bill would still require -- for those that are mobile are still going to be subject to the restrictions that are outlined in the amendment. Correct?

PRESIDING OFFICER: (SENATOR SULLIVAN)

President Cullerton.

SENATOR CULLERTON:

Yes.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

Now in a normal instance where -- I mean, if my son is driving my car and he is -- gets pulled over by a police officer and gets a speeding ticket, even though he's in my car, he's going to get the speeding ticket. Now it's my understanding, in this process, that the citation that is sent out by the City will go to the owner of the car and they're the ones who will be subject to the fine. Is that correct?

PRESIDING OFFICER: (SENATOR SULLIVAN)

President Cullerton.

SENATOR CULLERTON:

Yes. Just as we have now with the red light cameras, it's the person who's the owner of the car who's responsible, and as a result, there's no moving violation for the driver of the vehicle that gets the citation. And the -- and the fine is limited to a hundred dollars, as opposed to if you're stopped by a police officer, you get a moving violation and I believe the

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finances can be much higher than that.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

And, Mr. President, I'm going -- I think I'm going to use, rather than use myself or my son, I think I'm going to use Senator Schoenberg as an example, to see if I can bait him into getting up and speaking again, Mr. President. But, let's say that Senator Schoenberg's son is using -- driving his car, and so he gets a ticket pursuant to one of these cameras. Well, Senator Schoenberg doesn't want to pay the hundred bucks, 'cause he wasn't driving. So, how does he contest? Or is that even a legal grounds on which to contest it, to say "I wasn't driving the car"?

PRESIDING OFFICER: (SENATOR SULLIVAN)

President Cullerton.

SENATOR CULLERTON:

That's not a -- that is not a defense, but there are defenses, and there is an administrative hearing that you're entitled to, just as there is with red light cameras now. In other words, if the car was stolen, if there is -- I believe we have exemptions for a -- an ambulance, is -- you have to get out of the way of an ambulance. Those type of things can be brought to the attention of an administrative law judge and -- and then you can obviously appeal that, if you need to, from that to court. But the fact that you're not driving is not a defense. If it is somebody who you authorized your vehicle to and they broke -- broke that -- that -- that law, you're responsible. So Senator Schoenberg would go to his son and say you owe me a

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hundred dollars.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Just a couple of other quick questions, Mr. President. Now while it's true it's not a moving violation, if you get five of these and you don't pay it, you -- aren't you subject to some severe penalty? The loss of your license, or whatnot? So, there is -- I mean, for the person who owns the car, there's still a ramification, even if they're not driving. I understand you got to -- you got to have a real problem in your family, apparently. Senator Schoenberg would have to have a real problem in his -- in his family. His kid's got -- going to do it five times in a row. But is that accurate, that they would lose their license for that?

PRESIDING OFFICER: (SENATOR SULLIVAN)

President Cullerton.

SENATOR CULLERTON:

Yes. If Senator Schoenberg's son speeds five times and he is so mad at his son that he refuses to pay the hundred dollars, then Senator Schoenberg would lose his driver's license until he paid off at least one of them.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

Last question. Thank you for your indulgence, Mr. President. It's my understanding, Mr. President, that if you do want to appeal this, it's not to the police department which issued it; it's to the -- the City's Department of Revenue. And



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I'm just curious, and I'll end with this, is the wisdom -- or, the thinking behind having the Department of Revenue, who's the money collector, be the arbiter of these, as opposed to the police department. Thank you for your indulgence, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

President Cullerton. Thought there was a question, I guess.

SENATOR CULLERTON:

Don't know if that was a question, but is -- there's administrative hearings instead of going to traffic court. So, instead of going to traffic court -- if you had a ticket from a police officer, you go to traffic court. Instead of clogging up those courts, an expensive way, we've got administrative hearings that you can go to and make your case, and you could -- you could win there or lose. If you'd lose, you can appeal to court. So, if that -- if that helps answer the question.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Further discussion? Senator Delgado, for what purpose do you rise?

SENATOR DELGADO:

Thank you, Mr. President. Will sponsor yield?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield. Senator Delgado.

SENATOR DELGADO:

Thank you, Mr. President. As to the moneys that are collected from the -- from these fines for the tickets for speeding in an area where children are present during school, Mr. President, what will -- I'm sorry, Senator, what will these

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-- the moneys be used for?

PRESIDING OFFICER: (SENATOR SULLIVAN)

President Cullerton.

SENATOR CULLERTON:

The bill says that the proceeds from the civil penalties imposed due to a speed camera infraction may only be used for public safety initiatives to ensure safe passage around schools, provide police protection around schools and parks; initiatives to improve pedestrian and traffic safety; or for construction and maintenance infrastructure.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Delgado.

SENATOR DELGADO:

Thank you for that answer. And is there still room to -- is this specific to the areas that -- that the -- the -- the incident occurs? Will those dollars stay? Is there some formula that's being figured out on how those dollars can stay within that immediate area, so we can continue to reduce that and have -- not have a recidivism, or public safety in that specific community, or will those dollars be put into a general fund?

PRESIDING OFFICER: (SENATOR SULLIVAN)

President Cullerton.

SENATOR CULLERTON:

Well, I think the way it's drafted right now, the -- the money would be in a general fund. But, I think, rather than put that into the legislation, I think that's something that could be worked out with the City administration, where there's somewhat of an understanding. And, of course, keep in mind that

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-- I believe, that the City Council all -- everybody unanimously voted - the aldermen - for this program, so we could work through the aldermen to make sure that there's an equal fair share of that distribution throughout the wards of the -- of the City.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Delgado.

SENATOR DELGADO:

I appreciate that answer, Senator. And I understand there is -- will be tightening up, as to the -- as I'm always concerned with details, as you know, the -- to avoid a dastardly detail -- the devil in the details, Mr. President, tightening up with possibly looking at the curfew hours as a -- as a matrix, or -- or, if you will, a -- a format. Because, indeed, if -- because if -- indeed, if they are out at curfew, I guess the question that comes to my mind - I don't mean to throw a curve ball here - but if -- so do they get ticketed or does the young person get picked up for curfew?

PRESIDING OFFICER: (SENATOR SULLIVAN)

President Cullerton.

SENATOR CULLERTON:

I -- I just learned that the City apparently has adopted a new curfew that's lower than the City curfew. So, I'm certainly open to those amendments. I -- I mean, we still may want to try to protect the kids, even if they're out after curfew from being hit by a speeder. But that's something which, again, I am very open to. The -- the -- I anticipate further amendments. There should be another bill the Speaker's sponsoring coming over here, and I'm open to any suggestions. The curfew is the one

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that -- as we negotiated the hours, that this would be in place. We are very open to suggestions, and so maybe we can tie it to the curfew and that'd be fine.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Delgado.

SENATOR DELGADO:

Thank you, Senator, for your kind answers and willingness to work with us. Mr. President, to the bill: I've had a chance to live in a -- a couple of cities, and one thing I've learned leaving the Illinois area and moving down to become a parole agent down in the Miami area, I was ticketed my first month I lived there, in Hialeah, and it was because I came back with the Chicago habits. Because at school zones, even though they have yellow lights, and right on Cicero Avenue, Lloyd School, where the yellow light's flashing, but you got everything moving - the CTA buses, truckers, everything - and so we tend to go with the habits, Mr. President, of I can move pretty quick. Officer stopped me, found myself arguing with him at first, thinking about what am I doing, these are children. And in Hialeah, they put the police right out there waiting for you and you can see them visibly too. Those were the days before cameras. I'm a little dating myself here. And in my mother's homeland, too, of a commonwealth called Puerto Rico. It creates a deterrent. It saves lives. It is important to me to see that for public health matters, that the dollars stay within these communities, because these are signs of other issues that are -- necessarily need to be addressed in those communities and these dollars could come in handy to help them in working with the community-based organizations, because, at the end of the day, it -- it is

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interesting to see our ratio compared to a city like New York City. And -- and I would ask at this time, as difficult as it sounds on paper, this is a wonderful public safety and actually brings -- may address some family concerns, I think, and we should keep that in mind. I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Further discussion? Senator Sandoval, for what purpose do you rise?

SENATOR SANDOVAL:

For purposes of the bill, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. President, Members of the Illinois Senate. My message is particularly geared towards those legislators who represent the City of Chicago or a portion of the City of Chicago. I've lived my entire life in the City of Chicago and, you know, we all like to say in our political fliers and in our propaganda that we put out, and that we will be putting out over the next few months, that, you know -- and we will have pictures on our fliers that show children and public safety of our children and education will be the top priority, because we are all, you know, the public safety Senators of our communities. We are also the education Senators of our community. But this bill is a no-brainer if you purport yourself to be an advocate for public safety and education and children, and apple pie, and seniors, and working families in the City of Chicago. Of course there are some issues that need to be remedied. There are some amendments that need to be offered, and the Senate President has

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agreed to be open to those amendments - everything from, you know, the time frame from enforcement, to where they're placed, to how they're placed, and to how the revenue's going to be used. That is a good discussion that will continue to be held with President Cullerton, as well as in the House. But let me remind all of you that represent the City of Chicago or parts of the City of Chicago, I've walked, since June 1st, when I left Springfield, a major portion of my district. And it is, I would say, a hundred percent -- as you walk through every City precinct in the City of Chicago, there is a resident or tens of residents that are asking me, and have asked every individual one of you, from -- that lives in a Chicago precinct, that they want more public safety, and, in fact, they have all asked you for speed humps. There is -- on every block of the City of Chicago, your families have asked you to talk to the aldermen about implementing -- about putting in more speed humps. They -- the residents of Chicago would want speed humps on every single block in Chicago. That is the truth, and you know it. There isn't, inevitably, a week or a month that goes by that if you're a Senator that represents the City of Chicago or a portion of the City of Chicago, you have made that call to your local alderman asking them, on behalf of your constituents, to make it a priority on their menu allocation from the City of Chicago to put in speed humps. Well, Ladies and Gentlemen, you know, there isn't enough money in the City of Chicago to put speed humps on every City block. The fact of the matter is, you know, the money isn't coming from Washington for -- for -- for cops, you know. There isn't -- we're not generating any revenue, or we're not coming up with any new revenue to hire

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more cops. We haven't come up with a solution to increase public safety in -- in Chicago. I think -- and I know, I live on a block, within a one-block radius, there is a grammar school, there is a middle school, there is a high school, and there is a charter school, all within a one- to two-block radius. There are nearly over three to four thousand children right across the street from my house in the 14th Ward. There is a need for more cops. There is a need for more traffic aides. There is a need for more crossing guards. But you know what? We haven't come up with the additional revenue to help our city, like Chicago, to hire more cops, hire more crossing guards, hire more traffic aides. This is the -- and more speed bumps, as opposed to humps. Let me get that right. This is -- this is -- this is the best measure in regards to providing public safety of our children in the City of Chicago, and you Chicago area legislators should know better to support this effort to increase public safety. Vote Aye.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you, Senator. Further discussion? Senator Muñoz appears to be our last speaker. Senator Muñoz.

SENATOR MUÑOZ:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Muñoz.

SENATOR MUÑOZ:

I'm glad Senator Sandoval loves speed bumps -- oh, humps. Okay, excuse me. Ladies and Gentlemen of the Senate, all of you know I'm a Chicago police officer on a leave of absence, so I am always for public safety. When we first had the bill for the

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cameras, I was Chairman of Transportation. People were against it, especially throughout the entire State and -- but I'll tell you what, yes, it does generate money, but I'll tell you what, it's also been a deterrent. It's also slowed a number of accidents that occurred at these stops. Now that the -- our new Mayor, his initiative -- we can't hire policemen, as my colleagues have stated here, but what we can do is look out for the kids that are going to school, the kids that are in the parks. Right now, wintertime is coming. It'll slow down. Crime even slows down - not only in the City of Chicago, but all over. But I'll tell you what, come springtime, everything happens and it flares up. And now, as everyone knows in our great State - it is not only the City of Chicago - a lot of them are leaving to go and work in the suburban areas, and most of 'em are in your neighborhoods, going and preying after the kids. Ladies and Gentlemen, I will be the first one to tell you, I'm sure the Mayor of the City of Chicago, the President of the Senate, all of you would want to hire more police officers, not only in my area, but in your areas as well; we just can't afford it. Be realistic. So, the next best thing that we have, until we can -- you have a lot of policemen that are retiring, you have a lot of 'em that are hurt on the job, duty disability. People, we can't bring enough on the job right now. Is it -- this going to solve every problem by bringing these cameras for this bill? I'll tell you what, the President of the Senate is working with Leader Radogno and everyone else that had some concerns. We've already changed it, two amendments. It's going to the House. I'm sure there might even be another change there. But, please, any time for safety that we can help out a



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child from my district and anywhere else, please, I ask you, vote Aye. If there's a problem and we need to fix it, then we can come back and do a trailer bill. Please vote Aye. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you, Senator. Seeing no further discussion, Senator -- President Cullerton, to close.

SENATOR CULLERTON:

Yes, thank you, Mr. President, Members of the Senate. I think some good points have been raised here. I will continue to be open, as I said, to any changes. I want to just make it clear that this -- there -- there has been controversy with regard to red light cameras, primarily because, I think it's fair to say, right turn on red was a way in which most of those municipalities got their -- got their revenues. This is clearly speeding and everybody knows that there's no question that speeding is dangerous. The City would do an RFP. There's a number of companies that provide these services. They would do an RFP and -- and award the contract, as they normally would any contract. As I heard for the first time that the -- the new police superintendent wants to expand this. Well, that's not my proposal, and if that was to happen, we would have to make that decision, not him. And so -- I know many, many years ago, there used to be the problem with mistaken tickets, because police officers had to record license plate numbers, and if they made a mistake - and we have so many different license plates - there were people outside of Chicago that got -- that got tickets mistakenly. That's all gone now because we're talking about a photograph of just a license plate and there's no -- there's no

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distortion. There's no question about who the owner of the license plate is and that's how they determine the owner of the car. So -- and I -- as I said with regard to the curfews, the City apparently has changed the curfews. If it's the will of the Body to have this time frame coincide with those curfews, that's something I'm certainly open to. But for now, I think this is about, clearly a -- a request of the City, request of the Mayor, it's something that will result in the savings of lives - nothing more important than that. And for that, I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you, President Cullerton. Ladies and Gentlemen, the question is, shall Senate Bill 965 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? Madam Secretary, take the record. On that question, there are 32 voting Aye, 24 voting Nay, 0 voting Present. Senate Bill 965, having received the required constitutional majority, is declared passed. Senator Lightford, for what purpose do you rise?

SENATOR LIGHTFORD:

Mr. President, on a point of personal privilege, please.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Absolutely, please state your point.

SENATOR LIGHTFORD:

Thank...

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Lightford.

SENATOR LIGHTFORD:

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Thank you, Mr. President, Ladies and Gentlemen of the Senate. In the President's Gallery on the Republican side, Esther Corpuz from the Vanguard Health System, nurses from MacNeal Hospital. Vanguard consists of Westlake, West Suburban, and MacNeal. Can you guys please give them a warm welcome to -- for joining us here in the General Assembly?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Will our guests in the gallery please rise? Welcome to the Illinois State Senate. Senator Hutchinson, for what purpose do you rise?

SENATOR HUTCHINSON:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your point. Senator Hutchinson.

SENATOR HUTCHINSON:

I would like to also refer to the -- the gallery on the Republican side and say hello to one of my dear mayors, the Mayor of Lynwood, Gene Williams.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Mayor, welcome to the Illinois State Senate. Great to have you here. Ladies and Gentlemen, we're just waiting for some paperwork to catch up to us. The Senate will stand at ease for a few moments. (at ease) Senate will come to order. Ladies and Gentlemen, just for the purpose of an announcement, the Committee on Assignments is going to meet here shortly, as soon as we get some paperwork to catch up with us. After the Committee on Assignments meets, the Senate will be adjourning until tomorrow. Once again, Ladies and Gentlemen, the Committee on Assignments will meet shortly. After the committee meets,

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the Senate will adjourn until 9 a.m. tomorrow morning. Senate stands at ease. Senate will come to order. The Senate will stand at ease for a few moments to allow the Committee on Assignments to meet. Will all members of the Committee on Assignments please report to the President's Anteroom immediately? All members of the -- of the Senate's Committee on Assignments please report to the Anteroom immediately. The Senate stands at ease. (at ease) The Senate will come to order. Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to the Executive Committee - Floor Amendment 4 to Senate Bill 405; refer to the Human Services Committee - House Bill 3091; and Be Approved for Consideration - Floor Amendment 3 to Senate Bill 747.

Signed by Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, there being no further business to come before the Senate, the Senate stands adjourned until the hour of 9 a.m. on the 27th day of October, 2011. The Senate -- Senate stands adjourned.