

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

AM0130	Appointment Confirmed	81
AM0130	Motion Filed	10
AM0130	Motion	81
AM0131	Appointment Confirmed	81
AM0131	Motion Filed	10
AM0131	Motion	81
AM0132	Appointment Confirmed	82
AM0132	Motion Filed	10
AM0132	Motion	81
AM0133	Appointment Confirmed	82
AM0133	Motion Filed	10
AM0133	Motion	81
AM0134	Appointment Confirmed	82
AM0134	Motion Filed	10
AM0134	Motion	81
AM0135	Appointment Confirmed	82
AM0135	Motion Filed	10
AM0135	Motion	81
AM0136	Appointment Confirmed	82
AM0136	Motion Filed	10
AM0136	Motion	81
AM0170	Appointment Confirmed	79
AM0247	Appointment Confirmed	80
AM0301	Read into Record	4
AM0302	Read into Record	5
AM0303	Read into Record	5
AM0304	Read into Record	5
HB0355	Third Reading	6
HB0358	Third Reading	10
HB0442	Third Reading	50
HB0507	Third Reading	53
HB0508	Third Reading	54
HB0588	Third Reading	55
HB0691	Third Reading	58
HB1577	Third Reading	51
HB1708	Third Reading	64
HB1883	Recalled	28
HB1883	Third Reading	29
HB1927	Third Reading	65
HB1958	Third Reading	66
HB3375	Recalled	69

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

HB3375	Third Reading	70
HB3788	Third Reading	71
HB3840	Third Reading	72
SB0040	Concurrence	14
SB0092	Concurrence	24
SB0678	Postponed Consideration	45
SB1226	Concurrence	16
SB1311	Concurrence	92
SB1311	Vote Intention	94
SB1377	Concurrence	17
SB1538	Concurrence	76
SB1609	Concurrence	88
SB1640	Concurrence	73
SB1701	Concurrence	87
SB1701	Motion	85
SB1762	Concurrence	89
SB1762	Motion	85
SB1865	Concurrence	18
SB1992	Concurrence	22
SB2188	Concurrence	77
SB2412	Concurrence	97
SB2530	First Reading	4
SB2531	First Reading	4
SB2532	First Reading	4
SB2533	First Reading	14
SB2534	First Reading	14
SB2535	First Reading	87
SB2536	First Reading	87
SB2537	First Reading	87
SB2538	First Reading	87
SR0352	Adopted	75
SR0451	Resolution Offered	2
SR0452	Resolution Offered	2
SR0453	Resolution Offered	3
SR0454	Resolution Offered	3
SR0455	Resolution Offered	3
SR0456	Resolution Offered	3
SR0457	Resolution Offered	3
SR0458	Resolution Offered	3
SR0459	Resolution Offered	3
SR0460	Resolution Offered	3
SR0461	Resolution Offered	3

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

SR0462	Resolution Offered	3
SR0463	Resolution Offered	3
SR0464	Resolution Offered	3
SR0465	Resolution Offered	3
SR0466	Resolution Offered	3
SR0467	Resolution Offered	4
SR0468	Resolution Offered	4
SR0469	Resolution Offered	4
SR0470	Resolution Offered	4
SR0471	Resolution Offered	78
SR0472	Resolution Offered	86
SR0473	Resolution Offered	86
HJR0041	Adopted	75
HJR0053	Adopted	100
HJR0053	Resolution Offered	99
Senate to Order-Senator Crotty		1
Prayer-The Reverend Sara Isbell		1
Pledge of Allegiance		1
Journal-Approved		1
Journal-Postponed		2
Committee Reports		2
Senate Stands at Ease/Reconvenes		7
Committee Reports		8
Senate Stands in Recess/Reconvenes		12
Committee Reports		12
Messages from the House		13
Senate Stands at Ease/Reconvenes		78
Executive Session		78
Executive Session Arises		83
Senate Stands at Ease/Reconvenes		84
Committee Reports		84
Senate Stands in Recess/Reconvenes		86
Committee Reports		86
Messages from the House		91
Senate Stands at Ease/Reconvenes		92
Committee Reports		92
Message from the House		95
Senate Stands at Ease/Reconvenes		96
Committee Reports		96
Resolutions Consent Calendar-Adopted		98

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

Message from the House  
Adjournment

99  
100

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

PRESIDING OFFICER: (SENATOR CROTTY)

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

THE REVEREND SARA ISBELL:

(Prayer by the Reverend Sara Isbell)

PRESIDING OFFICER: (SENATOR CROTTY)

Please remain standing for the Pledge of Allegiance. Senator Sullivan.

SENATOR SULLIVAN:

(Pledge of Allegiance, led by Senator Sullivan)

PRESIDING OFFICER: (SENATOR CROTTY)

Rodney Correll, from WLS-TV Chicago, requests permission to videotape the Session. James Carder, from the blueroomstream.com, would also request permission to videotape. And Chris Brooks, from WICS-TV, would also request permission to videotape. If there's no objection, leave is granted. Madam Secretary, Reading and Approval of the Journal.

SECRETARY ROCK:

Senate Journal of May 22nd, 2011.

PRESIDING OFFICER: (SENATOR CROTTY)

Senator Hunter.

SENATOR HUNTER:

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

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

PRESIDING OFFICER: (SENATOR CROTTY)

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

SECRETARY ROCK:

Senate Journal of Thursday, November 10th, 2011.

PRESIDING OFFICER: (SENATOR CROTTY)

Senator Hunter.

SENATOR HUNTER:

Madam President, I move to postpone the reading and approval of the Journal just read by the Secretary, pending arrival of the printed transcript.

PRESIDING OFFICER: (SENATOR CROTTY)

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

SECRETARY ROCK:

Senator Muñoz, Chairman of the Committee on Executive Appointments, reports the following: Appointment Messages 130, 131, 132, 133, 134, 135, 136, 170 and 247, all recommended Do Advise and Consent.

PRESIDING OFFICER: (SENATOR CROTTY)

Madam Secretary, Resolutions.

SECRETARY ROCK:

Senate Resolution 451, offered by Senator Lauzen and all Members.

Senate Resolution 452, offered by Senator Radogno,

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

Cullerton and all Members.

Senate Resolution 453, offered by Senator Emil Jones and all Members.

Senate Resolution 454, offered by Senator Emil Jones and all Members.

Senate Resolution 455, offered by Senator Haine and all Members.

Senate Resolution 456, offered by Senator Mulroe and all Members.

Senate Resolution 457, offered by Senator Mulroe and all Members.

Senate Resolution 458, offered by Senator Koehler and all Members.

Senate Resolution 459, offered by Senator Koehler and all Members.

Senate Resolution 460, offered by Senator Koehler and all Members.

Senate Resolution 461, offered by Senator Emil Jones and all Members.

Senate Resolution 462, offered by Senator Haine and all Members.

Senate Resolution 463, offered by Senator Haine and all Members.

Senate Resolution 464, offered by Senator Haine and all Members.

Senate Resolution 465, offered by Senator Dillard and all Members.

Senate Resolution 466, offered by Senator Harmon and all Members.

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

Senate Resolution 467, offered by Senator Pankau and all Members.

Senate Resolution 468, offered by Senator Wilhelmi and all Members.

Senate Resolution 469, offered by Senator Koehler and all Members.

Senate Resolution 470, offered by Senator Millner and all Members.

They are death resolutions, Madam President.

PRESIDING OFFICER: (SENATOR CROTTY)

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

SECRETARY ROCK:

Senate Bill 2530, offered by Senator Murphy.

(Secretary reads title of bill)

Senate Bill 2531, offered by Senator Silverstein.

(Secretary reads title of bill)

Senate Bill 2532, offered by Senator Silverstein.

(Secretary reads title of bill)

1st Reading of these Senate bills.

PRESIDING OFFICER: (SENATOR CROTTY)

Madam Secretary, Messages. Madam Secretary, Appointment Messages.

SECRETARY ROCK:

Appointment Message 301

To the Honorable Members of the Senate, Ninety-Seventh General Assembly:

I, Pat Quinn, Governor, am nominating and, by and with the advice and consent of the Senate, appointing the following named



STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

To be Commissioner of the Illinois Workers' Compensation Commission:

Ruth W. White

Annual Compensation: \$119,840

Appointment Message 302

To the Honorable Members of the Senate, Ninety-Seventh General Assembly:

I, Pat Quinn, Governor, am nominating and, by and with the advice and consent of the Senate, appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

To be Arbitrator of the Illinois Workers' Compensation Commission:

Nancy Lindsay

Annual Compensation: \$115,840

Appointment Message 303

To the Honorable Members of the Senate, Ninety-Seventh General Assembly:

I, Pat Quinn, Governor, am nominating and, by and with the advice and consent of the Senate, appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

To be a Member of the Illinois Housing Development Authority:

Terry Newman

Annual Compensation: Expenses

Appointment Message 304

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

To the Honorable Members of the Senate, Ninety-Seventh General Assembly:

I, Pat Quinn, Governor, am nominating and, by and with the advice and consent of the Senate, appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

To be Director of the Illinois Environment -- Environmental Protection Agency:

John J. Kim

Annual Compensation: \$133,273

PRESIDING OFFICER: (SENATOR CROTTY)

We'll be moving to 3rd Readings, House Bill 3rd Reading. So will all Members please report to the Floor? Now if everyone will turn to page 3, at the bottom of page 3, we have House Bills 3rd Reading. On House Bill 355, Madam Secretary, read the bill. Senator -- Senator Haine, did you want to move House Bill 355? Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 355.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CROTTY)

Senator Haine.

SENATOR HAINE:

Thank you, Madam President and Ladies and Gentlemen of the -- the Senate. This is an initiative of the Department and it -- it redefines and clarifies eligibility consistent with current Internal Revenue Service guidelines. That's all it does. It redefines a "dependent" and clarifies it according to the latest

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

federal government regs. There is no opposition to -- to the bill.

PRESIDING OFFICER: (SENATOR CROTTY)

Is there any discussion? There being none, the question is, shall House Bill 355 pass. As the bill has an immediate effective date, it is the ruling of the Chair that pursuant to Section 10 of Article -- Article IV of the Illinois Constitution, the passage of this measure will require a three-fifths majority. All those in favor will vote Aye. Those opposed will vote 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 46 voting Aye, 13 voting -- 46 voting Aye, 0 voting Nay, 0 voting Present. House Bill 355, having received the required constitutional majority, is declared passed. The Senate will stand at ease for a few minutes to allow the Committee of {sic} (on) Assignments to meet. The Members of the Committee of {sic} Assignments will come to the President's Anteroom immediately. Senate will stand at ease. (at ease) Senate will come to order. Senator Trotter, for what purpose do you rise? Go ahead.

SENATOR TROTTER:

Personal privilege.

PRESIDING OFFICER: (SENATOR CROTTY)

State your point.

SENATOR TROTTER:

I would just like to mention, for all of us who are now going into a new map and those who took the -- the recommendation of filing if we wanted to continue to be down

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

here in this august Body, that we filed in a new district, at least with new friends and making new friends. And I would like to acknowledge that one of my new friends, new Mayor from Lynwood, is in the audience, Mayor Eugene Williams, from Lynwood.

PRESIDING OFFICER: (SENATOR CROTTY)

Senator Trotter.

SENATOR TROTTER:

I wasn't through. And in the absence of no one else filing against me yet, he says he's with me. So that's -- that's important. And then, also, I want to recognize someone from -- also from the south suburbs, Ed Paesel, who is also here with him. Thank you.

PRESIDING OFFICER: (SENATOR CROTTY)

Ed Paesel and Mayor Williams..

SENATOR TROTTER:

Paesel.

PRESIDING OFFICER: (SENATOR CROTTY)

...welcome to the Senate. 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 6 to House Bill 1883, Floor Amendment 7 to House Bill 1883 and Floor Amendment 8 to House Bill 1883; refer to the Higher Education Committee - Senate Resolution 435; refer to the Insurance Committee - Motion to Concur with House Amendments 1 and 3 to Senate Bill 1538; refer to the State Government and

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

Veterans Affairs Committee - Motion to Concur with House Amendment 1 to Senate Bill 2188; and Be Approved for Consideration - Floor Amendment 2 to Senate Bill 678.

Filed by Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR CROTTY)

Ladies and Gentlemen, the following committees will be meeting to take up concurrence motions: Health -- no, the Executive will meet in Room 212 at 12:31; Insurance will meet in Room 400 {sic} (409) at 12:15; State Government and Veterans Affairs will meet in Room 409 {sic} (400) at 12:16. The Senate Appropriations I Committee will meet today at 12:15 in Room 400 for a subject matter hearing on the contents of the following bills: That'll be Senate Bill 2412, Senate Bill 1609. And the Senate Executive Committee will also meet today at 12:32 in Room 212 for a subject matter hearing on the contents of the following bills {sic}: Senate Bill 1311. Senator Sullivan, for what purpose do you rise?

SENATOR SULLIVAN:

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

PRESIDING OFFICER: (SENATOR CROTTY)

State your point.

SENATOR SULLIVAN:

Ladies and Gentlemen, I have a special guest here with me today. His name is Will Manar. He's four years old. He's the son of our Chief of Staff, Andy Manar. He has a -- two siblings at home. Benny is two and his sister, Abbie, is six. I asked him why Benny wasn't here and he said, "Because, well, because he'd be running all over the place." So, his -- his mom is Tristen {sic} (Trista) and he's just up here with his dad,

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

spending some time today. I'd like everybody to welcome Will Manar to the State Senate.

PRESIDING OFFICER: (SENATOR CROTTY)

Welcome, Will, to the State Senate. ...Secretary, are there any motions to compile?

SECRETARY ROCK:

Yes, Madam President. A motion has been filed by Senator Muñoz to compile Appointment Messages 130, 131, 132, 133, 134, 135 and 136.

PRESIDING OFFICER: (SENATOR CROTTY)

Please print those on the Calendar. Ladies and Gentlemen of the Senate, I have one more additional committee assignment, and that is, the Senate Executive Committee will meet today at 12:33 p.m. in Room 212 for a subject matter hearing on Floor Amendment No. 2 to Senate Bill 678. I'd like to announce some room corrections on our committee assignments. State Government will meet in Room 400 at 12:15 and 12:16 and Insurance will meet at 12:15 in Room 409. Thank you. Now we'll go back to page 3, on House Bills 3rd Reading. Senator Harmon. Senator Harmon wishes to proceed. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 358.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CROTTY)

Senator Harmon.

SENATOR HARMON:

Thank you, Madam President, Ladies and Gentlemen of the Senate. The State employee Ethics Act includes a revolving-door

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

provision that properly prohibits a State employee from going to work for a company that had a contractual relationship with his or her department. That has been interpreted of late to also prohibit State employees from going to work -- or, local government employees from going to work for another government with which the first government has an intergovernmental agreement. We remedied this in House Bill 1717 that passed out of the Senate 55 to nothing. It did not advance in the House. I am back with House Bill 358, which is more surgical in its scope. It applies only to the transit boards - the RTA, the CTA, Metra and Pace. So, for instance, someone could leave the employ of the CTA and go to work for the U.S. Department of Transportation, notwithstanding any intergovernmental agreements between the two. Not aware of any opposition and I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR CROTTY)

Is there any discussion? There being none -- as the bill has an immediate effective date, it is the ruling of the Chair that pursuant to Section 10 of Article IV of the Illinois Constitution, the passage of this measure will require three-fifths majority. The question is, shall House Bill 358 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 49 voting Yes, 4 voting No, and having -- House Bill 358, having received the required constitutional majority, is declared passed. President Cullerton, for which reason do you arise?

SENATOR CULLERTON:

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

For the purpose of an announcement. I'd like to ask for a Democratic Caucus, to meet in my office immediately. We have committees that are supposed to start in thirty-five minutes, so I'd like to have a caucus immediately and try to finish it up and do that by noon.

PRESIDING OFFICER: (SENATOR CROTTY)

Senator Murphy, for what purpose do you rise?

SENATOR MURPHY:

Purpose of announcement, Madam President.

PRESIDING OFFICER: (SENATOR CROTTY)

State your announcement.

SENATOR MURPHY:

The Senate Republicans similarly request a caucus immediately, in Room 409 for thirty minutes.

PRESIDING OFFICER: (SENATOR CROTTY)

The Senate Democrats and the Senate Republicans have moved to recess for the purposes of a thirty-minute caucus. Seeing no objection, the motion is granted. The Senate now stands at recess until 12 p.m. The Senate will reconvene at the call of the Chair and we will be coming back right after committee assignments -- committee meetings. Thank you. The Senate stands at recess till the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SECRETARY ROCK:



STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

Senator Lightford, Vice-Chairperson of the Committee on Education, reports House Joint Resolution 41 Be Adopted.

Senator Haine, Chairperson of the Committee on Insurance, reports Motion to Concur with House Amendment 1 and 3 to Senate Bill 1538 recommended Do Adopt.

Senator Holmes, Chairperson of the Committee on State Government and Veterans Affairs, reports Senate Resolution 352 Be Adopted; and Motion to Concur with House Amendment 1 to Senate Bill 2188 recommended Do Adopt.

Senator Harmon, Chairperson of the Committee on Executive, reports Senate Amendments 7 and 8 to House Bill 1883 recommended Do Adopt.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Madam Secretary, Messages from the House.

SECRETARY ROCK:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Bill 1609.

Together with the following amendments which are attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Amendment 1 and House Amendment 2.

We have received like Messages on Senate Bill 1762, with House Amendments 1 and 2; Senate Bill 1830, with House Amendments 1 and 2. They passed the House, as amended, November 29th 2011. Timothy D. Mapes, Clerk of the House.

PRESIDING OFFICER: (SENATOR SULLIVAN)

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

Madam Secretary, Introduction of Senate Bills.

SECRETARY ROCK:

Senate Bill 2533, offered by Senator John Jones.

(Secretary reads title of bill)

Senate Bill 2534, offered by Senator Wilhelmi.

(Secretary reads title of bill)

1st Reading of these Senate bills.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Will all Members within the sound of my voice please come to the Senate Floor? We will be going to Concurrences on the Calendar. All Members within the sound of my voice please come to the Senate Floor. Ladies and Gentlemen, if you will turn to page 6 of the printed Calendar, on the Order of Concurrence, Senate Bills, we will start with Senate Bill 40. Senator Garrett. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1, 2, 3 and 4 to Senate Bill 40.

Filed by Senator Garrett.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Garrett.

SENATOR GARRETT:

Yes, thank you very much, Mr. President. Senate Bill 40 does three things. It, number one, amends the Military Code of Illinois regarding the Federal Support Agreement Revolving Fund by adding an additional use of the received federal funds to make a one-time transfer of 2.2 million dollars. Number two, it -- it authorizes the transfer of two Military Affairs' facilities to their local municipalities. Armories in Mt.

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

Vernon and Salem have agreed to accept this responsibility. And, three, it eliminates the sunset date for the Veterans' Care Health Insurance Program Act and extends it. And this has no opposition. It all passed committee unanimously.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendments 1, 2, 3 and 4 to Senate Bill -- 40 - Senate Bill 40. 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 48 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 40, having received the required constitutional majority, declares that the bill is passed. The Senate does concur in House Amendments -- let me start over. Having received the required constitutional majority, the Senate does concur in House Amendments 1, 2, 3 and 4 to Senate Bill 40, and the bill is declared passed. Mike Flannery, FOX Chicago News, requests permission to record the proceedings. WAND-TV requests permission to videotape. Chris Walker, with the Chicago Tribune, requests permission to still -- for still photographs. Ben Yount, with the Illinois Statehouse News, requests permission to videotape. Seeing no objection, leave is granted. Ladies and Gentlemen, now continuing on the Calendar, we're on page 6 of the printed Calendar, on the Order of Concurrence, Senate Bills. We have Senate Bill 92. Senator Sandoval. Senator Sandoval. Out of the record. Senate Bill 395. Senator Garrett. With leave of the Body, we will skip over 395. Let's go down to -- we'll be only doing the ones that

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

are on -- that have motions to concur. So let's go to Senate Bill 1226. Senator Maloney. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 2 and 3 to Senate Bill 1226.

Filed by Senator Maloney.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Maloney.

SENATOR MALONEY:

Thank you, Mr. President. This bill has to do with a unique Chicago public high school called the Chicago School for the Agricultural Sciences. We passed a bill last -- to -- last spring to increase its enrollment. What the amendment does is increase the proximity enrollment to fifty percent and expands the local boundary. The reason for this is we had some children from the same grade school who -- because they could literally be sitting across the aisle from each other and live across the street from each other, who were not eligible to participate at this high school. And this corrects that deficiency and I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you, Senator. Is there any discussion? Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendments 2 and 3 to Senate Bill 1226. 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 55 voting Aye, 0 voting Nay, 0 voting

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

Present. Senate Bill -- excuse me, the -- having -- Senate Bill -- having received the required constitutional majority, the Senate does concur in House Amendments 2 and 3 to Senate Bill 1226, and the bill is declared passed. Next up on the Calendar is Senate Bill 1377. Senator -- Leader Radogno. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1377.

Filed by Senator Radogno.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. The underlying bill in this case removed the requirement that long-term acute care hospitals have emergency rooms. The amendment that was added in the House requires that those facilities undertake a public education campaign to let people know that they will no longer have emergency room services. I would be happy to try to answer any questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 1377. 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 54 voting Aye, 0 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

House Amendment 1 to Senate Bill 1377, and the bill is declared passed. With leave of the Body, we will skip over Senate Bill 1640 and we'll go to Senate Bill 1865. Senator Sandoval. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 4 to Senate Bill 1865.

Filed by Senator Sandoval.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. President, Members of the Senate. Senate Bill 1865 -- the action that we're taking this afternoon is a motion to concur on Senate Bill 1865. This is an initiative of the City of Chicago, led by our great mayor, Mayor Rahm Emanuel. This is a bill that passed -- and this is a trailer bill to -- that would take into consideration most of all of the opposition of Members of this Chamber, as well as the other. I'll briefly go through the amendment and ask for your support. The amendment changes the times of speed enforcement cameras allowed to operate near schools - from 6 to 8:30 p.m., Monday through Friday {sic} and 6 a.m. to 9 p.m. on Friday. This was originally from 6 a.m. to 10 p.m. on Monday through Friday. So this is a significant improvement, based on the recommendations of Members of this Chamber. The change also reflects a suggestion made during the Floor debate, which recommends that the times align with the Chicago curfew laws. Amendment No. 4 adds that the -- after-school programs to the list of purposes that proceed -- for the proceeds from the automated speed

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

enforcement program. The amendment also stipulates that a violator traveling between six and ten miles per hour over the speed limit would be issued a civil penalty of no more than fifty dollars, plus additional penalty of no more than fifty dollars for failure to pay the original penalty in a timely manner. A violator traveling more than ten miles per hour over the speed limit would be issued a civil penalty of no more than one hundred dollars, plus additional penalty of no more than one hundred dollars for failure to pay the original penalty. Once again, this is all in regards -- this -- these two issues address the recommendations to make this bill significantly better and a major improvement. As a result of this -- this amendment, I would see that there'd be all green lights to this bill and we could bring public safety to the forefront in the City of Chicago. I'd ask a favorable vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR BOMKE:

Thank you, Mr. President. A question to the sponsor.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield. Senator Bomke.

SENATOR BOMKE:

Thank you. The -- the -- when the initial bill came through, unfortunately I was not on the Floor and I didn't have an opportunity to ask questions. But, Senator Sandoval, just kind of take me through the process. If someone is speeding -- do children have to be present? I -- you know, currently, under State law, it requires that you must drive twenty miles per hour

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

when -- on school days when children are present. Is that the same here?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Sandoval.

SENATOR SANDOVAL:

No. The speed -- the speed camera would be in effect even though children or adults or any human being would be present in the zone, during the specified hours.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Bomke.

SENATOR BOMKE:

So, would -- would the same signage, though, be present, that you must drive twenty miles per hour when children are present on school days?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Sandoval.

SENATOR SANDOVAL:

The camera would be enforced during the school day hours as specified in the bill, regardless of whether or not children are in the zone at that point in time.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Bomke.

SENATOR BOMKE:

I may not be making myself clear. Under current law - I believe I'm correct here - there is signage that says that you must drive twenty miles per hour on school days when children are present. Under this bill, as I understand it, you could receive a speeding ticket anywhere from 6 to 8:30 p.m., and I'm assuming, regardless of whether children are present or not.



STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

Could that not be confusing to the motoring public?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Sandoval.

SENATOR SANDOVAL:

You've read the bill correctly, Senator Bomke. Will it be confusing? I think the signage will be changed accordingly to -  
- to reflect the passage of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the motion, Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As the sponsor has well articulated, this bill is a follow-up to the red light camera bill that we saw earlier. Whether or not it makes the bill better or not, I think depends upon your perspective on red light cameras. It would -- it would -- it would seem from Senator Bomke's questioning and answering that maybe it's gotten a little more confusing for those of us. But those of you who were opposed to the red light camera bill that came through a little bit earlier -- we saw earlier in the fall Veto Session, I'm not sure that this bill provides any dramatic changes in that policy that would warrant a change in the vote. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any further discussion? Any further

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

discussion? Senator -- seeing none, Senator Sandoval, do you wish to close? Senator Sandoval.

SENATOR SANDOVAL:

Favorable vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, the question is, shall the Senate concur in House Amendments 1 and 4 to Senate Bill 1865. 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, 21 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments 1 and 4 to Senate Bill 1865, and the bill is declared passed. Next on the Calendar is Senate Bill 1992. Senator Dillard. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 2 to Senate Bill 1992.

Filed by Senator Dillard.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Dillard.

SENATOR DILLARD:

Thank you very much, Mr. President and Members. This legislation is the trailer legislation to Chicago's McCormick Place convention center and exposition facility bill. As you all know, McCormick Place is the economic engine of tourism in the State of Illinois and it's crucial to the economic vitality of our hospitality industry, not only in Chicago but out into

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

the suburbs and throughout downstate Illinois. This bill addresses the concerns of labor unions with the 2010 law that we passed here that made a lot of changes in the labor rules after people who exhibited at McPier complained about high labor costs and some conventions threatened to move. I want to commend the Governor and the Chicago Mayor; Speaker Madigan; Senator Cullerton; my Leader, Senator Radogno; and all who worked on this. And there's a compromise now between the unions and McCormick Place and this settlement gets rid of the legal concerns around the current work rules. And this legislation will codify that into -- to law. Last, Mr. President, this legislation is key - it is crucial to preserve Chicago's reputation as the number one place in the world to have a major convention of any kind, and it will also help McCormick Place recruit the kinds of major trade shows that are competing with us from Orlando and Las Vegas. Again, it's a compromise and we need to keep this segment of Illinois' economy moving forward, keep McCormick Place the number one convention venue in the world, and I commend everybody that worked on this to put this agreement together. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you, Senator Dillard. Is there any discussion? Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendments {sic} 2 to Senate Bill 1992. All those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 54 voting Aye, 0 voting Nay, 0 voting Present. Having received the required

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

constitutional majority, the Senate does concur in House Amendment 2 to Senate Bill 1992, and the bill is declared passed. José Moré, with the Chicago News Co-op, requests permission to take still -- still pictures. Seeing no objection, leave is granted. Ladies and Gentlemen, with leave of the Body, if you will turn back to page 6, we have Senate Bill 92. Senator Sandoval, on Senate Bill 92. Senator Sandoval, on Senate Bill 92. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 2 to Senate Bill 92.

Filed by Senator Sandoval.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. President, Members of the Senate. Senate Bill 92, with House Amendment 2, is a trailer bill to legislation that we passed out of this Body earlier this year. That bill, Senate Bill 1907, which was signed into law over the summer, allows the consolidation of road districts into -- into their Cook -- into Cook County by -- by voter referendum. However, we needed this bill because we need to make some changes to our corresponding tax levy of the Highway Code or the Revenue Code, necessitating a -- a trailer bill. I'd ask for favorable vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

SENATOR KOEHLER:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield. Senator Koehler.

SENATOR KOEHLER:

Primarily for purposes of clarification, the question that I would have is that this bill only transfers taxing authority for those townships who have abolished their road district. Is that correct?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Sandoval.

SENATOR SANDOVAL:

That's correct, Senator.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR PANKAU:

A question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield. Senator Pankau.

SENATOR PANKAU:

Senator, what does this do to the tax cap in counties that have the tax cap?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Sandoval.

SENATOR SANDOVAL:

It has no effect on the tax cap. It just allows for the -- the corresponding levy from the consolidation to be accounted for.

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Pankau.

SENATOR PANKAU:

Isn't this a way of actually starting to skirt the tax cap?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Sandoval.

SENATOR SANDOVAL:

That is not the intention of the sponsor, nor do I see it that way, Senator Pankau.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Pankau.

SENATOR PANKAU:

Isn't that additional amount of levy ability added on to what the township already has the ability to levy at? So wouldn't that be a way of increasing the township levy? And, in essence...

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Sandoval.

SENATOR SANDOVAL:

If the township road districts agree to consolidate by referendum, correct, and we want smaller government -- less government, less bureaucracy, there'd be a consolidation of these road districts, then this would allow the corresponding tax levy to be enjoined with that road district.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Pankau.

SENATOR PANKAU:

To the bill, Mr. President. I believe that -- that because this levy ability is able to be tacked on to the regular

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

township levy ability, this is a way of actually skirting around the tax cap. I'm going to be voting No on this, because it is not exactly clear that that tax cap stays in place. And if that levy ability is able to be added on, is it added on at the maximum or what that road commissioner -- or, that road commission was at, at the time that it is was absorbed into township government? I think this bill is a very slippery slope, and if you are in favor of keeping township government and are in favor of government at the most local level, you want to vote No on this bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you, Senator. Is there any further discussion? Seeing none, Senator Sandoval, do you wish to close? Senator Sandoval.

SENATOR SANDOVAL:

Just want to indicate to this Chamber that this bill passed. This is just a trailer bill to the bill that passed through this Chamber. I'd ask a favorable vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, the question is, shall the Senate concur in -- in Amendment 2 to Senate Bill 92. All those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 31 voting Aye, 21 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment 2 to Senate Bill 92, and the bill is declared passed. Ladies and Gentlemen, for a correction on that previous bill - that was Senate Bill 92 - it

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

did require -- because it had an immediate effective date, it did require a three-fifths majority. So on that question, having not -- having failed to receive the required constitutional majority, the motion fails. Okay, Ladies and Gentlemen, if you will turn to the top of page 5 of the printed Calendar, on the Order of House Bills 3rd Reading. We're on the top of page 5, House Bills 3rd Reading, is House Bill 1883. Senator Hutchinson. Senator Hutchinson seeks leave of the Body to return House Bill 1883 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is House Bill 1883. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 7, offered by Senator Hutchinson.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hutchinson, on Amendment 7.

SENATOR HUTCHINSON:

Amendment 7 guts all and -- or, replaces all and becomes the bill. I'd be happy to explain it on 3rd.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SECRETARY ROCK:

Floor Amendment 8, offered by Senator Hutchinson.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hutchinson, on Amendment 8.



STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

SENATOR HUTCHINSON:

Senate Amendment 8 -- thank you, Mr. President and Members of the Body. Senate Amendment 8 clarifies that if Sears completely leaves the economic development area that Hoffman Estates must terminate the EDA within one year. This amendment comes to make sure that we clarify in the bill -- or, codify in the bill the understanding of all parties to their agreement.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion on the amendment? Any discussion on the amendment? Seeing none, all those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, 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 House Bill 1883. Indicates she'd like to proceed. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 1883.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hutchinson.

SENATOR HUTCHINSON:

Thank you, Mr. President, Ladies and Gentlemen. Senate Amendment No. 7 to House Bill 1883 replaces all and becomes the bill. The bill creates the Illinois Independent Tax Tribunal

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

Act; creates the Live Theatre Production Tax Credit; extends the Sears EDA for up to fifteen years; extends the R&D credit through 2015; increases the personal exemption in 2012 and indexes the exemption to the Consumer Price Index starting in 2013; allows companies to utilize one hundred thousand of net operating losses starting in 2012; increases the EITC, or the earned income tax credit, to 7.5 percent in 2012 and then to ten percent in 2013; extends all credits, deductions, and exemptions that would expire in 2011, 2012, or 2013 for five years -- due to the automatic sunset provision by five years; creates a new apportionment method for federally regulated exchanges; allows Sears to utilize an EDGE credit against their withholding liability; extends a partial sales tax exemption for gasohol; and increases the exemption for the amount of the estate tax. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR NOLAND:

Thank you, Mr. President. A couple of questions for legislative intent, if I may.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates she will yield. Senator Noland.

SENATOR NOLAND:

Question for the sponsor. Now, Senator, I am not familiar with where the pages exactly are, but there is language within this bill that I believe is reflective of this. I'm going to ask you to comment on it, if you would. There is in this bill a prohibition on using the EDA tax funds to pay for the operating

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

costs of the Sears Centre. Does that prohibition also include the payment of bonded obligations or mortgage costs on the Sears Centre?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hutchinson.

SENATOR HUTCHINSON:

Yes, it does.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Noland.

SENATOR NOLAND:

Thank you. Also, within the bill, language reflective of the fact that revenues received by a taxing district from any property, building or facility owned, leased or operated by the taxing district to pay economic development project costs or reduce outstanding obligations of the taxing district. Does the word "revenue" mean things such as rental proceeds or admission fees rather than EDA tax dollars?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hutchinson.

SENATOR HUTCHINSON:

I believe that it does.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Noland.

SENATOR NOLAND:

Thank you, Mr. President. Senator, does the bill in any way name Sears directly?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hutchinson.

SENATOR HUTCHINSON:

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

No, it does not. However, the bill does reference economic development agreements that are in existence and ordinances enacted by a municipality that create the economic development area. The economic development agreement that was agreed to in 1990 between Sears and Hoffman Estates identifies Sears, Roebuck and Co. as the developer.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Any -- Senator Noland. Senator Noland.

SENATOR NOLAND:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Noland.

SENATOR NOLAND:

Thank you, Senator, for those forthright responses. Mr. President, first of all, I would like to thank everybody here in this Chamber who has given thoughtful consideration to the concerns and the needs of my School District 300, and that extends, of course, to people on both sides of the aisle here and indeed in both Chambers. So -- as you know, it's been a rather trying time for the school district, and so I just wanted to extend a thank you for that. And for those few people who may have, whether they're in this Chamber or outside - they're not necessarily here within - but those who have perhaps been dismissive or minimized or placed into question the school district's right of redress before us, I would suggest that that offers up further their evidence and testimony that absolute power corrupts absolutely. But -- and I think also, too, that what this bill -- and I'm going to speak to both the EDA and the more global aspects of this bill. The fact that, last year, we

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

cut over four hundred and fifty million dollars from human resources -- or, human services, that we took over two hundred million dollars from pre-K thru twelve, and that we're now over 8.5 billion dollars in debt in this State, bespeaks of the need for structural tax reform here in the State of Illinois. And this bill, if it can be described as anything, it's kind of a -- a "wish sandwich" for some. We're giving two hundred and fifty million dollars in tax credits to the people of the State of Illinois. Two hundred million of those go to the comparatively affluent of our -- our State - goes to those who own businesses and are members who are somehow employed by large corporations, and it also goes to provide further tax relief for the estate tax -- or, increases the exemption for the estate tax. We're giving two hundred million dollars to approximately ten thousand people in the State of Illinois. We're giving but fifty million dollars to approximately a million people. That's a ratio of about a dollar each to this group of a million and it's over four hundred dollars each to this other group of the comparatively affluent. We are also taking eighteen million dollars a year from a cash-strapped school district and we're giving it to a Fortune 500 corporation. Taking that eighteen million dollars - of that eighteen million dollars, six does come back -- six, perhaps 7.2 - I stand corrected - little more than thirty cents on the dollar comes back to the school district. Of the other twelve million, seven million goes to Sears; five million goes to Hoffman Estates. Now, I represent Hoffman Estates too. I'm very sensitive to their ongoing needs and the margins that they face, even as a rather affluent village. But what you do essentially is you take pressure off

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

of their property tax and put greater pressure on the property tax of this comparatively poor school district. That, in addition to what we're doing to our State budget, creating this over two-hundred-and-fifty-million-dollar hole, is just untenable. And I would also ask, especially those -- and we think about the amount of money that we're giving to Hoffman Estates, a neighboring, comparatively affluent village. If we were to do the same thing in the City of Chicago, if we were to take any money from the Chicago Public School System, how would Mayor Rahm Emanuel, how would Members here feel if we gave that money to, say, Evanston or to Park Ridge or to Oak Park? I think you know how that Mayor would feel and he would reach out and touch you and explain to you how he felt about that. So I submit to you - I'm going to wrap it up here - but I submit to you and I say this with, I believe, great authority, the people -- there comes a time when the people of this State - and I know for sure of the people in my district - they grow tired of seeing their kids and their children's education considered little more than mere fractional aspects of profit margins and corporate ledgers. And there comes a time when people get tired of seeing the hopes and dreams and the aspirations that they have for those children thought as -- as perhaps the collateral damage or, worse yet, the worthless refuse of a system that they perceive, rightly or wrongly, as fueled by avarice and by greed. You allow the forces that brought this bill to you here today to prevail and to do this to School District 300 and our children there and you give them an eternal right to do it to any one of your districts and your children. I could not in more strident terms urge you to vote No on this misguided measure. Thank you,

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR MURPHY:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Murphy.

SENATOR MURPHY:

The Occupy-style class warfare demagoguery of the previous speaker is illustrative of the mindset that I think led the Democrats on a party-line vote to pass the tax increase in January that caused this entire problem in the first place. We have seen nothing but company after company have to come back ever since the tax increase. And let's look at some facts. 2010, Illinois had an unemployment rate lower than the national average almost the entire year. This year, after your tax increase, we're now almost a full point higher. On our side of the aisle, we would like to create an environment across the board that was attractive for job creation that makes it easier for the families of this State to avoid double-digit unemployment, which has been created since the tax increase was passed, to have the opportunity to work for themselves, provide for their families. That tax increase deprived many of that opportunity. Going at this piecemeal doesn't particularly feel right. And you'll hear some on this side of the aisle reiterate that point, I suspect. But, when you strip away the rhetoric and you look at this bill on the merits - and, please, let's not make this any more than it is - this is about two hundred and

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

fifty to two hundred seventy-five million in tax relief out of a more than seven-billion-dollar tax increase. That hardly qualifies as a deck chair off the economic "Titanic" you created in January. But - but - it is tax relief. If you look piece by piece, the CME has a legitimate claim that they have been mistreated and taxed in -- in the -- in the application of Illinois tax law for years. This corrects that in a reasonable way. This Chamber and the other one in this Body {sic} passed EDGE tax credits of the like that Sears is getting here unanimously on numerous occasions within the last year, because it's reasonable policy. This bill was broadened out - I -- I -- I would dare to say because of the -- the input of Leaders Radogno and Cross and the Speaker and the -- and the leadership, including Senate President Cullerton, all getting together - but it's been broadened out to provide net operating loss tax relief for small business. It has estate tax relief - again, for small business. This has been broadened out. This helps more than just a few, and I think that's a mischaracterization. For those of us who stand for tax relief and believe tax relief can help save jobs, especially after the misguided tax increase of January, this is an opportunity to save some of the jobs that are being lost, because this is an opportunity to provide tax relief to job creators. For that reason, this is not sweeping tax reform. This is not an erasure in whole of the tax increase. This does not diminish in the slightest our resolve on this side of the aisle to repeal your entire tax increase. But what this is, is, I think, a tacit admission on your side of the aisle that you went too far. And it is a small, modest step towards saving some of the jobs that you, frankly, jeopardized



STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

with your tax increase in January. And for that reason, I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR MUÑOZ:

Thank you, Mr. President. Wish to move the previous question.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Muñoz moves the previous question. There are one, two, three speakers. Senator Lauzen, for what purpose do you rise?

SENATOR LAUZEN:

Thank you, Mr. President. Comments to the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Lauzen.

SENATOR LAUZEN:

First of all, I'd like to make a distinction that the Chicago Mercantile Exchange portion of this bill, to me, is dramatically different than the remaining portions of the bill. To correct a miscalculation in the Tax Code is not the same thing as a tax break. You know, I deeply regret, as I -- I can imagine many of our colleagues regret, the attachment of two such disparate pieces of legislation. I know that under the single-subject rule that perhaps these can be combined as tax policy, but they are two very, very different animals. CME is not like -- the component -- the CME component of this bill is not like the rest. Now to the rest of this, wave one of squandering the promised benefit of the tax increase bill, which

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

many of us voted against, we had fine companies in Illinois, like Motorola, receiving a hundred million dollars; Navistar, sixty-five million; Chrysler, sixty-two million; Ford, forty-three million; Mitsubishi, twenty-nine million; Continental Tire, nineteen; and Groupon, with hundreds of millions of dollars' worth of public offering, they got 3.5 million dollars. The second wave is Sears. To give you an idea of how bad this is across the country, just three quick sentences from an editorial that appeared in the November 15th Wall Street Journal, titled of all things "Crony Capitalism, Chicago-Style". Basically, "New York gave us banks too big to fail. Washington bequeathed us Fannie Mae and Freddie Mac. Still, when it comes to crony capitalism, no one quite matches Chicago." In doing what it's doing, "Chicago is giving America a window into the logic of crony capitalism: Raise taxes on everyone - and then cut side deals with those big enough to lobby (for) special relief." That is what this bill does. "...by settling for Chicago rules Illinois provides us with a {sic} (the) perfect bad example, a vivid illustration of how high taxes and crony capitalism" - the ability to come in and get what you need - "go hand-in-hand." I'd just like to say that the third wave of squandering the tax increase is now forming out to sea. I would have to ask on what basis do we allow one corporation - even as good as Sears is, with fine products like Craftsman - to protect its four thousand jobs? What's the basic difference between four hundred employers who employ ten people but don't come to this Legislature with their power to get special break? In summary, I would just say that the little guy, the small businesses, continue to pay; the powerful, politically

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

connected, come for their bailout. There will be more lining up when we train our corporations to come for the special break. I ask you for a No vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR KOTOWSKI:

To the amendment, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

Thank you very much. You know, one of our previous speakers had spoken about this, this is a tacit admission. I would say that there's a difference between a tacit admission and a bold statement - a bold statement to protect taxpayers, a bold statement to create jobs. I just want to clarify some points that were raised here before. I think they indicated that the company, referring to Sears, had four thousand employees - has sixty-one hundred employees, nine thousand vendors, and fourteen thousand additional employees in the State of Illinois. So we're talking about twenty-nine thousand direct and indirect jobs. How do we protect taxpayers? We protect jobs. And we do what we can within reason. It's a very competitive environment in this country right now, and I'd say that this bill is a bold statement. I want to commend Senator Hutchinson for her leadership on this. She's done a wonderful job. There are components of this bill that have also very strong taxpayer protections in them. Number one - number one - they have doubled the amount of money that is provided for all

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

the units of local government, including the school district, including community colleges, including libraries, including the Cook County Department of Public Health. There are fourteen different taxing bodies that are benefiting - by double. In addition to that, this bill requires an increase in the number of jobs that Sears would commit to keeping here in the State of Illinois. If Sears does not live up to that number, they don't get the benefit. If Sears leaves, they have to pay the money back. That's taxpayer protection. In addition to that, this bill provides very significant and clear and strong auditing requirements - that we fought very hard for - for the administrator of the EDA. That's very important. That's taxpayer protection: number of jobs increasing, increasing auditing provision, doubling the amount of money, making sure there are clawback provisions to protect taxpayers. See, you can either sit back and criticize and sit on your hands, or you can do something. You can take action. You can step up. You could sit down at the table and reach out to people and say, "Here's what we're going to do. We're going to come up with a solution, which may not make everybody ecstatic, but may address, or endeavor to address, the concerns of the people involved." And here are the concerns. We have challenges before us in the State of Illinois. Education is a significant challenge. We all know this because we embraced that challenges a little over a year ago when we supported revenue to support education in the State of Illinois. Many of us boldly, boldly, stood up and voted for education support. Many of us did that because we believe in it. This bill provides those types of protections. It focuses on education, increasing the support,

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

increasing the number of jobs, increasing transparency and accountability. This is what good policy and good government are all about. You sit down at a table, you come up with a resolution, and you do what's best to make sure that we face the most critical challenge before us in the State of Illinois, and that is keeping jobs here, that is making sure we save jobs, and that is making sure we provide support and funding for education. And I commend the sponsor, Senator Hutchinson, for her leadership on this bill. I commend her for all the work she's doing. I ask for your support for this bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you, Senator. Further discussion? Senator Sandoval, for what purpose do you rise? Senator Sandoval's decided against that. Is there any -- seeing no further discussion, Senator Hutchinson, to close.

SENATOR HUTCHINSON:

Thank you, Mr. President. I do want to -- let me -- let me close, because I know there were more people that wanted to speak and I know that there are many of you in this Chamber that I hold an incredible amount of respect for. We all got here because, we say, we're supposed to be representing the people that sent us here. And we may have different ways to get to the yin yang. We may have -- we may disagree on the path that we take to get here, but I do believe and I come every time I can to this Floor with the assumption that we're all here for the same reason, and that's to do the best job we possibly can for the people that we represent. This bill is a very big bill and it's a complicated bill. One of the things that was really important, when we did the revenue hearings across the summer,

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

we heard from businesses across the State that talked about how they don't like going through all the trouble to find and -- and apply for a tax credit and they can't guarantee that it's going to be here in twelve months or eighteen months or twenty-four months after they did it. So they wanted things like stability added to the Code. So we have extended those things for another five years, because we've got to figure out a way -- before we can -- before we can overhaul the entire Tax Code, that's a point that we have to look at. We looked at the -- the net operating loss provision in this. And because we understood that most of the focus was going to go to CME and Sears, we wanted to target relief to small and midsize businesses, so we capped it at a hundred thousand dollars, so that small and midsize businesses would be able to take advantage of this. When I was explaining the CME portion - because usually whenever you hear this bill, you hear it called the CME bill - and when I was explaining this to people in my family, folks who don't watch the legislative lawmaking process, the people who, you know, they hear the headlines and they see all the rhetoric and they see us demagogue each other and they see us fight - they don't understand so much of what we do, we actually agree on - but they don't -- this is a complicated thing and the one way I use to describe it is that CME has been here for a hundred and sixty-three years, and for about a hundred and forty of those years, they did business the same way, hand-to-hand combat in the pits. We still tax them as if that's the way they still do business. But we got this wonderful thing called the Internet and the world changed, and the majority of their transactions became electronic. We don't tax them as if the Code can

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

contemplate anything electronic. It's a 1911 Code for a 2011 economy. That's all this bill does. It corrects that. The biggest piece - for me - the biggest piece in this was that if we were going to give relief to corporations, then we had to look at the folks who were just like the people I go to church with, the people I see in the grocery store every single day, the folks who are working one or two jobs at minimum wage, most times don't have health benefits, and that's the earned income tax credit. We have the second-lowest earned income tax credit in the country. This was our opportunity to add a little bit of progressivity into the Code in a way that we wouldn't be able to do it had we not constructed it in a passage where it had things in it that most people on both sides of the aisle have supported at one side {sic} or another. This is a good bill. There's so many things that we do in this Capitol that, depending on what side of the aisle you are, depending on where you stand in an election year, you can characterize one way or the other. We've all seen it, we've all heard it, and we know that most of our constituents are sick of it. But what we know today is that there's not one single major bank that's headquartered in Illinois anymore. I don't want to further hamper the financial sector here. We need those jobs. We are competing with states that give economic development agreements, upwards of four hundred million dollars, to lure companies away from here, because that's also a part of an election thing. Let's just try to demonize Illinois and take the -- take the companies and the jobs that go with them. I don't want that for our State. I want working people, who work every single day, to get a little bit of the share in a tax break that we give to everybody else.

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

I want that for the people in my State. I have a kid that's fifteen years old. He's about to go to college in a couple of years, and I want to know that Illinois is going to be ready for him when he's ready to start working and grow his own family and become a major -- you know, a participant in our -- in our -- in our community, paying taxes like the rest of us, doing what me and -- and my husband have taught him to do. I want to know what kind of State is going to be ready to receive him. So there does need to be comprehensive overhaul of the entire Tax Code, because, again, it's not 1911, it's 2011. This bill is about tax relief to the places that we could get it, targeted to the people who need it, while at the same time we attract and retain the businesses that we have here today. It's a big bill, but it's a bill you can defend. It's a bill we took the time to actually negotiate. It's a bill where the School District 300 and Hoffman Estates and Sears have all agreed to the provisions of their agreement, which is the best we could ask for in contentious times and contentious negotiations, people's passions notwithstanding. This bill has elements in it that you can go home to your district and say that we did the best we could. We took the urgency that a crisis demands and we balanced it with the measuredness that has to come with the -- with a comprehensive look at this Code. We're not done yet. We're not done yet, but this is the best we could do today, right now. And when people ask me how in the world I do this job, I do the best I can do today. The tomorrows will take care of themselves if we do the best we can when we get the opportunity. I would ask for your support.

PRESIDING OFFICER: (SENATOR SULLIVAN)



STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

Thank you, Senator. Ladies and Gentlemen, the question is, shall House Bill 1883 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 36 voting Aye, 18 voting Nay, 1 voting Present. House Bill 1883, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, we're going to turn to - - if you will turn to page 7 of the printed Calendar. At the bottom of page 7, on the Order of -- Consideration Postponed, is Senate Bill 678. President Cullerton. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 678.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, as Senate Bill 678 is on Postponed Consideration, the Chair will recognize one opponent and one proponent, in addition to the Senate sponsor. The Chair will allow each speaker five minutes. President Cullerton.

SENATOR CULLERTON:

Yes, thank you, Mr. President, Members of the Senate. I would point out there was an Amendment No. 2 that we had filed and debated in committee. I am choosing not to call that amendment. That would've allowed the Commerce Commission to allocate between rate classes. In light of the testimony, I've chosen not to address that issue and that amendment. This bill is known as the Tenaska bill. This is addressing the imminent

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

closure of large numbers of Illinois coal plants, which could reach up to fifty percent, according to some industry estimates, and we do that in two ways. The bill reduces electricity demand through expanded efficiency programs administered by the Illinois Power Agency. And, secondly, it increases energy supply by providing incentives for the development of a new clean coal plant and renewable energy resource. This is expected to be in Taylorville. The Taylorville Energy Center will be a three-and-a-half-billion-dollar clean coal energy facility. I emphasize clean coal, because it will use sequestration. There are numerous construction jobs that would come as a result of this facility. And the bill is changed from previous versions in order to respond to critics. This bill does contemplate, and most -- even proponents and opponents agree that based on today's cost of electricity, this cost would be higher. But we do have a -- a provision here that says if it goes higher than that two hundred eighty-six million dollars that everybody agrees on that Tenaska will pay the first fifty million of any increase. And, of course, we still have a cap of two percent for our individual ratepayers. And also, in an effort to keep the bill -- fuel bills low, this bill requires the ICC review of any increased cost to determine if they were prudently incurred. This bill -- I would point out, the increased rates associated with this bill would not go into effect until early 2017. And as I said, the University of Illinois study estimated that there'll be something like a total of eight billion dollars in increase in total economic output during this construction period. Be happy to answer -- actually, I don't think I can answer any questions. I -- I

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

think I'll just ask, since it's on Postponed Consideration, that people vote Aye.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR McCARTER:

To the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator McCarter.

SENATOR McCARTER:

Ladies and Gentlemen, my -- my -- my file's getting pretty thick here. I don't know how many times you have to run a bill to get it passed. And I don't know how many deals you have to make to get the votes, but this is wrong. I'm not going to repeat everything thing I've said in the last debates, but one new thing is, and this has never been said, no one's ever mentioned imminent closure of baseload plants. It's purely speculation. Now, what I haven't talked about is, even our own EPA has said that Tenaska has the potential to add billions -- ten billion pounds of new air pollution every year. Now, I'm not typically fighting for these causes, but I know a number of you are and you should consider that. Tenaska themselves admit that the pollution controls in this bill are not commercially available. But, as to what Tenaska is going to do, folks, there are loopholes and loopholes in this bill, which will keep them from having to pay for any overruns, like Indiana - 1.1 billion dollars. It's easier for them to pay the fine than to pay for what they say they're supposed to pay for in this bill. But when you really look at it, you look at all the outs, like market prices, including, not limited to, the price of coal,

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

natural gas, electricity, by-products, emissions allowances, shall be deemed to be outside of the reasonable control of the initial clean coal facility, Tenaska, and excluded from the calculation. So we pick a winner today that the citizens of this State and a -- and a bill -- and a -- and a -- a -- billions of dollars that the citizens will have to come and pay for. Who's next? FutureGen, that's who's next. They've indicated that they will seek long-term sales contracts with the State, according to Crain's. They're next. But you know what, why isn't -- why isn't my small business next? What about the small businesses in my district? Why can't they be -- why can't they be picked as the winner? This is a guaranteed return, folks, for thirty years and a mandate that we have to buy power at an above-market rate. It doesn't make a bit of sense. Cook County alone, in the last decade, lost eighty-nine thousand manufacturing jobs. This bill is a job killer, and I'm not going to be responsible for it, and I don't want you to be either. The simple truth is that Tenaska is trying to place nine billion dollars of risk and cost on the backs of Illinois consumers while looking out for only itself. This is bad policy. What did Texas do for Tenaska? Nothing. But instead we give 'em a guaranteed return on their investment. Tell the people back in your district that you're going to give a return -- a guaranteed return of investment for a rate higher than they'd ever get in a 401K or any of their savings, but they're -- but you're not going to give it to them. That's not right. I urge you, Ladies and Gentlemen, vote No. Let's -- let's put this to rest. Let's invite every power-generating company in the -- in the United States to come back and show us how they

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

can produce power at an affordable market rate, instead of just picking a winner. Pick the winners - pick the people. Pick the people this time, not Tenaska.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. President Cullerton, to close.

SENATOR CULLERTON:

Thank you, Mr. President. I stated when I presented the bill that the bill addresses the imminent closure of large numbers of Illinois coal plants, which can reach up to forty percent, according to some industry estimates. The Illinois Power Agency sent a letter, estimating that as much as six thousand of the nearly fifteen thousand megawatts of coal-generating capacity in Illinois would exit the market as a result of new emission rules. Since this bill was introduced, two facilities, Lawrenceville and Mesedosia -- Meredosia, have closed. And Crawford and Fisk in Chicago are estimated to be closed soon. So that's why I said what I did. This bill is going to replace baseload, which what -- with what otherwise would have to be more expensive power. So that over, I truly believe, over the period of time of the life of this facility, we are going to save money. We also are going to have a reduction in carbon dioxide and nitrous {sic} oxide and sulfur dioxide that will result in annual health benefits. It's for those reasons, the support of some environmental folks is obvious in this bill. In the long run, it's going to save money - I truly believe it - and create many, many jobs in our economy. I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Ladies and Gentlemen, the question is, shall

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

House Bill -- excuse me, shall Senate Bill 678 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 30 voting Aye, 28 voting Nay, 0 voting Present. Senate Bill 678, having received the required constitutional majority, is declared passed. Ladies and -- Ladies and Gentlemen, if you'll turn to the top of page 4 of the printed Calendar, is House Bills 3rd Reading. We have House Bill 442. Senator Steans. Do you wish to proceed? She indicates she does. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 442.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Thank you, Mr. President, Members of the Senate. House Bill 442 provides the Illinois Finance Authority the power to create a revolving loan fund for nonprofit corporations providing human services for the State. It specifically allows the IFA to convert existing human service agreements for financial aid to permanent capital so that they can leverage additional private capital and establish a revolving loan fund. The IFA and the Illinois Facilities Fund support this. I don't know of any opposition and it passed the House unanimously. I would urge your Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

Is there any discussion? Is there any discussion? Seeing none, as the bill has an immediate effective date, it is the ruling of the Chair that pursuant to Section 10, Article IV of the Illinois Constitution, the passage of this measure will require a three-fifths majority. Ladies and Gentlemen, the question is, shall House Bill 442 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 55 voting Aye, 1 voting Nay, 0 voting Present. House Bill 442, having received the required constitutional majority, is hereby declared passed. Ladies and Gentlemen, on the regular Calendar, page 4, we have -- we have House Bills -- House Bill 1577. Senator Haine. Indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 1577.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Haine.

SENATOR HAINE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill implements the National Affordable Health Care Act -- oh, I'm sorry, I -- just kidding. Just wanted to see who was awake on that, that's all. This bill is not what I just indicated to you; it is a bill which allows for rules to be established, statutory framework, for surplus lines insurance. This is a specialized area of insurance that's necessary to the

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

property casualty insurance market. It's a small part of the business, but essential to Illinois and its industries, and there are new regulations at the federal level which require what we've done in this bill. There's no opposition to the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you, Senator Haine. Discussion? Senator Brady, for what purpose do you rise?

SENATOR BRADY:

Thank you, Mr. President. I just stand in support of the gentleman's legislation. This is necessary and I would encourage others to support it.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. As the bill has an immediate effective date, it is the ruling of the Chair that pursuant to Section 10, Article IV of the Illinois Constitution, the passage of this measure will require a three-fifths majority. Is there any further discussion? Seeing none, Senator Haine, do you wish to close? Ladies and Gentlemen, the question is, shall House Bill 1577 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, please take the record. On that question, there are 58 voting Aye, 0 voting Nay, 0 voting Present. House Bill 1577, having received the required constitutional majority, is hereby declared passed. Ladies and Gentlemen, we're going to begin at the -- at the beginning of the Calendar, printed Calendar, with regard to House Bills 3rd Reading. And the first bill would be on the top of page 4, and that would be House Bill 503. Senator



STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

Hutchinson. Out of the record. Senate {sic} Bill 506. Senator Muñoz. Senator Muñoz, on House Bill 506. Out of the record. House Bill 507. Senator Trotter. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 507.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President and Members of the Senate. House Bill 507 extends the TIF districts in Dixon and Lansing, Illinois, from thirty-five years -- to thirty-five years from its original twenty-three years. All the taxing bodies are in agreement with this legislation and I'd like to see its passage.

PRESIDING OFFICER: (SENATOR SULLIVAN)

As the bill has an immediate effective date, it is the ruling of the Chair that pursuant to Section 10, Article IV of the Illinois Constitution, the passage of this measure will require a three-fifths majority. Is there any discussion on the bill? Any discussion? Seeing none, the question is, shall House Bill 507 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 55 voting Aye, 0 voting Nay, 0 voting Present. House Bill 507, having received the required constitutional majority, is

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

declared passed. Next up on the Calendar is House Bill 508.  
Senator Schmidt. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 508.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Schmidt.

SENATOR SCHMIDT:

Thank you, Mr. President. House Bill 508 is -- amends the Property Tax Code. It removes the now expired time limitations on county boards seeking to pass a resolution allowing a waiver on interest penalties for the delinquent payment of taxes on properties that qualify as a brownfield. Certain criteria will still need to be used for a waiver. And I ask for a passage of this bill. It -- there's no opposition. Passed in the House unanimously.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Seeing none, as the bill has an immediate effective date, it is the ruling of the Chair that pursuant to Section 10, Article IV of the Illinois Constitution, the passage of this measure will require a three-fifths majority. Ladies and Gentlemen, the question is, shall House Bill 508 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 56 voting Aye, 0 voting Nay, 0 voting Present. House Bill 508, having received the required constitutional majority, is

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

declared passed. Next up on the Calendar is House Bill 588.  
Senator Harmon. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 588.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The Secretary of State's Office maintains a grant program for public libraries. One of the requirements for receiving such a grant is a show of local support in terms of tax revenue and other support. This is a -- a condition easily satisfied by library districts that have their own tax levy. For what I would call captive library districts, municipal library districts, it's a little different and it requires a -- a -- a transfer of funds from the taxing body, the municipality, to the library, or else the substitution of services. And, frankly, this has been satisfied in some odd ways, things like snow removal or -- or sidewalk work and whatnot. This bill would permit a -- well, as local governments have done what we've asked them to do and tightened their belts, some of the libraries have received a -- a bit less than is statutorily required to be eligible for the grant. So this bill would provide a five-year reprieve from that requirement, provided that the other requirements are met, and would permit the Secretary of State's Office to continue to -- to award these grants. The language itself was drafted by the Secretary of

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

State's Office. There are numerous library districts affected. Obviously, the largest library district in the State is the Chicago Public Library and they certainly have an interest in this bill as well. But I'd ask for your Aye votes. I'd be happy to try to answer any questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR RIGHTER:

To the bill, if I might, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President, Ladies and Gentlemen of the Chamber. I want to thank the sponsor, first, for the conversations we've had off the record on this issue. You have a number of libraries in the State who are in a position whereby the funds that they receive from the municipality, that municipality is not levying up to the statutory requirement, as -- as -- again, as Senator Harmon said, and that's why they don't qualify for these grants. Now, most of your libraries do. Most of your libraries levy to the statutory requirement and that's how they access the grant. If this bill becomes law, for a five-year period, those libraries that would be positively affected by this bill will be able to qualify for the grant to some extent to the disadvantage of everyone else who is levying the statutorily required amount. There is no question that the libraries, including the City of Chicago's Library that Senator Harmon discussed, are in a difficult position here, but it seems

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

to me if we needed to give them a one-year pass or perhaps a two-year pass in order for them to lobby their municipalities to raise their levy so they can qualify for the grants, that'd be one thing. This is a five-year window and this is those particular municipalities being allowed to kind of balance their budgets and back -- a little bit off of the backs of the State grant to the detriment of the other libraries who are doing what's already statutorily required. For that reason, I'm going to vote No. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Harmon, to close.

SENATOR HARMON:

Thank you. Thank you, Mr. President, and thank you, Senator Righter, for your point. I want to just elaborate on one thing he said. One of the requirements for a continuation of the grant is that you received a grant in the past, which means there will not be new libraries crowding out old libraries. It essentially maintains the status quo. So, again, as we've asked local governments to tighten their belt to not burden taxpayers, we're attempting to permit the continuation of the status quo during this hard time. I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. As the bill has an immediate effective date, it is the ruling of the Chair that pursuant to Section 10, Article IV of the Illinois Constitution, the passage of this measure will require a three-fifths majority. Ladies and Gentlemen, the question is, shall House Bill 588 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?

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

Madam Secretary, take the record. On that question, there are 38 voting Aye, 16 voting Nay, 0 voting Present. House Bill 588, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, House Bill 691. We're in the middle of page 4. House Bill 691. Senator Trotter. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 691.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. House Bill 691 is essentially a clarification, addressing a modification that was made by the Illinois Power Agency addressing and trying to address the sourcing agreements for Leucadia. It basically codifies the legislative intent that we all held when we passed the bill last June, which has been passed through both Chambers and signed by the Governor, and we would like this correction to be made.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR McCARTER:

To -- to the bill, please.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator McCarter.

SENATOR McCARTER:

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

Ladies and Gentlemen, again, we're -- we're forcing consumers to pay above-market prices for energy. This is bad policy and the reason we're coming back here today is because the -- the law didn't have the teeth to enforce it. Now we're going to -- we're going to put the teeth in the law to enforce these power buyers to buy at above-market rates. It's just bad policy.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR GARRETT:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield. Senator Garrett.

SENATOR GARRETT:

So, I voted for this bill when it came up last, and there was agreement from Nicor that they would be neutral, that they were actually supportive of the bill. Has that changed at all?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Trotter.

SENATOR TROTTER:

Nicor has some reservations; however, this has nothing to do with this bill. No. This -- this clears up -- this -- what the Director of IPA did was she looked at the sourcing agreements, the contractual. What she essentially did to this bill was negate the contractual agreements that were made, saying that, by legislation, we can change that, and that's -- that's untenable. We -- we -- we -- you can't change a deal in the middle of it predicated on a new administration or a new

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

General Assembly coming in that's already been agreed upon. And this corrects that. And that was the legislative intent and it was arbitrarily changed by the Director.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Garrett.

SENATOR GARRETT:

Oh, I think I just need clarification then. Is this -- does this have anything to do inadvertently with Nicor - your legislation - or is that a different bill that's coming later?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Trotter.

SENATOR TROTTER:

Nicor is opposed to this bill and so are the others that's been opposed to this type of legislation, which was Sierra Club, the National {sic} (Natural) Resources Defense Council. None of that has changed from the original bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Garrett.

SENATOR GARRETT:

Okay, maybe I'm confused, but I thought Nicor had gone neutral or signed off on the original bill. Nicor serves the district that I represent, many of the communities. I know that they were okay with it, then this change took place. I'm just wondering, if Nicor is opposed to it, why would they be opposed to it? What really changed for them?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Trotter.

SENATOR TROTTER:

Nicor hasn't reached out and told me why they're opposed to



STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

it. So, I mean, that's the answer. Nicor hasn't told me why they're opposed. Now if you have the answer, then -- then you can share with me. But they haven't. All the other entities are still in favor - the other gas companies are still in favor. But Nicor, again, has not come to me.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Garrett.

SENATOR GARRETT:

Okay, let me ask you this, who is opposed to the bill and who is in support of the bill, this clean-up?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Trotter.

SENATOR TROTTER:

The -- well, let's start with the proponents: Of course, Leucadia, the clean energy agency {sic}; the Illinois Coal Association; the Illinois AFL-CIO; the IBEW Local 51. The opponents are Nicor, Sierra Club, and the Respiratory Health Association of Metropolitan Chicago.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Garrett, further? Senator Garrett.

SENATOR GARRETT:

No. No. Thank you very much for that information.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR RIGHTER:

Thank you, Mr. President. To the bill, if I might.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Righter.

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

SENATOR RIGHTER:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, I just listened to the exchange between the sponsor and Senator Garrett, and I'm not sure I heard it correctly. Senator Garrett wanted to know if Nicor's opposition of -- asked about Nicor's opposition and the response she got was that they're opposition doesn't have anything to do with this bill. I sat in the Senate Executive Committee and listened to the witness from Nicor testify against House Bill 691. They're opposed to this bill, and here's why. It is because the contract, the required purchase contract, that's been drafted by the Illinois Power Authority gives Nicor an out if this State government does something to interfere with Nicor's ability to recover the cost that they're going to incur for having to be forced to purchase above-market energy. That's what it is. Any business in your district or mine would insist on exactly the same. Would insist on -- you know, if the government's going to tell me I'm going to have to buy something above market price, by golly, they also ought to allow me to recover that, and that's all Nicor asked for. The contract gives them that out. This bill takes that right away from them. So if you want the customers -- or, if you want Nicor to have to buy above-market price, and then allow State government to do something to not allow them to recover those costs, this is the bill for you. But that's not right. That's not what we're supposed to be doing here. Nicor's concern is that this General Assembly will at some point in the next thirty years do something to interfere with Nicor's ability to recover costs. Can you imagine? Can you imagine any private sector's entity concern that this State government would do

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

anything in the next three decades to interfere with their operations? The bill originally was a bad idea. The Illinois Power Authority, for once, got it right in the way they wrote the contract and this bill would reverse that correct decision. Please vote No. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Trotter, to close.

SENATOR TROTTER:

We've debated the bill. We passed the Leucadia legislation before we left out of here in the spring. It's been signed by the Governor. This was an arbitrary ruling made by the Director, who on her -- it was her first week on the job, who did not know the legislative intent, who was not there to go through the debates and -- and hear -- and make a really conscientious decision. This language in this bill corrects that and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Ladies and Gentlemen, as the bill has an immediate effective date, it is the ruling of the Chair that pursuant to Section 10, Article IV of the Illinois Constitution, the passage of this measure will require a three-fifths majority. The question is, shall House Bill 691 pass. All those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please vote the Presiding Officer. Ladies and Gentlemen -- Madam Secretary, take the record. On that question, there are 40 voting Aye, 18 voting Nay, 0 voting Present. House Bill 691, having received the required constitutional majority, is declared passed. Next up on the

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

Calendar is House Bill 735. Senator Muñoz, on House Bill 735. Out -- out of the record. House Bill 1076. Senator Kotowski. Senator Kotowski, on 1076. Out of the record. House Bill 1237. Senator Noland. Senator Noland, on 1237. Out of the record. We'll skip 1577. Let's go to 1708. House Bill 1708. Senator Koehler. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 1708.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Koehler.

SENATOR KOEHLER:

Thank you, Mr. President, Members of the Senate. This bill creates an exemption to ban on owning or possessing silencers for full-time police officers who are trained members of SWAT or tactical response teams. What's happened is that the law right now makes it a Class 3 felony for anybody to own a silencer, except for federally licensed firearm manufacturers. We had expert testimony from Dr. John Wipfler that really makes this a -- a healthcare bill in a sense, because when loud weapons go off, it really creates a hearing loss for up -- up to fifteen seconds. The exemption ban on this bill is restricted to those who've received advanced, specialized training dealing with high-risk accidents {sic}, but not included to limited -- or, limited to hostages or barricade situations, search and arrest warrants, and manhunts, and those who are a part of a special emergency response team, a tactical response team, or a special weapons and tactics team, composed of police officers. It's

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

only for those people who are members of police teams that are on those particular teams. I'd ask for your support.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 1708 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 57 voting Aye, 0 voting Nay, 0 voting Present. House Bill 1708, having received the required constitutional majority, is declared passed. House Bill 1927. Senator Harmon. Senator Harmon, on 1927. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 1927.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. We had passed earlier a bill for the -- the State's Attorney's Office on modernizing the forfeiture laws. This is a trailer bill that clarifies a few things. I'm not aware of any opposition and I'd ask for your Aye votes. I'd be happy to try to answer any questions, if folks have them.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? As the bill has a -- has a January 1, 2012

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

effective date, it is the ruling of the Chair that pursuant to Section 10, Article IV of the Illinois Constitution, the passage of this measure will require a three-fifths majority. Ladies and Gentlemen, the question is, shall House Bill 1927 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 58 voting Aye, 0 voting Nay, 0 voting Present. House Bill 1927, having received the required constitutional majority, is declared passed. Next up on the Calendar is House Bill 1958. Senator Hutchinson. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 1958.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hutchinson.

SENATOR HUTCHINSON:

Thank you, Mr. President, Ladies and Gentlemen. House Bill 1958 amends the Counties Code, the Unified Code of Corrections, and the County Jail Act. Provides that a county department of corrections and the Illinois Department of Corrections shall not apply security restraints to a prisoner that has been determined by a qualified medical professional to be pregnant and is known by the county department of corrections and {sic} (or) the Illinois Department of Corrections to be pregnant or in postpartum recovery, unless the corrections official makes an individualized determination that the prisoner presents a

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

substantial flight risk or some other extraordinary circumstance that dictates security restraints be used to ensure the safety of the {sic} (and) security of the prisoner, her child or unborn child, the staff of Illinois Department of Corrections, a county department of corrections, or the medical facility, other prisoners, or the public. This only applies to Cook County and I would appreciate your support.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill -- excuse me. Senator Bivins. Senator Bivins, for what purpose do you rise?

SENATOR BIVINS:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Bivins.

SENATOR BIVINS:

This particular bill is -- is troubling to the sheriffs and those who run jails. Where we're going with this, we do have great concerns in the law enforcement community, and I would encourage a No vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR LAUZEN:

Thank you, Mr. President. Just a question for the sponsor.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates she will yield. Senator Lauzen.

SENATOR LAUZEN:

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

Certainly, I appreciate what you're trying to accomplish with this bill. How will the folks running the prison system be able to determine whether someone is pregnant or not?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hutchinson.

SENATOR HUTCHINSON:

They make that determination by the doctor's examination. I mean, one -- it's not -- this does not happen if someone just says, "I'm pregnant, so you can't put restraints on me." They have to be determined pregnant by a qualified medical examiner to say, yes, this person is pregnant.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Lauzen.

SENATOR LAUZEN:

So that determination needs to be made and a part of the prisoner's record and then this law applies to them. Okay.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hutchinson.

SENATOR HUTCHINSON:

That is correct. And this really, typically, comes up usually when they are just in transport to the hospital, really, or to doctor's office, doctor's appointments, other things like that.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Any further discussion? Seeing none, Senator Hutchinson do you wish to close? Senator Hutchinson.

SENATOR HUTCHINSON:

I wanted to thank Senator Bivins for raising the objection that -- or, the concerns of the law enforcement community. One



STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

of the things that we will be continually working on, and that we made sure was in the bill, is that you can make a determination whether or not this person -- you know, is -- is at risk or is putting anybody around them at risk. We do not want to diminish the safety of law enforcement or the prisoners in situations like this and we do recognize that there are times when you have a pregnant prisoner -- or prisoner who happens to be pregnant who is not mentally sound or fit. So there are a number of different things that we'll be continuing to work on with the sheriff's department to make sure that this is implemented in the most fair way possible. But we did note the concerns and any further discussion's going to be done with them.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Ladies and Gentlemen, the question is, shall House Bill 1958 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 44 voting Aye, 10 voting Nay, 0 voting Present. House Bill 1958, having received the required constitutional majority, is declared passed. Next up on the Calendar is House Bill 3188. President Cullerton. Out of the record. House Bill 3285. Senator Jacqueline Collins. Out of the record. House Bill 3375. Senator Link. Madam Secretary -- Senator Link seeks leave of the Body to return House Bill 3375 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is House Bill 3375. Madam Secretary, are there any Floor amendments approved for consideration?

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Link.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Link, on Amendment 2.

SENATOR LINK:

Thank you, Mr. President. Amendment 2 adds that a State employee -- amendment -- Retirement System allows an annuitant to accept temporary employment from the State and continue to receive their pension, provided the total compensation is less than thirty thousand dollars during a calendar year.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Now on the Order of 3rd Reading is House Bill 3375. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 3375.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. This bill is designed to discourage a school from hiring two retirees that are -- that

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

were collecting a pension from the TRS to fill a single full-time position. It -- it did this by stating that -- that an annuity {sic} that did this would impair their retirement status. This would also impair the retiree's benefit and this will preclude the schools from hiring multiple retirees that are collecting a pension from TRS to fill the position that is normally filled by a single teacher. The retiree needs to maintain the option to work, but are not guaranteed the unrestricted right to rehire at a school district upon retirement. It also, as I stated earlier, allows a temporary employment {sic} for the State to continue to receive their pension, provided that the total compensation is less than thirty thousand dollars a calendar year.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you, Senator Link. Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 3375 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 43 voting Aye, 13 voting Nay, 0 voting Present. House Bill 3375, having received the required constitutional majority, is declared passed. Senator Harmon in the Chair.

PRESIDING OFFICER: (SENATOR HARMON)

Ladies and Gentlemen of the Senate, continuing on page 5 of your printed Calendar, still on the Order of House Bills 3rd Reading is House Bill 3788. Senator Koehler. Madam Secretary, please read the bill.

SECRETARY ROCK:

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

House Bill 3788.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Koehler.

SENATOR KOEHLER:

Mr. -- thank you, Mr. President, Members of the Senate. This bill amends the Long Term Acute Care Hospital Quality Improvement Transfer Program Act by making a change to the definition of "long term acute care hospital". This bill clarifies that the hospital must be an Illinois hospital and must have been operating starting January 1st, 2009, instead of 2010. Basically, it's a -- a date change, which allows Kindred Healthcare in Peoria to be eligible.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Any discussion? Seeing none, as the bill has an immediate effective date, it's the ruling of the Chair that pursuant to Section 10 of Article IV of the Illinois Constitution, passage of this measure will require a three-fifths majority. And the question is, shall House Bill 3788 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 57 voting Aye, none voting No, none voting Present. And having received the required constitutional majority, House Bill 3788 is declared passed. Continuing on the Order of House Bills 3rd Reading is House Bill 3840. Senator Althoff. Madam Secretary, please read the bill.

SECRETARY ROCK:

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

House Bill 3840.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Althoff.

SENATOR ALTHOFF:

Thank you very much, Mr. President. House Bill 3840 amends the Drycleaner Environmental Response Trust Fund Act. It provides that the Department of Revenue may accept license fee payments required under the Act by credit card, but only if the Department is not required to pay a discount fee charged by the credit card issuer.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Any discussion? I see no one seeking recognition. As the bill has an immediate effective date, it's the ruling of the Chair that pursuant to Section 10 of Article IV of the Illinois Constitution, passage of this measure will require a three-fifths majority. The question is, shall House Bill 3840 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 57 voting Aye, none voting No, none voting Present. And House Bill 3840, having received the required constitutional majority, is declared passed. Before turning to the Supplemental Calendar, with leave of the Body, we're going to return to page 7 of your printed Calendar, back to the Order of Secretary's Desk, Concurrences. We had passed over Senate Bill 1640. Senator Sullivan, you wish to proceed? Madam Secretary, please read the motion.

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 2 to Senate Bill 1640.

Filed by Senator Sullivan.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Mr. President. Ladies and Gentlemen, 1640 provides that the Executive Ethics Commission has the authority to appoint Acting and Temporary Directors of the Illinois Power Agency, with Acting Directors limited to a single sixty-day term.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Any discussion? I see no speaker seeking recognition. As the bill has an immediate effective date, it's the ruling of the Chair that pursuant to Section 10 of Article IV of the Illinois Constitution, passage of this measure will require a three-fifths majority. And the question is, shall the Senate concur in House Amendment No. 2 to Senate Bill 1640. 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 58 voting Aye, none voting No, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment No. 2 to Senate Bill 1640, and the bill is declared passed. Ladies and Gentlemen of the Senate, Senate Supplemental Calendar No. 2 has been printed and distributed to the Members' desks. At the top of that Calendar is -- is the Order of Secretary's Desk, Resolutions.

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

Senate Resolution 352. Senator Jacobs. Madam Secretary, please read the resolution.

SECRETARY ROCK:

Senate Resolution 352, offered by Senator Jacobs.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. This resolution will simply show support from the Illinois Senate. We hope to introduce a bill in the upcoming Session for the V-SPANN Network, the Veterans Special Program {sic} (Programs) American National Network. This would be the first network of its kind in the nation and we're looking forward to putting together a very interesting business-government relationship and try to move this forward. I ask for your favorable support for the veterans.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Seeing none, the question is, shall Senate Resolution 352 pass. All those in favor will vote Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Continuing on the same Order is House Joint Resolution 41. Senator Raoul. Madam Secretary, please read the resolution, slowly.

SECRETARY ROCK:

House Joint Resolution 41, offered by Senator Raoul.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Raoul, you wish to proceed? Senator Raoul.

SENATOR RAOUL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Joint Resolution 41 declares October 2011 as

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

Dyslexia Awareness Month in Illinois. It also celebrates the successes of students with dyslexia and supports the November 1, 2001 {sic} (2011) Dyslexia Action Seminar organized by the Illinois Dyslexia Advisory Council.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Any discussion? Seeing none, the question is, shall House Joint Resolution 41 pass. All those in favor will vote Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Continuing on the Supplemental Calendar, now on the Order of Secretary's Desk, Concurrences, is Senate Bill 1538. Senator Haine. Madam Secretary, please read the gentleman's motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 3 to Senate Bill 1538.

Filed by Senator Haine.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Haine, on the motion.

SENATOR HAINE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Amendment 1 was a mistake. It's the old Senate Bill 178. House Amendment 3 guts the bill, so renders moot H -- House Amendment 1. And what it does, quite simply, is what we've done here two or three times before this, and that is narrow the definition of annuitant dependent. It narrows it.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Is there any discussion? Any discussion? I see none. As the bill has an -- an immediate effective date, it's the ruling of the Chair that pursuant to



STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

Section 10 of Article IV of the Illinois Constitution, passage of this measure will require a three-fifths majority. The question is, shall the Senate concur in House Amendments No. 1 and No. 3 to Senate Bill 1538. 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 58 voting Aye, none voting No, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments No. 1 and 3 to Senate Bill 1538, and the bill is declared passed. Still on the Order of Secretary's Desk, Concurrences, is Senate Bill 2188. Senator Holmes. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 2188.

Filed by Senator Holmes.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Holmes, on the motion.

SENATOR HOLMES:

Thank you so much, Mr. President. Senate Bill 2188 actually is just going to allow CMS to have the ability to hire people for IT jobs that currently we have been unable to fill because they require a high degree of technical skills that we don't have available, so we've been contracting out.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Is there any discussion? Any discussion? I see no speaker seeking recognition. As the bill has an immediate effective date, it's the ruling of the Chair

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

that pursuant to Section 10 of Article IV of the Illinois Constitution, passage of this measure will require a three-fifths majority. The question is, shall -- does the Senate concur in House Amendment No. 1 to Senate Bill 2188. 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 57 voting Aye, none voting No, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 2188, and the bill is declared passed. Madam Secretary, Resolutions.

SECRETARY ROCK:

Senate Resolution 471, offered by President Cullerton and all Members.

It is a death resolution, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Consent Calendar. Ladies and Gentlemen of the Senate, it's our intent to turn shortly to the Order of Executive Appointments. We're preparing to do that, if you'll bear with us for a minute. The Senate will stand at ease as we prepare to resolve ourselves into Executive Session. (at ease) Ladies and Gentlemen of the Senate, Senate Supplemental Calendar No. 1 has been printed and distributed on the Members' desks. We are turning now to the Order of Executive Appointments. 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, Mr. President. I move the Senate resolve itself

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

into Executive Session for the purpose of acting on appointments set forth in Appointment Messages 130, 131, 132, 133, 134, 135, 136, 170 and 247.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Ladies and Gentlemen of the Senate, we are resolving ourselves into Executive Session, if you could give the speaker your attention and clear the aisles of conversation. Senator Muñoz moves that the Senate resolve itself into Executive Session for the purpose of acting on the appointments set forth in Appointment Messages 130, 131, 132, 133, 134, 135, 136, 170 and 247. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the motion carries. The Senate is resolved into Executive Session. Madam Secretary, Executive Appointments - Appointment Messages. Appointment Message 170.

SECRETARY ROCK:

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

To be Assistant Director of the Illinois Department of Veterans' Affairs, for a term commencing October 11th, 2011, and ending January 21st, 2013: Rodrigo Garcia.

PRESIDING OFFICER: (SENATOR HARMON)

Shhhhh! Thank you. Senator Muñoz.

SENATOR MUÑOZ:

Mr. 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 HARMON)

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

Is there any discussion? Seeing none, the question is, does the Senate advise and consent to the appointment from 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 No, 1 voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the appointment just read. Madam Secretary, Appointment Message 247.

SECRETARY ROCK:

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

To be Secretary of the Illinois Department of Transportation, for a term commencing October 28th, 2011, and ending January 21st, 2013: Ann L. Schneider.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Muñoz.

SENATOR MUÑOZ:

Mr. 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 HARMON)

Is there any discussion? Any discussion? Seeing none, the question is, shall 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

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

voted who wish? Take the record. On that question, there are 53 voting Aye, none voting No, 1 voting Present. A majority of Senators elected having -- concurring by a record vote, the Senate does advise and consent to the appointment just read. Madam Secretary, Motions in Writing - Appointment Messages.

SECRETARY ROCK:

I have a motion in writing from Senator Muñoz, Chairman of the Committee on Executive Appointments.

PRESIDING OFFICER: (SENATOR HARMON)

Madam Secretary, please read the motion.

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 130, 131, 132, 133, and Appointment Messages 134, 135 and 136.

Filed by Senator Muñoz.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Seeing none, 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, please read the compiled appointments.

SECRETARY ROCK:

To be Members of the Health Facilities and Services Review Board, for a term commencing June 2nd, 2011, and ending July 1st, 2011: Richard H. Sewell; for a term commencing June 2nd, 2011, and ending July 1st, 2012: Kathryn J. Olson; for terms

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

commencing June {sic} (July) 2nd, 2011, and ending July 1st, 2014: James Burden and David Penn.

To be Members of the Central Illinois Economic Development Authority, for a term commencing June 3rd, 2011, and ending January 21st, 2013: Edward Heck; for a term commencing June 3rd, 2011, and ending January 20th, 2014: Everett Lash; and for a term commencing June 3rd, 2011, and ending January 19th, 2015: Rachel Joy.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Muñoz.

SENATOR MUÑOZ:

Mr. 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 HARMON)

Is there any discussion? Seeing none, the question is, does the Senate advise and consent to the Appointment Messages 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 No, 1 voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the Appointment Messages just read. Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, I move the Senate arise from Executive Session.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Muñoz moves that the Senate arise from Executive

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

Session. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The motion carries. The Senate has arisen from Executive Session. Senator Muñoz, for what purpose do you seek recognition?

SENATOR MUÑOZ:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Please state your point, Senator.

SENATOR MUÑOZ:

Ladies and Gentlemen of the Senate, I just want to wish everyone happy holidays. Everybody be safe. And, please, let us not forget the men and women who are fighting overseas for this great country. If you know any veterans or any organizations, please give to the cause so they can get some desserts or toiletries, whatever the case may be, that they require. Normally, it takes about a month and a half, but that'll -- and also write some letters for them. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator Muñoz, for a very timely reminder. Senator Jacobs, for what purpose do you seek recognition?

SENATOR JACOBS:

A quick point of personal privilege, Mr. President, while we have a moment.

PRESIDING OFFICER: (SENATOR HARMON)

State your point, Senator.

SENATOR JACOBS:

I'd like us to take a -- a moment, if we could, and recognize United States Army Pfc. Adam Dobereiner, twenty-one, from Moline, which is from my community, who was killed on

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

November 18th. He was killed by insurgents when they attacked with an IUD -- IED, excuse me, and they brought the proud soldier home today and they'll be burying him on Thursday. And I know the Senate wishes him and his family their deepest sympathies. And if we could just stand for a moment and -- and remember his service to this country.

PRESIDING OFFICER: (SENATOR HARMON)

If all would rise for a moment of silence in honor of the fallen soldier from Senator Jacobs' district. (Moment of silence observed) Ladies and Gentlemen of the Senate, we'll stand at ease for a few moments to allow the Committee on Assignments to meet. If all members of the Committee on Assignments would report immediately to the President's Anteroom. Senate will stand at ease to allow the Committee on Assignments to meet. (at ease)

PRESIDING OFFICER: (SENATOR TROTTER)

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 - Motion to Concur with House Amendment 1 to Senate Bill 1701, Motion to Concur with House Amendment 1 and 2 to Senate Bill 1762; refer to the Executive Appointments Committee - Appointment Message 301, Appointment Message 302, Appointment Message 303 and Appointment Message 304; and Be Approved for Consideration - Motion to Concur with House Amendment 1 and 2 to Senate Bill 1609.



STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

Signed by Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR TROTTER)

Thank you. Senator Silverstein, why do you rise?

SENATOR SILVERSTEIN:

Mr. President, I move that we waive all notice and posting requirements so that Senate Bill 1701, Amendment 1, can be heard upon recess in the Senate Executive Committee.

PRESIDING OFFICER: (SENATOR TROTTER)

Senator Silverstein moves to waive all notice and posting requirements so that Senate Bill 1701 can be heard today at 4:10 in Executive Committee. All in favor will say Aye. Opposed, Nay. The Ayes have it, and all notice and posting requirements have been waived. Senator Dillard, purpose you rise?

SENATOR DILLARD:

A motion, please.

PRESIDING OFFICER: (SENATOR TROTTER)

State your motion.

SENATOR DILLARD:

I move that {sic} all notice and posting requirements so that Senate Bill 1762, with House Amendments No. 1 and 2, can be heard today at 4:10 p.m. in the Senate Executive Committee.

PRESIDING OFFICER: (SENATOR TROTTER)

Senator Dillard moves to waive all notice and posting requirements so that Senate Bill 1762 can be heard today at 4:10 in the Senate Executive Committee. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and all notice and posting requirements have been waived. The Senate will stand in recess until the call of the Chair. Ladies and Gentlemen, the following committees will be held -- or, will meet to take up

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

concurrence motions: Executive will meet in Room 212 immediately upon recess. The Senate will stand in recess to the call of the Chair. After committee meetings, the Senate will reconvene to receive committee reports. The Senate stands in recess and there is no further action. And there will be further Floor action. The Senate stands in recess.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR HARMON)

Senate will come to order. Ladies and Gentlemen of the Senate, if all Members within the sound of my voice could be at their desks, we are going to turn to substantive final action. All Members within the sound of my voice could be at their desks, we will be turning to substantive action. Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Harmon, Chairperson of the Committee on Executive, reports Motion to Concur with House Amendment 1 to Senate Bill 1701 and House Amendments 1 and 2 to Senate Bill 1762, all recommended Do Adopt.

PRESIDING OFFICER: (SENATOR HARMON)

Madam Secretary, Resolutions.

SECRETARY ROCK:

Senate Resolution 472, offered by Senator Link and all Members.

Senate Resolution 473, offered by Senator Link and all Members.

They are death resolutions, Mr. President.

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

PRESIDING OFFICER: (SENATOR HARMON)

Consent Calendar. Madam Secretary, Introduction of Senate Bills.

SECRETARY ROCK:

Senate Bill 2535, offered by Senator Silverstein.

(Secretary reads title of bill)

Senate Bill 2536, offered by Senator Silverstein.

(Secretary reads title of bill)

Senate Bill 2537, offered by Senator Silverstein.

(Secretary reads title of bill)

Senate Bill 2538, offered by Senator Silverstein.

(Secretary reads title of bill)

1st Reading of these Senate bills.

PRESIDING OFFICER: (SENATOR HARMON)

Ladies and Gentlemen of the Senate, Senate Supplemental Calendar No. 3 has been printed and distributed to the Members' desks. On that Supplemental Calendar No. 3 is the Order of Secretary's Desk, Concurrences. On the Supplemental Calendar No. 3, on the Order of Secretary's Desk, Concurrences, is Senate Bill 1609. That's Senator Kotowski. With leave of the Body, we will return to Senate Bill 1609. Senate Bill 1701. Senator Silverstein. Do you wish to proceed? Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1701.

Filed by Senator Silverstein.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Silverstein, on the motion.

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

SENATOR SILVERSTEIN:

Thank you, Mr. President. I do wish to concur with the House. This bill allows -- amends the Controlled Substances Act to allow immunity for prosecutions for individuals who are found with drugs if the drugs are found as a result of the individual calling for help because either -- or, because someone else was overdosed on drugs. This bill originally passed out of here with 57 to nothing. The House changed the effective date.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Any discussion? Seeing none, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1701. 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 No, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 1701, and the bill is declared passed. With leave of the Body, we will return now to Senate Bill 1609. Senator Kotowski, do you wish to proceed? Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1609.

Filed by Senator Kotowski.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Kotowski, on the motion.

SENATOR KOTOWSKI:

Thank you very much, Mr. President, Ladies and Gentlemen of

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

the Senate. I move to concur on House Amendment No. 2. This amendment becomes the bill and allows the Governor to deliver his Fiscal Year '13 Budget Address on the fourth Wednesday in February of 2012. That would be February 22nd. The date will return to the third Wednesday in February each year thereafter. The date is just simply consistent with the Senate Calendar.

PRESIDING OFFICER: (SENATOR HARMON)

Senator, you're moving to concur in Amendments No. 1 and 2 to Senate Bill 1609. Is that correct?

SENATOR KOTOWSKI:

Yes, sir.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Any discussion? Seeing none, the question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 1609. 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 No, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments No. 1 and 2 to Senate Bill 1609, and the bill is declared passed. Continuing on the Order of Secretary's Desk, Concurrences is Senate Bill 1762. Senator Dillard. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1762.

Filed by Senator Dillard.

PRESIDING OFFICER: (SENATOR HARMON)

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

Senator Dillard.

SENATOR DILLARD:

Thank you, President Harmon and -- and Members. This is an initiative of the Department of Healthcare and Family Services to hire highly technical positions as public service administrators who have specific knowledge of healthcare administration, healthcare finance, healthcare data analytics, and information technology. The Director testified in committee and -- to -- to Senator Steans and -- and Senator Righter, who are my co-sponsors in the committee, that it is very difficult to get qualified people to file for some of these spots that require a very deep skill set, is how she put it. And I believe they have worked out all their issues with AFSCME. Veterans are still protected in this legislation. And it's something we need to do in the Personnel Code. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Is there any discussion? As the bill has an immediate effective date, it's the ruling of the Chair that pursuant to Section 10 of Article IV of the Illinois Constitution, passage of this measure will require a three-fifths majority. The question is, does the Senate concur in House Amendments No. 1 and 2 to Senate Bill 1762. 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 No, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments No. 1 and 2 to Senate Bill 1762, and the bill is declared passed. Ladies and Gentlemen of the

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

Senate, President Cullerton in the Chair. Senator Harmon in the Chair. President Cullerton, for what purpose do you seek recognition? President Cullerton.

SENATOR CULLERTON:

Yes, we -- we are waiting for two bills that are soon to be debated in the House dealing with the appropriation process - a BIMP and a supplemental. And when those two bills -- if those two bills pass over here, we will then take those matters up. They would go right to the Floor 'cause we've already heard them in committee. And then we would expect to take action on those bills tonight and then be -- be done. So I think we are just waiting for the House. It should be as much time as it takes for them to debate those two bills and then we'll have a vote here tonight and we should be out of here relatively shortly. We definitely will be going home tonight. Thank you.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The Senate will come to order. Will all Members within the sound of my voice please come to the Senate Chamber immediately? All Members within the sound of my voice please come to the Senate Chamber immediately. Thank you. Madam Secretary, Messages from the House.

SECRETARY ROCK:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Bill 1311.

Together with the following amendments which are attached, in the adoption of which I am instructed to ask the concurrence

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

of the Senate, to wit:

House Amendment 2 and House Amendment 3.

Passed the House, as amended, November 29th, 2011. Timothy D. Mapes, Clerk of the House.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Will the Members of the Committee on Assignments please come to the President's Anteroom immediately? Will the Members of the Committee on Assignments please come to the President's Anteroom immediately? (at ease) 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: Be Approved for Consideration - Motion to Concur with House Amendment 2 and 3 to Senate Bill 1311.

Signed by Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Supplemental Calendar No. 4 has been printed, is being distributed. On the Order of Secretary's Desk, Concurrences, Senate Bills, Senate Bill 1311. Senator Steans, do you wish to proceed? Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 2 and 3 to Senate Bill 1311.

Filed by Senator Steans.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Steans.

SENATOR STEANS:

Thank you, Mr. President, Members of the Senate. This is



STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

first of two bills we're going to be considering here that do a reallocation and supplemental budget. This is the budget implementation part of the bill. It provides statutory transfers out and reduces some of them -- those amounts from what we'd had last year to help free up some GRF revenue that is getting reallocated in the next bill we're going to see. Together, they will enable us to forego some of the facility foreclosures and put additional dollars back into some things that we came together around and agreed that we wanted to do. This -- the GRF statutory transfers here that are getting reduced are for the Tourism Promotion. We're also identifying money for the Communications Resolving {sic} Fund. We're putting money in the Partners for Conservation Fund, Professional Services, Workers' Compensation -- Revolving Fund, Healthcare Provider Relief Fund, as well as a new Hospital Relief Fund and a number of other statutory transfers. I am happy to answer any questions you may have.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Is there any discussion? Seeing none, Senator Steans, do you wish to close? The question is, shall the Senate concur in House Amendments 2 and 3 to Senate Bill 1311. All those in favor, vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 44 voting Aye, 8 voting Nay, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments 2 and 3 to Senate Bill 1311, and the bill is declared passed. Senator Hutchinson, for what purpose do you seek

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

recognition?

SENATOR HUTCHINSON:

I would like the record to reflect that my intention was to vote Yes.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The record will so reflect. Thank you. Senator Jacqueline Collins, for what purpose do you seek recognition?

SENATOR J. COLLINS:

Thank you. Point of personal privilege, please.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Please state your point.

SENATOR J. COLLINS:

While we're at a lull on the Floor, I would like to recognize someone for her unselfish, professional demeanor and to recognize her for her warmth, her welcoming smile, her kindness, and a great and genteel and graciousness in working with the Members here, because, you know, we're not always the easier populace to deal with, because we have our own issues, concerns and egos. So I would like for Ms. Lisa Groesch, who -- her title is phone operator, but I think she considers herself a -- our "confidentiologist", and so I want to recognize her for - - whenever you walk into that back room, she always has a warm smile. And I know she's going through some difficult times right now with her husband, who is very, very ill. He will be celebrating his sixty-ninth birthday tomorrow - Wally. So I want everyone to give her a -- warm words of encouragement as we leave. Give her a hug, because we stand here to help each other and uphold each other in our time of sorrow. So, thank you so much, Lisa, for all you do for us here in the Chamber.

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

PRESIDING OFFICER: (SENATOR SCHOENBERG)

President Cullerton, for what purpose do you seek recognition?

SENATOR CULLERTON:

Yes, thank you. If I can have your attention for just a second, Ladies and Gentlemen of the Senate, I'd like to inform the Senate that I have been informed that we will have to go out and look for a brand-new Secretary of the Senate, because the current Secretary of the Senate just got married recently and she will be leaving and may not be here the next time we come back into Session. So I just wanted to personally thank her for all her hard work. She's done a fantastic job and I want to wish her the best.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Thank you, Jill. President Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. I have another one for you, another departure from our staff. I don't believe that this gentleman was recently married. I think he's been married for quite some time, and as part of that, he's going to have to go on to bigger and better things where he's paid more money. But he has done a fantastic job as our Director of Communications for the Senate Democrats and I want to thank Toby Trimmer for all the help he's given us. He's done a fantastic job and, once again, wish him the best.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Take a bow, Toby. Madam Secretary, Message from the House.

SECRETARY ROCK:

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

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Bill 2412.

Together with the following amendments which are attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Amendment 1, 2 and 3.

They passed the House, as amended, November 29th, 2011. Timothy D. Mapes, Clerk of the House.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The Senate will now stand at ease for a few moments to allow the Committee on Assignments to meet. Will the members of the Committee on Assignments please come to the President's Anteroom immediately? The Senate will stand at ease. (at ease) Senate will come to order. Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Be Approved for Consideration - Motion to Concur with House Amendments 1, 2 and 3 to Senate Bill 2412.

Filed by Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Supplemental Calendar No. 5 has been printed and is being distributed. On the Order of Secretary's Desk, Concurrence, Senate Bills, Senate Bill 2412. Senator Steans, do you wish to proceed? She indicates that she does. Madam Secretary, please read the motion.

SECRETARY ROCK:

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

I move to concur with the House in the adoption of their Amendments 1, 2 and 3 to Senate Bill 2412.

Filed by Senator Steans.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Steans.

SENATOR STEANS:

Thank you very much, Mr. President, Members of the Senate. So this is now the appropriation bill that works with the budget implementation bill we just passed. As a package, these were worked on very heavily with the Appropriation Chair, my colleague, Dan Kotowski; Senators Murphy and Althoff on the Republican side; and the Appropriation Chairs and Minority Spokespeople in the House, as well as the Governor's Office. Want to thank everyone for the time and energy they've put into this, as well as our staff, who did a phenomenal job in pulling together this agreement. Overall, this bill does not allocate any more General Revenue Fund than had already been in the budget bill we originally passed. It's rather reallocating funds in order to prevent closures that are being done too quickly because of budget pressures. Instead, it will allow us to provide a more thoughtful process, as we consider and move folks from the institutions into community-based settings. We're also -- so it's providing two hundred million dollars in additional GRF for State operations and agency operations. It's also providing grant program funding for mental health programs in the community and substance abuse programs in the community, as well as funeral and burial expenses, homeless service programs, as well as the SIDS program. There's also additional appropriations that are other State funds and federal funds.

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

These include thirty-three million -- thirty-three and a half million for MAP grants that will enable students to not worry about being able to get those grants again for next semester, so they'll be able to continue on with their education; and twenty million in other State funds to help implement the consent decree, the Williams Descent {sic} Decree at Department of Human Services. I'm happy to answer any questions about this. I think it really gets our budget in a much better place and very much appreciate an Aye vote on this.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Is there any discussion? Senator Steans, do you wish to close? The question is, shall the Senate concur in House Amendments 1, 2 and 3 to Senate Bill 2412. All those in favor, vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 50 voting Aye, 5 voting Nay, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments 1, 2 and 3 to Senate Bill 2412, and the bill is declared passed. President Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President. This should conclude our business. From my perspective, we've completed a lot of work here today. Sorry it was so late; we had to wait for the House. And I hope everybody has a very nice Christmas and Hanukkah.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Thank you, President Cullerton. We will now proceed to the Order of Resolutions Consent Calendar. With leave of the Body,

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

all those resolutions read in today will be added to the Consent Calendar. Madam Secretary, have there been any objections filed to any resolution on the Consent Calendar?

SECRETARY ROCK:

No objections have been filed.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

...there any discussion? Is there any discussion? If not, the question is, shall the resolutions on the Consent Calendar be adopted. All those in favor, say Aye. Opposed, Nay. Opinion of the Chair, the Ayes have it. The motion carries and the resolutions are adopted. On the Order of Resolutions is House Joint Resolution 53. Madam Secretary, please read the resolution.

SECRETARY ROCK:

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 53.

Offered by Senator Crotty.

(Secretary reads HJR No. 53)

This was adopted by the House, November 29th, 2011. Timothy D. Mapes, Clerk of the House.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Crotty moves to suspend the rules for the purpose of immediate consideration and adoption of House Joint Resolution 53. All -- all those in favor will say Aye. Opposed, Nay. The Ayes have it, and the rules are suspended.

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

11/29/2011

Senator Crotty now moves for the adoption of House Joint Resolution 53. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. There being no further business to come before the Senate, the Senate now stands adjourned until the call of the President. The Senate stands adjourned.