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97th GENERAL ASSEMBLY
REGULAR SESSION
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126th Legislative Day

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PRESIDING OFFICER: (SENATOR LIGHTFORD)

The regular Session of the 97th General Assembly will please come to order. Will the Members please be at their desk? Will our guests in the galleries please rise? The invocation today will be given by Reverend Michael W. Fender, Grace United Methodist Church, Jacksonville, Illinois. Reverend Fender.

THE REVEREND MICHAEL W. FENDER:

(Prayer by the Reverend Michael W. Fender)

PRESIDING OFFICER: (SENATOR LIGHTFORD)

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

SENATOR JACOBS:

(Pledge of Allegiance, led by Senator Jacobs)

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Mr. Secretary, Reading and Approval of the Journal.

SECRETARY ANDERSON:

Senate Journal of Wednesday, May 30th, 2012.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

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 LIGHTFORD)

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

SECRETARY ANDERSON:

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Senate Resolution 809, offered by Senator Frerichs.

It's a death resolution, Madam President.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Resolutions Consent Calendar. Mr. Secretary, Introduction of Bills.

SECRETARY ANDERSON:

Senate Bill 3924, offered by Senator Haine.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Mr. Secretary, Messages from the House.

SECRETARY ANDERSON:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Joint Resolution 93.

Offered by Senator Harmon and adopted by the House, May 30th, 2012. Timothy D. Mapes, Clerk of the House. It is substantive, Madam President.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

James R. Carder from the Blueroomstream.com requests permission to videotape. Leave is granted. Ladies and Gentlemen of the Senate, please come to the Senate Floor. Ladies and Gentlemen of the Senate, please come to the Senate Floor. Mr. Secretary, Committee Reports.

SECRETARY ANDERSON:

Senator Steans, Chairperson of the Committee on

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Appropriations I, reports Senate Amendment 1 to House Bill 4568, Motions to Concur in House Amendment 1 and 2 to Senate Bill 2332, House Amendment 1, 2, 3 and 4 to Senate Bill 2348, House Amendment 1 and 3 to Senate Bill 2378, House Amendments 1, 2 and 5 to Senate Bill 2409, House Amendments 1 and 3 to Senate Bill 2413, House Amendment 1 and 2 to Senate Bill 2443, House Amendment 1, 4 and 5 to Senate Bill 2454, House Amendments 1, 2, 3 and 4 to Senate Bill 2474, House Amendment 1, 2 and 3 to Senate Bill 2971 recommended Do Adopt.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Leader Trotter, for what purpose do you rise?

SENATOR TROTTER:

Good morning, Madam President. Purpose of an announcement.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Good morning, Senator. Please state your announcement.

SENATOR TROTTER:

Yes, Madam President, Members of the Senate, I would like to announce that, for one hour, the Senate Democratic Majority will be meeting in the President's Office for a caucus.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Murphy, for what purpose do you rise?

SENATOR MURPHY:

Purpose of an announcement, Madam President. The Senate Republicans will caucus for one hour in Room 409.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Thank you, Senator. Senators Trotter and Murphy move that the Senate recess for purposes of Senate Democrat and Republican Caucuses, lasting one hour. Seeing no objection, the motion is granted. The Senate stands in recess to the call of the Chair.

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After the Senate Democrat and Republican Caucuses, the Senate will reconvene for the purposes of Floor action -- for the purpose of Floor action. The Senate stands in recess to the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR SULLIVAN)

The Senate will come to order. Anthony Brino with the Illinois Statehouse News requests permission to film. Seeing no objection, leave is granted. Mr. Secretary, Messages from the House.

SECRETARY ANDERSON:

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

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

Senate Bill 38.

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

House Amendment 5 to Senate Bill 38.

We have received like Messages on Senate Bill 179, with House Amendments 1 and 2; Senate Bill 3428, with House Amendments 1 and 2; Senate Bill 3802, with House Amendments 1 and 6. Passed the House, as amended, May 31st, 2012. Timothy D. Mapes, Clerk of the House.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Mr. Secretary, Resolutions.

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SECRETARY ANDERSON:

Senate Resolution 810, offered by Senator Lightford and all Members.

It's a death resolution, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Will all Members within the sound of my voice please come to the Senate Floor immediately? All Members within the sound of my voice please come to the Senate Floor immediately. We're ready to go to substantive business. Casey Lund, WAND-TV, requests permission to record an audio-visual. Seeing no objection, leave is granted. Mr. Secretary, Resolutions.

SECRETARY ANDERSON:

Senate Resolution 811, offered by Senator Harmon.

It's substantive, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Once again, Ladies and Gentlemen, will all Members within the sound of my voice please come to the Senate Floor immediately? The Senate is ready to go to significant action. Senator Cultra, for what purpose do you rise?

SENATOR CULTRA:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your point, Senator Cultra.

SENATOR CULTRA:

In the Democratic side of the gallery, I have my legislative assistant from Bloomington, Terry Kammermann, and also with him, an intern from ISU, studying political science, Mia Allen. And I'd just like to welcome 'em to Springfield.

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Terry and Mia, welcome to the State Senate. Great to have you here today. Let's show our appreciation for their visit. Senator Delgado, for what purpose do you rise?

SENATOR DELGADO:

Thank you, Mr. President. A personal privilege.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your point, Senator Delgado.

SENATOR DELGADO:

Just want to acknowledge, also in -- in the President's Gallery, we also are being visited by our great leader from the Department of -- the Water Reclamation Department, Mr. Terry O'Brien. Would love to say hello to him. He's a great guy and a great administrator. Welcome.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Mr. O'Brien, welcome to the State Senate. Ladies and Gentlemen, if I can have your attention. If you will turn to page 12 of your printed Calendar, on the middle of the page, we have Secretary's Desk, Concurrence on Senate Bills. We're going to start at the top of the order and work our way through. First up on the order is Senate Bill 1034. Senator Jacqueline Collins. Senate Bill 1034. Senator Collins. Out of the record. Senate Bill 1338. Senator Dillard. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendments 3 and 4 to Senate Bill 1338.

Signed, Senator Dillard.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Dillard.

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SENATOR DILLARD:

Thank you, Mr. President. There are two House amendments here. The first one is Speaker Madigan's and it kind of gutted the bill and does nothing else. But the second one is from Representative Constance Howard, and in her wisdom, she thinks we should expand the reporting date for the Task Force on Inventorying Employment Restrictions. It's been expanded one -- one time before. Hopefully, this will be the last time. But the task force has not finished its work and it will report back to the General Assembly and the Governor. So, very simply, all this bill does now in its form is expand the reporting date for the Task Force on Inventorying Employment Restrictions. And I would urge a favorable roll call. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Are there any questions? Are there any questions? Ladies and Gentlemen, the question is, shall the Senate concur in House Amendments 3 and 4 to Senate Bill 1338. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 56 voting Aye, 0 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments 3 and 4 to Senate Bill 1338, and the bill is declared passed. Next up on the Calendar, we have Senate Bill 1556. We're on the bottom of page 12. President Cullerton, on 1556. Out of the record. Turn to the top of the next page. We have Senate Bill 1808 -- excuse me, Senate Bill 21... Some of these have motions filed, Ladies and Gentlemen, and some do not. So, we'll have the Secretary

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get us to the point where we need to be. Ladies and Gentlemen, as you can see up on the board - turn to page 14 of the Calendar - we have Senate Bill 2822. Senator LaHood. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendment No. 3 to Senate Bill 2822.

Signed, Senator LaHood.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator LaHood.

SENATOR LaHOOD:

Thank you, Mr. President. This bill {sic} is a technical change related to the IDOT conveyance bill. It's a piece of land in Woodford County. This clarifies the language in there. I know of no opposition. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Seeing none, the question is, does the Senate concur in House Amendment 3 to Senate Bill 2822. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 57 voting Aye, 0 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment 3 to Senate Bill -- to Senate Bill 2822, and the bill is declared passed. Mr. Secretary, take Senate Bill 2958 out of the record. There's a change of sponsorship on that and we're waiting for some paperwork. Ladies and Gentlemen, we're on page 14 of the printed Calendar, Secretary's Desk, Concurrence,

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Senate Bills. We have Senate Bill 3320. Senator Hutchinson, on Senate Bill 3320. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 3320.

Signed by Senator Hutchinson.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hutchinson.

SENATOR HUTCHINSON:

Thank you, Mr. President and Members of the Body. This is a bill that we passed. Each part of these bills passed separately in the Chambers, from the Senate over to the House. In the House, they elected to combine all of these tax checkoff write -- write-off things into one vehicle. Again, they passed, all three things. I did file to concur and I would look for your support. Happy to answer any questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR LAUZEN:

Thank you very much, Mr. President. I applaud the efforts of the sponsor and there's a lot of good in this bill. But this also has the provision where one fund is given special privilege of not being able to be taken off of the tax return. One fund, if it doesn't get -- meet the hundred thousand dollars of annual contributions, it will stay on the tax form. We certainly recognize the practical consequence. The unintended consequence of that is that every fund is going to then request their local Senators and Representatives to put them on forever also. So I

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regretfully suggest a No vote, because it sets such a bad precedent that -- that'll create more of these in the future. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR RIGHTER:

Question of the sponsor, if I might, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates she will yield, Senator Righter.

SENATOR RIGHTER:

Senator Hutchinson, Senator Lauzen raised the issue - why are we selecting one fund and exempting it from the hundred-thousand-dollar cutoff?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hutchinson.

SENATOR HUTCHINSON:

Thank you for that. I - full disclosure - was surprised when it came back. I passed the Hunger Relief tax checkoff. They were the fund that really raised the most amount of money last year, and the intention of my underlying bill was just to give them one more shot at the apple, since they had raised the most money. When it came back from the House, there were a number of other things added on there. The only thing I can say is that we -- we understand that there is a significant -- a significant emphasis put on diabetes research by certain Members over in the House. That's the best answer I can give for why it came back that way.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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Senator Righter.

SENATOR RIGHTER:

Thank you, Senator Hutchinson. And I appreciate that sometimes Members feel like they've been put in a position by the House of Representatives. So let me just ask you, and I'm going to -- I'll only ask you once, so you can answer it however you want, or not answer it. But, I mean, do you think it's good policy to start picking - the phrase we use in this Chamber all the time - winners and losers here - well, we're not -- we're going to subject this one to the hundred-thousand-dollar threshold, but not this one and not this one - based on Members preferences maybe here or across the hall? Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hutchinson.

SENATOR HUTCHINSON:

I think it's a very fair question to ask. I would say that the only way I can really answer it is that I understand what the underlying intent was of each of the provisions that were on here, specifically the bill as I passed it originally. And I will also say that we are members of a representative democracy and it passed the House and made its way over here with a majority of Representatives in that Chamber feeling like it was a bit -- something very important to them. However, I do -- I will recognize - I can't not recognize - that it's going to -- it makes it difficult for other people that are trying to get on the thing. However, each one of these provisions for tax checkoff purposes are for areas of interest that the State has a compelling interest in trying to figure out how we raise funds

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for, especially in light of how difficult our fiscal situation is right now. And the majority of these areas will, outside of this, lose money. And we all are very sensitive and aware to that. So there's not one single issue on here that I have any compunction about not supporting. Again, we're members of a representative democracy and the bill -- they thought forward to send it over here in this form from the House. So I would hope that we would give these -- these areas - really, really important areas - consideration. And I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR HARMON:

To the motion.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the motion, Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. I -- I rise in support of the Senator's motion. I -- I worked with Senator Hutchinson on the creation of the -- the Hunger Relief tax checkoff. And to the Members who are concerned about precedent or -- or -- or related aspects of fairness, this is a new checkoff that went on the tax form in a horrible economic environment. It came very close to reaching its threshold. I think that we can set this straight without upending the world. And I join Senator Hutchinson in asking you for your Aye votes.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Seeing no further discussion, Ladies and

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Gentlemen, the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 3320. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 31 voting Aye, 16 voting Nay, 3 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments 1 and 2 to Senate Bill 3320, and the bill is declared passed. Fanna Haile-Selassie, WSIL-TV, requests permission to videotape. Seeing no objection, leave is granted. Next up on the Calendar, Ladies and Gentlemen, we have Senate Bill 3397. Senator Steans. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 3397.

Signed by Senator Steans.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Thank you, Mr. President, Members of the Senate. Senate Bill 3397 is the last of the Medicaid reform package of bills. This is the Section 25 Medicaid reform language. I really want to acknowledge and thank my colleague on the other side of the aisle, Senator Righter, for his work on making sure this was part of our ultimate package for Medicaid. This bill is the one that gets rid of our ability to underfund Medicaid in a particular year - a budget gimmick that has been used for years here in Illinois. It's going to -- instead of allowing us to

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use this year's appropriation -- you know, use next year's appropriations to fund this year's Medicaid bills, we can only do that in Fiscal Year '13 for up to seven hundred million dollars' worth of Medicaid bills and every year thereafter just down to a hundred million in Medicaid bills. This does mean that, going into the future, we will no longer be able to under-approp Medicaid, as we have in the past. So we, hopefully, will not get ourselves in the situation we have before. I very much urge an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR RIGHTER:

To the 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 Chamber. This is perhaps, of all of the pieces we've passed with regards to Medicaid reform, the most important. Because without this one, and if the reforms aren't responsibly implemented, this State can do what it has done to ridiculous levels over the last decade, and that is, pile unpaid bill on top of unpaid bill on top of unpaid bill in fiscal year after fiscal year after fiscal year until we lose more and more providers and the gap between having a Medicaid card and access to health care becomes wider and wider. This is cutting up the State's Medicaid credit card and we are in desperate need of approving this measure and putting it into law. This - if it's

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left alone, if we have the discipline to say we're going to live within our means in the Medicaid program - has the possibility of actually making us do something in this building that is, at best, a far-gone memory, and that is, paying our bills on time. And the people who will benefit most from that are not the elected officials who will send out press releases, it'll be the people who need the Medicaid program the worst because it will incentivize providers to come back into the program or to stay in the program and serve the people about whom we voice so much concern. A great move to cut up the State's Medicaid credit card. I urge an Aye vote. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR PANKAU:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Pankau.

SENATOR PANKAU:

I think we can all agree in this Chamber that it is time we cut up that Medicaid credit card that we have. And, yes, we're going to cut it up in pieces. We're not going to do it all in one year. We're going to do it over the next two to three years. But, this is so, so, so very important. I urge everybody to vote Yes on this. One of the first steps when you start managing your money and getting your household bills under control is you got to take the ones -- the credit cards that are overextended and cut 'em up so that you don't use it anymore, and then you start paying off the amount that you've accumulated

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on there. It's time for Illinois to do the same thing. Today is the day. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR DILLARD:

Thank you, Mr. President. First, I want to congratulate my seatmate, Senator Righter, for pursuing this, along with Senator Radogno, over the course of a couple years. I want to thank Senator Steans, Senator Kotowski for going along and -- and accepting this. Having once worked for a couple of gubernatorial administrations and seeing how things have operated around here, under both political parties, this is the single biggest budgetary change to end the old habit of pushing off bills from year to year. As Senator Righter said, this literally cuts up the Medicaid credit card, which is the easiest access to budget imbalances that the State has available to it, and this is a major, major change. I understand why it's got to be phased in. We probably can't cut if off cold turkey. But, again, I just want to thank you, Senator Steans, particularly Senator Righter, and my colleague, Representative Patti Bellock, who is my officemate back in the district, for finally getting this sensible, important change in the way the State handles its cash balances. And -- and we will not have this Medicaid crutch to push bills off from year to year. So I just want to say, thank you. This is a big one, a real big one, and hopefully everybody will vote for this. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Seeing no further discussion, Senator Steans,

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to close.

SENATOR STEANS:

Yes, thank you, Mr. President and colleagues. This is -- one of the large contributing factors to why we had to take the steps we did on reducing Medicaid costs this year was because of our history of under-appropriating. I think this is a crucial step to ensure we do not do that anymore in the future and we do not face a situation where we have to take such dramatic changes to the program again in the future. I think this is a very good step. It gets rid of the largest singular budget gimmick we've used in Illinois for many years. No other state does this. I'm very much looking forward to see every green vote up there. It passed 118 to 0 in the House. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Ladies and Gentlemen, the question is, does the Senate concur in House Amendments {sic} 1 to Senate Bill 3397. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 54 voting Aye, 0 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment 1 to Senate Bill 3397, and the bill is declared passed. Mike Flannery with WFLD-TV requests permission to record. Seeing no objection, leave is granted. Next up on the Calendar, we have Senate Bill 3458. Senator Muñoz. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendment No. 2 to Senate Bill 3458.

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Signed by Senator Muñoz.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Muñoz.

SENATOR MUÑOZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The House Amendment 2 was adopted to address the concerns of the Illinois Bankers Association. The amendment allows financial institutions to view sealed felony records of current employees or a job applicant to ascertain whether the person committed a felony or a criminal offense that involved dishonesty, breach of trust, or money laundering. Banks are required by law to conduct a -- thorough criminal background checks on their employees and are prohibited from employing a person who has been convicted of a felony or crime related to dishonesty or breach of trust. The amendment also limits the sealing certificate to only one information or indictment in a person's lifetime. I'll answer any questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, does the Senate concur in House Amendment 2 to Senate Bill 3458. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 43 voting Aye, 12 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment 2 to Senate Bill 3458, and the bill is declared passed. Ladies and Gentlemen, Senate Bill 3597, next on the Calendar, and, again, we're on page 15 of

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the Calendar. Senator Martinez. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendments 1 and 3 to Senate Bill 3597.

Signed by Senator Martinez.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President and Members of the Senate. The House Amendment 1 and 3 retain the underlying bill, but make the following changes: It would allow a teacher in the Chicago Teachers' Pension Fund to return to work and continue to receive their pension if retired teachers return to work for a hundred days and it also does -- it also -- retired teachers could return to work if they return to work for a hundred days or less and paid no more than the day-to-day substitute rate -- teacher's rate of a hundred and seventy-five dollars as of July 2011. There are -- there were no provisions for principals and no yearly wage standard for the teachers in the original bill as passed by the Senate. And I'll be happy to discuss -- to answer any questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall the Senate concur in House Amendment 1 and 3 to Senate Bill 3597. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the

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record. On that question, there are 57 voting Aye, 2 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments 1 and 3 to Senate Bill 3597, and the bill is declared passed. Next up on the Calendar, we have Senate Bill 3629. Senator Raoul. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendment No. 2 to Senate Bill 3629.

Signed by Senator Raoul.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Raoul.

SENATOR RAOUL:

Thank you, Mr. President. I had the pleasure of explaining this to you yesterday when I thought it was another bill. But this is -- the underlying bill put the Chicago Park District Pension Fund on a January-December fiscal year. House Amendment 2 retains that underlying bill and it limits the service credit available to park employees who work under six-month fiscal year, proposed in this legislation, to a half-year's credit, and also ensures the employer funding formula is not affected by the shortened fiscal year when calculating the 2014 and 2015 contributions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendment 2 to Senate Bill 3629. 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

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who wish? Mr. Secretary, take the record. On that question, there are 59 voting Aye, 0 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in Amendment 2 to Senate Bill 3629, and the bill is declared passed. Justin Fowler with the State Journal-Register requests permission to photograph. Seeing no objection, leave is granted. Next up on the Calendar, we have Senate Bill 3722. Leader Harmon. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendments 1 and 4 to Senate Bill 3722.

Signed by Senator Harmon.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 3722, in the House, became our omnibus election law bill. I believe that the provision that has caused some conversation in the building relates to our efforts to rein in Super PACs, the independent expenditure committees. As I imagine most of you know, in light of the U.S. Supreme Court decision in Citizens United and the Illinois Supreme Court decision in Personal PAC, the campaign contribution limits we imposed on Super PACs have been lifted by -- by court order. This bill would extend the existing millionaires' exemption that lifts the caps on candidates in races in which one candidate brings a sufficient amount of his or her own money into the race to races in which a Super PAC intrudes and distorts the -- the elections by introducing money raised without campaign

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contribution limits into the race. I'd be happy to try to answer any questions you may have and I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR RIGHTER:

Will the sponsor yield, please, Mr. President?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will, Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Senator Harmon, I'd like to walk through a few areas on -- election -- election bills are always kind of large, they're always pretty complicated, and this is no exception to that. First, there was put in law a couple years ago, it's my recollection, a pilot project with regards to mandating that county clerks put registration or voting facilities on college campuses. Of course, we didn't fund that, but does this bill extend that pilot project for another two years or make it permanent?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Harmon.

SENATOR HARMON:

Yes, thank you, Senator. It -- it does extend that -- the early voting for -- for two years.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

Why are we extending it for another two years, Senator Harmon?

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Harmon.

SENATOR HARMON:

As we discussed in committee, Senator, and as I think you mentioned in your question, this was viewed as an experiment. I think the results of the experiment are successful enough to continue it for two years, but warrant a further review by the General Assembly after this -- this next election.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

It's my recollection, Senator, that you also mentioned yesterday in committee that there were some problems with implementation with regards to this, and I asked you whether maybe some of those problems had to do with the fact that while we told the county clerks that they needed to reach out and do this, we didn't give 'em any financial help to do that. I think at the time you said you didn't know if any of those problems were related to finances. Have you since discovered anything to the contrary?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Senator Righter, I have confirmed that the county clerks are neutral on the bill. And I -- I infer from that that -- that that is not a particular interest or concern to them.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

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SENATOR RIGHTER:

In another area, Senator, we are extending the grace period registration by five days and moving it - it's my recollection - three days before the election. Can you explain why we're making that change?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Yes, Senator. I hope that I can. I have to explain another provision of the bill as well, though. We have changed the time period for early voting to reflect actual voting patterns that we've experienced. As you know, it's a -- it's a relatively long period. I think it's eighteen days today. And there is a real dearth of voting in the first five days, but there's no limitation on the costs incurred, even though there's very little utilization of early voting in that first week. So we've proposed to truncate the period at the front end, start early voting later, but run it later - into the last three days before the election - when voters are motivated to turn out. We do see a dramatic peak towards the end of early voting and so we've made that adjustment. The grace period change is designed to synchronize with the change in early voting.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

Does -- does moving the grace registration period so close to the election potentially create a problem for the election officials in terms of verifying that person and then allowing

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them to vote?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Again, Senator, the -- the clerks are neutral. It is -- it's my understanding that -- that they believe that they can in fact do this, and I believe that the bill was drafted to reflect their concerns about the venue and the -- the personnel resources that would be required.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

Yesterday in committee, Senator, it's my recollection that an official from the Campaign for Political Reform testified against the bill, or at least against the provision with regards to the -- the independent expenditure provision. Can you walk through for us a little bit what you -- what you learned about the basis of their objection and your response to it?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. As I think I expressed clearly in committee, I'm -- I'm quite surprised by their resistance to this, what I think is a commonsensical change that all of us who have to run for office can fully appreciate. The introduction of unregulated money into a political campaign has the capacity to dramatically distort the outcome. And if the candidates who are running for office are subject to strict campaign contribution limits and they are bombarded by advertisements and

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political communication that is financed with unregulated, unlimited money, it produces a perverse outcome. We are not blasting a hole in the campaign finance laws. This is identical to the existing millionaires' exemption, which we contemplated when we passed the law. A wealthy candidate can run for office, finance his or her own campaign, and spend unlimited amounts of money, putting every other candidate in that race at a distinct disadvantage. By lifting the caps in that context, we make sure we have a fair playing field. We did not contemplate at the time, because the courts had not ruled, that the same distortion would be possible if independent expenditure groups, Super PACs, roll into a campaign. They are protected by law and can raise as much money as they want and can spend as much money as they want. In the case that a Super PAC does that, I think it's only fair that the candidates competing with that Super PAC be able to raise enough money to run a campaign and to defend themselves.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Senator Harmon, it's my understanding that current law now - and I want to touch on a couple issues I didn't get a chance to talk about in Executive Committee yesterday - it's my understanding, in current law today, a person who votes by absentee ballot is not -- cannot vote provisionally. And it's my understanding that this bill would change that and allow someone who cast their ballot by absentee to still vote provisionally. Why?

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Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Senator, as I understand the law today, if you apply for an absentee ballot and receive your ballot and choose not to vote, you may go and vote in person, and you have to turn in your absentee ballot application. If you do not receive your absentee ballot in the mail, if it is lost, you're then precluded from voting. That apparently has happened. This would allow someone in that circumstance to come to the polling place on Election Day, to vote provisionally, to have the election authorities check to ensure that their absentee ballot was not submitted and counted, and it ensures that that voter's vote is -- is counted and the franchise is protected.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President, for your indulgence. Senator Harmon, this bill would also allow for the production of absentee ballots by people other than election authorities. You're shaking your head no, so you're going to give me the impression here that that's not what it allows. If I'm incorrect, explain to me why I'm wrong.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. I want to be very clear here, Senator. It allows the production of absentee ballot applications, not the absentee ballots. And I want to explain

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why this is an important distinction. The ballot is the ballot, but we -- in -- in an electronic world, people should be able to print off an absentee ballot application and have that counted. People should -- if someone wants to reproduce the official election authority absentee ballot application and distribute it to likely voters, those voters should be able to apply for an absentee ballot. We shouldn't be bound up by the -- the twentieth-century thinking about applications.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

So, under -- under this change, if this becomes law, Senator, would -- could a candidate for office be one of the people who produces absentee ballot applications?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Yes, just like the Republican Party did in the last election. Anyone who reproduces it would be in -- required to substantially conform to the -- to the model. It has to be very similar in -- in content and form. But, yes, anyone could reproduce that application form and encourage voters to vote - a good outcome in my view.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

Now, I'm not an expert in the Election Code by a wide reach, Senator Harmon, but let me ask you - I want to go a step further - what -- could a candidate -- what -- what -- wouldn't

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there be a violation of the law if a candidate produced an absentee ballot application and on one side, when running that off, had the application, on the other side had maybe, I don't know, the candidate's logo? Would that be a violation of some law?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Harmon.

SENATOR HARMON:

Senator, I -- I'm going to ask you to repeat your question. My -- my understanding is that the -- the Illinois Republican Party did just that in -- in the last election cycle. So, if there's a violation, I don't want to get anybody in trouble.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter, could you repeat that question, please?

SENATOR RIGHTER:

You already said it. Just throw it out there and say, well, I don't want to get anyone in trouble. Here's the question: Is -- this would allow a candidate to run an application for an absentee ballot. What I'm asking, is there anything in the Election Code that would prohibit a candidate from running such an application where the application's on one side and the candidate logo is on the back? And maybe you'll throw the Republican Party in there for a third time. Third time's a charm. But, I mean, is there anything in the law that would prohibit that?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Harmon.

SENATOR HARMON:

I -- I'm sorry, Senator. I hope I'm not mispronouncing

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"Republican Party". I don't know that there's anything in the law that -- that would -- would preclude that. I -- the ballot -- the form of the application has to conform substantially to the form promulgated by law. So, I -- I'm not sure I'm understanding the -- the -- the gist of your question. I don't think there's anything that would preclude it from being a part of -- of a -- a candidate's get-out-to-vote strategy. No.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

To the motion, if I might, Mr. President. Ladies and Gentlemen, even though sometimes it doesn't get the attention from Members in our Chamber or the other Chamber or certainly from the press, at this time of year, in the last few days of Session, the big, sweeping, complicated election bills are the ones to keep an eye on, particularly when there's a November right around the corner and an election to be had. Okay? This bill moves the grace period registration date to the Saturday before the Tuesday election. Call your county clerks at home and ask them if they're for that. Maybe the county clerk's association is neutral on that, but I've talked to my county clerks back home and they're not for that. They're not for extending the unfunded mandate that passed here two years ago to require those where there are universities to put polling stations there without Springfield paying for -- any money. We had a debate a couple/three years ago about campaign finance and caps. And the position, at least on this side of the aisle, was, if you're going to have caps, then cap everyone. Don't cap everyone but this entity or that entity. This bill then moves a

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cap in a -- in another area and that -- and it allows the third parties that the sponsor referred to, to do it, because if a third party pours in enough money, then the cap comes off on the other side. The third party expenditures, we keep hearing from some are the demon in this situation, are the ones who will control whether or not the cap comes off in this situation. But the best was the last -- the last was the best. Under this, anyone can run an application for an absentee ballot and there's nothing, apparently, in the law that would prohibit a candidate from, on one side of the application, having the form that has to be filled out, and on the other side, citizens for whomever. Is that what we want? Is that what we want in our Election Code? At the very least, we'd like a more definite answer about whether or not that's permitted under Illinois law. I would urge a No vote. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR GARRETT:

A question for the sponsor.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield, Senator Garrett.

SENATOR GARRETT:

Yes, thank you. Regarding disclosure, how do we know -- is there any way of knowing if these Super PACs or independent expenditures are -- are truly independent of a candidate? Is there any way to understand that the candidate or the candidate's family or somebody isn't behind them?

PRESIDING OFFICER: (SENATOR SULLIVAN)

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Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Thank you, Senator, for your question. Let me try to answer it in two ways. First of all, there is disclosure, at least for the moment, of the contributions that they raise. We have mandated that in our campaign disclosure laws - that if a Super PAC is participating in elections in Illinois, they do have to follow the disclosure laws of our State. They do not need to follow the campaign contribution limit laws of our State, under court order, but they do need to disclose from where they raise the money. In terms of coordinating with a candidate, that's against the law. And if they did that, they would be subject to -- to fines and penalties. Asking -- I -- I don't know how that -- if they would disclose that they were breaking the law, but they -- they -- they can't -- they can't do it.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Garrett.

SENATOR GARRETT:

So, at the federal level, is there any way - we're hearing so much and seeing so much from these Super PACs - that it's trackable to find out who they really are and are they truly independent of, you know, Barack Obama or -- or Romney or somebody like that? Is there any way they do it so we can all be assured that there is that independence?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Harmon.

SENATOR HARMON:

I -- thank you, Mr. President. Thank you, Senator. I -- I

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think we do track it to the best of our ability now. We require them to register as a political committee to disclose their officers and who -- and creates the -- the -- the PAC. We require them to disclose their contributions. Someone would have to connect the dots. But I think it's similar to the way the FEC regulates Super PACs. The -- the -- the news media can connect the dots as well. I -- I don't know how to ask them to tell us that they're breaking the law. That's -- that's -- it's certainly not a flip answer. But they're not supposed to coordinate. They're precluded by law from coordinating and we have to hold them to that.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Garrett.

SENATOR GARRETT:

So, let me ask it this way. Are we following the same framework that is currently in place at the federal level when it comes to disclosure, whether it be financial disclosures or - - or any type of other disclosure, for these Super PACs and independent expenditures?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Thank you, Senator. Again, I would say it is similar. We are applying our Illinois campaign disclosure laws to the Super PACs participating in elections in Illinois. It's similar in character to what the Federal Election Commission does. We -- we are not using their model because it's inconsistent and it's -- it's -- we're extending our State law to the Super PACs. I -- I hope that's an answer

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to the question.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Garrett.

SENATOR GARRETT:

It kind of is. I'm just wondering what the difference is, what -- the difference between what the feds do, which seems to be where all the focus is right now, and what the State of Illinois plans to do. What makes it...

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Senator, I -- I am not a federal election lawyer and I won't pretend to be one. We are extending the existing Illinois disclosure law, which I think is among the best in the country, to -- to the Super PACs that are participating here. We will know, if they comply with the law, from where they raise their money and on what they spend their money and who it is who's in charge of the PAC.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Before we go to our next speaker, Jordan Guzzardo, WGN-TV, requests permission to videotape. Stephen Bourque with WICS-TV requests permission to videotape. Ryan Voyles with Daily Herald requests permission to take still photos. And Michael Tercha with the Chicago Tribune requests permission to take still photos. Seeing no objection, leave is granted. Senator Jacobs, for what purpose do you rise?

SENATOR JACOBS:

Thank you, Mr. President. I rise to -- a question of the sponsor.

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield, Senator Jacobs.

SENATOR JACOBS:

Thank you, Senator. I just want to, first, tell you how pleased I am that you're moving on this bill. And I think everyone will be very surprised that -- when I stand up for a -- a good government bill, but this is certainly one. I think the auctioning of -- of America that these Super PACs represent are a real danger to us in the General Assembly. As someone who's already been hit by these Super PACs, I'll tell you, I don't know who these people are. And it -- it's -- it's not only inaccurate, but they're unaccountable, and I think your amendment goes a long way towards leveling the playing field. Look, I don't want to spend a billion dollars to be a State Senator, but there's obviously some people out there that would like to see me gone and I want to make sure the people who'd like to see me stay can spend the same amount. I think it does speak to a larger question that we have, which is, should we have limits on campaign contributions? I think my position on that is, no, and this is the reason why. It's very complicated. But I just want to say thank you for untying my hands and allowing me to fight fairly. I would note that, as someone who's been hit by these Super PACs formed by some of these radical groups, I really do appreciate what you're trying to do today.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR RAOUL:

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Just a brief question of the sponsor.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield, Senator Raoul.

SENATOR RAOUL:

Senator, it seemed like a -- a previous speaker was trying to characterize you as trying to open the door to the Super PACs. You're introducing this legislation in response to a federal court decision. Is that correct?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Thank you, Senator, for that question. Yes. Anyone who thinks that we're blowing a hole in the wall of campaign finance reform, I -- I think is misinformed. The hole in the wall was blown open by the Supreme Court. We are trying to rebuild the wall.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Raoul.

SENATOR RAOUL:

And -- and, in addition, we've had early voting. Right? You're not just starting early voting. You -- you're extending a -- an experiment that has been successful over the -- the past couple years. Is that correct?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Thank you, Senator. Yes, you are exactly right. We've had a very successful experiment with early voting. We have learned when people vote early and we're

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adapting our system to make sure more people can vote and do vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Raoul.

SENATOR RAOUL:

To the bill: You know, it -- it seems odd that we would have people speak against citizens participating in the thing that our troops are fighting across the world for - creating democracy, allowing the citizens to vote. And we should expand, to the extent that -- that -- that we can manage it, the opportunity for every citizen to participate in voting the representatives that they send either to the General Assembly or to the executive offices. To argue against creating that access, to me is an argument against democracy. And with regards to responding to the federal court decisions, that's something that's out of Senator Harmon's control, that's out of our control, but we have to respond to it. And -- and what Senator Harmon is doing in this bill is at least bringing it to a point where these Super PACs have to report as you and I have to do with regards to our political committees. So I urge every Member in this Chamber to vote for this reasonable bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Our last speaker seeking recognition, Senator Sandoval, for what purpose do you rise?

SENATOR SANDOVAL:

To the bill, Senator -- Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Sandoval.

SENATOR SANDOVAL:

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Mr. President, Members of the Illinois Senate - Senator Harmon, you know, I have listened to the debate over the last half-hour and I've learned that, you know, over the last few weeks, there are some more pressing issues than dealing with campaign finance reform. I've been down here nearly a decade and voted on a number of pieces that have espoused to have -- lead to greater transparency and accountability and greater campaign finance reform. I think that the issues before us today, like pension reform, you know, helping the poor, the indigent, holding back these cuts to Medicaid, those who are really hurting the most -- there's some really real difficult issues facing us today in the eleventh hour, along with the complexities of the debate. The maze of campaign finance reform, we can talk all about it. We -- we -- I see bills presented every Session. I'm not too sure that the time is ripe, today at the eleventh hour, to really get into depth into intricacies of this bill, and for that matter, I know that you are a compassionate, reasonable Senator, especially from Oak Park, that you would want more debate and greater disclosure of this bill. And for that, I'd ask you and implore to you to remove this from the record so that we can have greater time to discuss this, maybe perhaps in the Veto Session.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator -- was there a question in that, Senator Sandoval? Senator Harmon, you can close and/or respond. Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. I -- I think I can respond to a couple of the speakers who've talked about the timing. This bill has been on file for two weeks. It's been debated at some

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length. Variations on this have been in the General Assembly for the entirety of our Session. To close, I -- the Deputy Minority Leader spoke eloquently in opposition to this bill. And picking up on what Senator Raoul said, I'm going to take the unusual step of adopting the Deputy Minority Leader's speech as my closing argument.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Harmon, excuse me one second. Senator Sandoval apparently did have a question in there and has another question. So I just want to let you know before you close, you might want to just respond to that question, if you would, please. Senator Harmon.

SENATOR HARMON:

I am in the middle of my closing, Mr. -- Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Harmon, Senator Sandoval did have a question. I was mistaken on that, if you would respond to the question. Senator Harmon.

SENATOR HARMON:

No.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Sandoval.

SENATOR SANDOVAL:

Well, I was imploring to the greater sensitivities of the gentleman from Oak Park. I believe that not removing it from the record would not allow for greater debate, greater transparency and real reform when it comes to campaign finance. The response is unacceptable, but that's just the way it rolls today. Thank you very much.

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Harmon, my apologies for interrupting your closing. Please continue.

SENATOR HARMON:

Thank -- thank you, Mr. President. I was in the process of adopting the Deputy Minority Leader's speech as my closing argument. Yes, this bill makes it easier for people to vote. Yes, this will encourage people to participate in the electoral process. Yes, this bill will make it easier for candidates without resources to compete. This is a fine bill. I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, the question is, shall the Senate concur in House Amendments 1 and 4 to Senate Bill 3722. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 30 voting Aye, 26 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments 1 and 4 to Senate Bill 3722, and the bill is declared passed. Ladies and Gentlemen, if you will -- we are going to turn to Supplemental Calendar No. 1. It has been distributed. It is on your desk. First up on Supplemental Calendar No. 1 is Senate Bill -- 2332. Senate Bill 2332. There it is on the board. Senator Kotowski, do you wish to proceed? Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 2332.

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Signed by Senator Kotowski.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 2332, as passed by the House, includes reappropriations for the capital plan that were created by Public Act 96-35 and 96-39, as well as new appropriations for annual pay-as-you-go capital projects at IDOT and DNR. Reappropriations include funding for school construction, public and private universities, roads, community-based projects, hospitals, public transit, and environment and energy projects, among others. Thank you. More than happy to answer any question.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Ladies and Gentlemen, is there any discussion? Senator Murphy, for what purpose do you rise?

SENATOR MURPHY:

I rise in support of the Senator's bill and urge an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any other discussion? Seeing none, Ladies and Gentlemen, the question is, does the Senate -- shall the Senate concur in House Amendments 1 and 2 to Senate Bill 2332. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 56 voting Aye, 0 voting Nay, 0 voting Present. Having received the required constitutional

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majority, the Senate does concur in House Amendments 1 and 2 to Senate Bill 2332, and the bill is declared passed. Next up on the -- Senator McCarter, for what purpose do you rise?

SENATOR McCARTER:

I'd like to be recognized as a No vote on Senate Bill 3722.

PRESIDING OFFICER: (SENATOR SULLIVAN)

The record will so reflect your intent. Next up on our printed -- or, excuse me, the Supplemental Calendar No. 1, we have Senate Bill 2348. Senator Steans. Senate Bill 2348. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendments 1, 2, 3 and 4 to Senate Bill 2348.

Signed by Senator Steans.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Thank you, Mr. President, Members of the Senate. This is first of the overall budget bills that will be laying out the -- the budget for the upcoming year that we've got -- received from the House. Senate Bill 2348 includes Fiscal Year '12 supplemental appropriations, as well as Fiscal -- Fiscal Year '13 appropriations for nondiscretionary items. It provides 45.2 million in General Revenue Fund, 285.5 million in other State funds, 41.3 million in federal funds to pay for Court of Claims awards, lawsuit settlements for both CMS and State Police. It also includes two hundred and eighty million in other State funds to pay for Healthcare and Family Services for Medicaid payments. It also includes a hundred thousand GRF appropriation

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for the Executive Ethics Committee {sic} (Commission) to hire a consultant to assist with the procurement of a third-party Medicaid eligibility administration. It includes nondiscretionary spending of 6.3 billion GRF, 5.9 million other State funds to make our certified pension payments, our group health insurance payments and Chicago Teacher {sic} (Teachers') Pension Fund payment. Finally, it includes money to pay down backlog of bills - 1.3 billion in General Revenue Fund. One billion of that will be applied to Medicaid bills, two hundred and sixty-four million to Backlog Payment Fund, and thirty-six million for Fiscal Year '12 claims under the College Insurance Program. This is thus setting us, I think, on a way towards creating a balanced budget and being very responsible in paying down 1.3 billion in unpaid bills. I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR MURPHY:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates she will yield. Senator Murphy.

SENATOR MURPHY:

Senator, the House Democrats, who crafted this budget, have indicated that it spends almost four hundred million more than in FY'12. Is that correct?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

It spends a total - listed in the total - of 33.7 billion

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in General Revenue Fund. Discretionary spending total in it -- in the House budget bills are 16.4 billion, which is seven hundred million less than the Fiscal Year '12 discretionary budget. The difference that does account for an increase is for our increased pension payment.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy.

SENATOR MURPHY:

Is -- is the overall increase in spending over last year just shy of four hundred million?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Yes. And our -- our -- I would note that our increased pension payment is over a billion dollars.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy.

SENATOR MURPHY:

Senator, I made this point in committee and I'm going to make it again out here. We didn't obviously agree on the last budget that you passed last week. I thought it spent too much. Our side thought it spent too much. But it was, as you said at the time, gimmick-free. I thought it was a rather sincere tax-and-spend budget at the time. But -- but - to your credit, and you touted this at the time, it didn't have gimmicks - this one does, though, particularly in this bill. Whereas you were a little more forthright in what you were willing to spend and -- and be straight about it, on the other -- in the other Chamber, they have been less so and they feel compelled to say that

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they're below a certain spend threshold - otherwise they went back on their word. But the truth of the matter is, they do spend more. They do spend more over in the House than they indicated they would. And to mask that, they used a gimmick that you rejected in your budget, and that mask is they're taking a bunch of FY'13 money and they're moving it into FY'12, when no one's paying as much attention, so they can bring the overall number in under what they said it would be. Isn't that a gimmick?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Well, I want to first thank you for acknowledging that the budget we passed last week was gimmick-free. It might have been nice of you to acknowledge at the time we were passing those budgets, but I -- but I welcome it now. What I would suggest on this is, that we have revenues this year that have come in higher than estimated. So -- appropriating now, which we also knew might be the case. When we had used the very conservative revenue estimates this year, we knew they were conservative and that revenues may come in above that. They have, in fact, done that and they're now using those revenues that are available this year to make payments.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy.

SENATOR MURPHY:

But we had a bill, I believe last week, with child care and a reapprop of about seventy-three million that actually in total spent the entire approximately hundred and fifty-one million in

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revenue above the estimate that -- that we expected to get. So I ask you, where is the money coming from for this additional FY'12 appropriation? Because I think what it really is, is intended to be pushed off into FY'13. Do you know where the money's going to come from?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Yes. In Fiscal Year '12, spending -- the agreed revenue estimate had been 33.2 billion. It is based on, we are now expecting revenues to come in from a number of different sources, particularly the personal and corporate income taxes, at about six hundred and sixty million above the original estimate. This allows us to more than make up for the appropriations that are moved into Fiscal Year '12 for this year.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy.

SENATOR MURPHY:

So, what's the total amount of revenue? Because, again, the Governor's Office said before it was about a hundred and fifty million. I thought everybody was kind of in agreement that that was the number just last week. Did we fall into a treasure-trove of additional revenue in the last week? If so, what's the total amount of revenue above the revenue estimate that is coming in?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

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Yeah, the total amount -- and this -- this revenue estimate comes from COGFA, which is the bipartisan legislative body, which is saying that they estimate that total revenue for Fiscal Year '12 is going to come up at six hundred and sixty million above the original estimate. So that more than covers the hundred and fifty-one million that we have done previously, as well as the appropriations for Fiscal Year '12 that are in this -- in this budget bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy.

SENATOR MURPHY:

So, how much of that money are we spending in FY'12 above and beyond the -- the amount that we -- the new appropriation we did before, plus this appropriation that you're putting in -- in the supplemental for FY'12 here?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

I'm not sure exactly what you are counting. Everything that I would count that -- incorporates a two hundred -- Fiscal Year '12 items would be underneath the six hundred and sixty million by seventy or eighty million dollars at least to -- to spare. The other thing I just want to note is, when we had done those revenue estimates for the -- for the current fiscal year, we had said that any revenues that come in above that should go to pay unpaid bills, reduce our backlog. All these items are going to pay off backlogs and things that have been owed by the State.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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Senator Murphy.

SENATOR MURPHY:

Is the -- is the six hundred and some odd million in new revenue, is that above COGFA's estimate for what revenue would be or above the House's estimate for what revenue would be?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

It's above the revenue estimate that the budget is based on.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy.

SENATOR MURPHY:

I -- I don't recall there being agreement for FY'12 on a revenue estimate, unlike this year when we did have a bipartisan agreement on that. The House had thirty-three two last year. You guys were at thirty-four three and we were talking about somewhere around thirty-three nine, if I recall. So, which one of those estimates is revenue six hundred and some odd million above?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

The -- the -- the -- the budget that was actually passed, revenue estimates of 33.2 - the budget that was actually passed. It would be above that. And our total spending, including all of these appropriated items that are in this bill for Fiscal Year '12, will be below our estimated revenue projections for the current -- fiscal year.

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy.

SENATOR MURPHY:

So the -- the total revenue above thirty-three two, it's six hundred. So the revenue will be somewhere around thirty-three eight? Somewhere in that range? Is that what you anticipate?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Yes.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy.

SENATOR MURPHY:

But -- but according to the Governor, we're going to spend at least thirty-three seven in Fiscal Year '12. So we don't have -- in addition to the money that we already spent last -- last week, we don't have hundreds of millions more to support this supplemental in FY'12. So I ask you again, where is the money coming from?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy, is that question with regard to the supplemental for FY'12? And that's in this bill? Senator Steans.

SENATOR STEANS:

Yeah, we -- I will again say that all the spending that's going to be appropriated -- already been appropriated in Fiscal Year '12 appropriations that are included in this bill that's before us right now will be below the estimated revenues for

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Fiscal Year '12. That's my understanding. And I'm not sure how many more times you need me to answer that question.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy.

SENATOR MURPHY:

Well, it -- to the bill: And I -- we won't belabor that point anymore, but, I mean, the truth of the matter is, you're adding in a hundred and thirty-five million, when the Governor says we already spent thirty-three seven, and that doesn't include the hundred and fifty from last week. So, we're already pushing bills into next fiscal year with this particular budget, which is a recurring theme, unfortunately, in this building. Spending is up almost four hundred million. Two years in a row - two years in a row, after the people were told just take the largest tax hike in State history and we'll make cuts - two years in a row, though, spending is going up. There's no dispute about it. Unlike the budget that was here last week, this one is full of gimmicks - pushing bills off, moving 'em around - trying to deceive the people into believing that fiscal responsibility has finally been visited upon their Capitol when clearly it has not. Two other issues: Remember from last week, and Senator Righter I'm sure will recall - he's known around here as the Deputy Minority Leader - Grow Your Own Teachers. Grow Your Own Teachers is back. This budget is built on budgeting for results, right? Budgeting for results. Grow Your Own Teachers is producing eight -- one -- six hundred and twenty-two thousand dollars per teacher, and yet they are justified as being in here for a million dollars. You look at the other things that have been cut in this budget, can you

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honestly say that you used any sort of metric-based analysis to move Grow Your Own Teachers - at six hundred and twenty-two grand per teacher - above the other priorities in this State? The answer is clearly no. There is a provision in here, a new one - to your credit again, you guys, when you did your budget, didn't actually do this - but now it's coming over here again and we are paying over a million dollars to have parents volunteer at their kids' school. Ladies and Gentlemen, if they got to pay you to go, you're not a volunteer. This budget doesn't reflect the priorities of this State. The one thing this budget is missing, if we wanted to actually have any sense of honesty to it, is the amendment to make the tax increase permanent - 'cause, yet again, spending goes up. We are no closer to the fiscal responsibility we need for that tax increase to go down, as you promised, when you passed it, that it would. Job growth will continue to be sluggish. Taxes will continue to be high. The budget will continue to grow. And the people of this State will continue to suffer under your failed leadership. I urge a No vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Althoff, for what purpose do you rise?

SENATOR ALTHOFF:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates she will yield, Senator Althoff.

SENATOR ALTHOFF:

Thank you. Senator Steans, you can let your breath out; I'm not going to ask anything about Grow Your Own Teacher. But I do note that under the Human Services aspect of this

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legislation, there's an additional forty million dollars on the TANF and child care line. And I know that, in a very bipartisan fashion, we passed a supplemental to ensure that our child care providers received their moneys this year. Can you explain to me, a, what that forty million dollars is, is that federal dollars, and how we intend to use that in conjunction with the additional 73.6 million that we already allocated with that supplemental appropriation?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

It's simply appropriation -- in the event that the federal dollars are available - we understand from DHS that they may, we're not positive, though. But, we want to make sure they have appropriation authority, in the event that they are. The dollars could be used for either child care or TANF program.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Althoff.

SENATOR ALTHOFF:

And -- and I would ask, if that money is available and we do receive that money in, do we intend to spend that money first before we use the money that we budgeted from GRF?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Absolutely.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Althoff.

SENATOR ALTHOFF:

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...you -- thank you very much for the clarification.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Seeing no further discussion, Senator Steans, do you wish to close? Senator Steans.

SENATOR STEANS:

Thank you, Mr. President, Members of the Senate. So, yes, this bill does, in fact, live within the 33.7 billion overall. This is the first of the bills that will be doing that. It does have a decrease in discretionary spending from current year spending of seven hundred million dollars. There is an overall increase with all funds, given our increased pressure on the pension payments. I'm hoping that that's something we -- we yet address. I would -- want to just -- there -- one of my previous colleagues had indicated that the gimmick in here is that we are pushing off bills again. Well, I would suggest the exact opposite. What we're doing is moving up payments from next year to this year to actually make more payments out. I don't think that's a gimmick. I think that's responsibly using available resources to spend our -- to pay off our unpaid bills. I would urge an Aye -- an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, the question is, shall the Senate concur in Amendments 1, 2, 3 and 4 to Senate Bill 2348. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 33 voting Aye, 25 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments 1, 2, 3 and 4 to

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Senate Bill 2348, and the bill is declared passed. Next up on the Calendar, we have Senate Bill 2378. Senator Steans. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendments 1 and 3 to Senate Bill 2378.

Signed by Senator Steans.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Thank you, Mr. President, Members of the Senate. This is the second of our budget bills. As passed by the House, Senate Bill 2378 appropriates Fiscal Year '13 funding for constitutional offices, legislative agencies, and the judicial - - branch. The amendment includes 770.5 million GRF and three hundred and four million other State funds and 10.2 million federal funds. It represents an overall decrease of 29.5 million when compared to the current fiscal year and a General Revenue Fund decrease of 30.6 million dollars. Welcome -- happy to answer any questions and urge an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR MURPHY:

As another piece of the budget that will cement the tax increase, I urge a No vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Syverson, for what purpose do you rise?

SENATOR SYVERSON:

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Thank you, Mr. President. A couple questions of the sponsor.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates she will yield, Senator Syverson.

SENATOR SYVERSON:

Senator, in here, I notice that one of the areas that is cut is the comprehensive health plan. Looks like it's 2.9 million below the Governor's introduced level. Can you tell me how we came up with that or what the ending result is going to be by having this much of a cut to that program?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

I don't think the group health is in this budget - Senate Bill 2378. But -- but, in any event, it's level -- we are funding it level to the current fiscal year.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Syverson.

SENATOR SYVERSON:

Thank you. I was one -- I was a page off. So, thank you very much. I'll wait till that bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Seeing no further discussion, Ladies and Gentlemen, the question is, shall the Senate concur in House Amendments 1 and 3 to Senate Bill 2378. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 34 voting Aye, 25 voting Nay, 0 voting Present. Having received

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the required constitutional majority, the Senate does concur in House Amendments 1 and 3 to Senate Bill 2378, and the bill is declared passed. Next up on the Calendar, we have Senate Bill 2409. Senator Kotowski. Mr. Secretary, please read.. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendments 1, 2 and 5 to Senate Bill 2409.

Signed by Senator Kotowski.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 2409 appropriates funds for Fiscal Year '13 to twenty-nine agencies. The total GRF appropriation for the agencies in this bill is 330.6 million. The other State fund appropriation is 4.3 billion and the federal funds appropriation is 1.8 billion. This represents an overall decrease of 177.1 million below the Fiscal Year '12 level and also a General Revenue Fund decrease -- a decrease of a hundred and fourteen million dollars. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR MURPHY:

I urge a No vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Seeing no further discussion, Ladies and Gentlemen, the question is, does -- shall the Senate concur in House Amendments

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1, 2 and 5 to Senate Bill 2409. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 35 voting Aye, 24 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments 1, 2 and 5 to Senate Bill 2409, and the bill is declared passed. Jenna Morton, WCIA, requests permission to videotape -- videotape. Seeing no objection, leave is granted. Ladies and Gentlemen, Senate Bill 2474. Senator Kotowski. Mr. Secretary, please read the gentleman's motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendments 1, 2, 3 and 4 to Senate Bill 2474.

Signed by Senator Kotowski.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 2474, as amended, makes appropriations to the State's public safety agencies for Fiscal Year 2013. In total, the bill appropriates 5.7 billion all funds to these agencies for Fiscal Year '13, an increase of fifty-three million over the Fiscal Year '12 appropriation. Of this total, 1.6 billion is appropriated from the General Revenue Fund, 3.4 billion from other State funds and 718.8 million from federal funds. This represents a GRF decrease -- a decrease of 50.1 million when compared to the Fiscal Year '12 final budget. Be more than happy to answer any questions.

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Senator Murphy.

SENATOR MURPHY:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield, Senator Murphy.

SENATOR MURPHY:

Senator, are -- I notice that the Neighborhood Recovery Initiative was moved from the Illinois Violence Prevention Authority to the Criminal Justice Information Authority. Of course, they still get every penny, but why was it deemed necessary to move that initiative in that line item?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

Appreciate your question, Senator. I think it is as a result of bipartisan negotiation in the House, which determined the location of this. And I think, you know, one of the things that we discussed in committee, as you have brought up, Criminal Justice Information Authority does an excellent job with data and research and dispensing grants to local law enforcement throughout the State of Illinois. So, it's located there. Couple other points that we've talked about before is, I think the Neighborhood Recovery Initiative has done an excellent job, right now, in moving forward, of partnering with the University to evaluate the program, and targeting communities that are high crime/high poverty to make sure that the -- the best service is provided with the best outcome.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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Senator Murphy.

SENATOR MURPHY:

Actually, I didn't make that observation about Criminal Justice Information Authority. I think you did. But when -- when did the Neighborhood Recovery Initiative start prioritizing in the most crime-ridden neighborhoods? Because what gave us original concern about this bill was -- or, this program, was the fact that, by the Chicago Police Department's own violence rankings, the money wasn't being spent in the most violent neighborhoods per se. So if, in fact, they're now doing that, when did they start?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

I can't believe I'm going to say this, but, Senator Murphy, can you please restate your question?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy.

SENATOR MURPHY:

Sure. You had indicated that the Neighborhood Recovery Initiative program has been doing a good job of late at spending the money in the most violent neighborhoods to address crime. And what triggered our original concern about this program, in addition to its curious timing and accelerated advancement right before a gubernatorial election, was the fact that, by the Chicago Police Department's own rankings, the money was not necessarily being spent in the most violent neighborhoods in Chicago. So my question, again, is, if the Neighborhood Recovery Initiative is now spending money in those neighborhoods

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that are most violent, when did they start doing that?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

It's -- it's my understanding, Senator, they've been doing that from the beginning. They've targeted the communities that would benefit the most from this initiative. So, I don't think this is anything new. What I do think is recent is the -- this partnership with the University - the University of Illinois, I believe - to help evaluate the program and provide -- better data and information as we move forward in this program and making sure that the -- the funds that are directed in the communities make the -- an even -- even -- even more significant difference. And the other thing is that there's -- there's better tracking, more transparency than there was before. So, I think they're moving forward in a very positive direction.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy.

SENATOR MURPHY:

Senator, can you explain for me or walk through the analysis of how the Neighborhood Recovery Initiative went through the Budgeting for Results metric and how you evaluated it on data as what it was producing and why it justifies, in addition to the twenty-five million they still have in the program, another fifteen million in this -- in this year's budget?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

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I just want to be very -- very clear to the bill. The language that we have in the bill right now is -- is fifteen million as appropriated from GRF to the Illinois Criminal Justice Information Authority for grants to community-based organizations for violence prevention programs. So that's the specific language in the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy.

SENATOR MURPHY:

Is that the extent of your explanation of how Budgeting for Results metrics and rubric, or however you apply it, was applied to this particular line item?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

Yes.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy.

SENATOR MURPHY:

This -- this program also has -- or, this -- this budget item also has 4.4 million for Operation CeaseFire. Correct?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

Yes.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy.

SENATOR MURPHY:

And you did not have that in the budget you passed last

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week - again, to your credit. Why is it in there now?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

They're -- we -- you're absolutely correct, Senator Murphy. I think it was put in as a result of the negotiations over in the House, and that's something that happened. It's a byproduct of what happens down here. We put it out there; it was put back in. It's part of the budget we have right now. It's my understanding that the -- the House Minority Leader had an active role in putting this back in.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy.

SENATOR MURPHY:

What's the basis for your statement that the House Minority Leader put that back in?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

A higher power.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy.

SENATOR MURPHY:

He ain't that high. The -- I -- I don't believe that the House Minority Leader had anything to do with this. In fact, the House Minority Leader voted against the budget that has this in it. Again, you know, the rhetoric just doesn't match the results - yet again. I mean, Budgeting for Results, I mean, it looks good on a mail piece, but in practice, we can't even

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explain how it gets rid of Grow Your Own Teachers, even though you can't, how it justifies another fifteen million on Neighborhood Recovery Initiative, Operation Ceasefire. Either apply this new law in a way that is understandable and explainable or please stop telling us that it actually has changed the budgeting process at all. I urge a No vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR ALTHOFF:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield, Senator Althoff.

SENATOR ALTHOFF:

Thank you. And, again, Senator Kotowski, I'm not going to address Grow Your Own. I think I've beaten that up enough this entire time, even though there is again more money for it. Looking at the Community College Board section, can you explain to me why we cut the 7.3 million appropriation for veteran grants, which was obviously one lump sum, and instead we did seven hundred and fifty thousand appropriations to eight specific community colleges? Do you know what the rationalization was for that?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

I don't believe that's in this bill, Senator.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Althoff.

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SENATOR ALTHOFF:

I apologize. It's just so big and weighty. I guess I'll have to wait to ask you that question on the next one. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR CULTRA:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield, Senator Cultra.

SENATOR CULTRA:

There's some money in -- for the Department of Corrections, like 1.2 billion dollars. Would that include keeping Dwight Correctional Center open?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

Yes, Senator, the money in the budget that was for Department of Corrections keeps all the correction facilities open, as well as the alternative treatment centers.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Seeing no further discussion, Ladies and Gentlemen, the question is, shall the Senate concur in House Amendments 1, 2, 3 and 4 to Senate Bill 2474. All those in favor will say Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 37 voting Aye, 21 voting Nay, 1 voting Present. Having received

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the required constitutional majority, the Senate does concur in House Amendments 1, 2, 3 and 4 to Senate Bill 2474, and the bill is declared passed. Ladies and Gentlemen, if you'll turn to page 10 of the regular Calendar, page 10 of the regular Calendar, on the Order of House Bills 3rd Reading. We have House Bill -- excuse me, yes, House Bill 5342. We'll get it up on the board. There it is. House Bill 5342. President Cullerton. Mr. Secretary, President Cullerton seeks leave of the Body to return House Bill 5342 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 5342. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 1, offered by President Cullerton.

PRESIDING OFFICER: (SENATOR SULLIVAN)

President Cullerton, on Floor Amendment 1. Mr. Secretary, please take that bill out of the record. Next up on the Calendar - again, we're on the middle of page 10 of the printed Calendar - we have House Bill 5440. Mr. Secretary, President Cullerton seeks leave of the Body to return House Bill 5440 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 5440. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 1, offered by Senator Link.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Link.

SENATOR LINK:

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Thank you, Mr. President. I'd like to withdraw the amendment.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Mr. Secretary, please withdraw the amendment. Are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 2, offered by President Cullerton.

PRESIDING OFFICER: (SENATOR SULLIVAN)

President Cullerton, on Floor Amendment 2.

SENATOR CULLERTON:

Yes, thank you, Mr. President, Members of the Senate. This amendment was adopted in the Executive Committee on a bipartisan roll -- roll call last night. This imposes a statewide assessment on direct broadcasting satellite service. Move for its adoption.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Now on the Order of 3rd Reading, we have House Bill 5440. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 5440.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Mr. -- President Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President. This bill, as I indicated, imposes a statewide assessment on direct broadcast satellite and service providers to provide parity among all providers of multichannel video programming services. This fee, it would be a five percent fee on all consideration received by the provider. The funds collected will be deposited into the Education Assistance Fund and it would generate approximately, we believe, seventy-five million dollars in proceeds. Be happy to answer any questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR LAUZEN:

Just a question for the sponsor.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield, Senator Lauzen.

SENATOR LAUZEN:

I understand and appreciate the concept of this bill, where you're trying to consistently apply a tax no matter how the entertainment is delivered, whether it's cable or satellite. However, isn't there a difference between -- a cable tax goes to local government and the satellite tax will go to the State of Illinois. Is that correct?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator -- President Cullerton.

SENATOR CULLERTON:

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Yes, that is correct. The -- the cable fees do go to the local governments. This would go to the State.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Lauzen.

SENATOR LAUZEN:

Could you explain the rationale of the inconsistency in where the proceeds go?

PRESIDING OFFICER: (SENATOR SULLIVAN)

President Cullerton.

SENATOR CULLERTON:

The federal statute would prohibit this tax to be imposed by the local governments. It's only the State that could do it. And so that's why we're the ones that are doing it and collecting the money.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Further 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. Ladies and Gentlemen, this bill, like some bills that we see, particularly this time of year, has gone through kind of a metamorphosis. When it first surfaced, it was about, hey, this group has to pay a franchise fee, so we just want to make sure this group pays a franchise fee. Well, then as the discussion evolved, more and more people became familiar with the notion that the reason that the -- cable providers pay

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a franchise fee is because they put things in the municipality, put things in the ground, and it was, at some point, going to be a little difficult to make that same argument about satellite providers and satellite TV users. And so now we've evolved to, well, the locals can't tax it, so we're gonna. That's it. Hey, federal law doesn't allow these guys to tax it, so we're going to do it. It's just another tax increase. Okay? It's just another tax increase. I'll be interested in hearing, at some point in this debate, whether or not anyone can tell us how much this is going to cost the average customer, the people who will pay this tax. Not the providers - they're not going to pay it. They're going to pass it right through on to the same people who lost a week's pay a year ago January with the tax increase and who have been nicked-and-dimed to death. This is another tax increase. So when you get done here today, after all the arm-twisting is over and "hey, we got to do this" and "hey, you got to vote for this" is over, you'll go home and say, yes, I voted for another tax increase, whatever you want to call it - a fee, franchising, an assessment. I mean, I'm sure there's a dozen other words, Mr. President. It's another tax increase. I urge a No vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Seeing no further discussion, President Cullerton, do you wish to close? President Cullerton.

SENATOR CULLERTON:

Yes, I would just indicate this is a very competitive market between satellite service and cable service, and I would suspect that in that competitive market that there's not any guarantee that any of these fees that are assessed would be

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passed on to the consumer. And as a result, it may be that it will not cost the consumer anything, but rather the company that's paying the fee. In either case, I believe this is a very important bill that will send approximately seventy-five million dollars in proceeds to the education of our children in the State of Illinois. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, the question is, shall House Bill 5440 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 30 voting Aye, 27 voting Nay, 0 voting Present. House Bill 5440, having received the required constitutional majority, is declared passed. Senator Jacqueline Collins, for what purpose do you rise?

SENATOR J. COLLINS:

Thank you, Mr. President. For the record, I would like to be recorded a No on Senate Bill 2474.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Collins, the record will so indicate your intent. Ladies and Gentlemen, with leave of the Body, we will turn to -- towards the top of page 14 in the printed Calendar. We're on Secretary's Desk, Concurrence, Senate Bills and we have Senate Bill 2958. It's up on the board. Senator Kotowski. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 2958.

Signed by Senator Kotowski.

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski. One second. Senator Kotowski.

SENATOR KOTOWSKI:

This is for real, right? Thank you, Mr. President. The sponsorship of the bill, of Senate Bill 2958, has been changed to the esteemed Senator Pamela Althoff. I would request permission to defer to her on the Floor.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you, Senator Kotowski. Just -- just FYI, the sponsorship has been changed. The board does not reflect that because the system has to be shut down before -- and it does now. Senator Althoff.

SENATOR ALTHOFF:

Thank you very much, Mr. President, and Senator Kotowski for yielding. Senate Bill 2958 is the procurement bill. It clearly defines the role of procurement in State government without compromising the good government found in Senate Bill 51, which the 96th General Assembly passed last year {sic}, which was sponsored by Senator Schoenberg, Senator Garrett and Senator Radogno. It addressed the undue influences of State contract process which was magnified by the previous administration. Subsequent to this passage, however, several procurement fix-it bills were filed on behalf of business and government agencies, who sought clarification and guidance while trying to meet the intent and standards of Senate Bill 51. In response, President Cullerton and Leader Radogno created the Procurement Committee, which I had the pleasure of co-chairing with another member of the "redheaded caucus", Senator Harmon. We have received testimony and written language suggestions,

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which the committee used as the foundation to craft draft legislation. We then invited in members of both House caucuses, Representative Bradley from the House Democrats and Representative Pritchard from the House Republicans. Negotiations continued and the bill we have before us is the result of those long negotiations. With a little latitude and indulgence from the Chamber, I'd like to recognize some people that I think were important to the process. Beginning with Senator Schoenberg, who was the sponsor of Senate Bill 51 and recognized and acknowledged the need for the clarifying legislation; my co-chair, Senator Harmon, who allowed me to present endless streams of procurement suggestions and bills; staffers - Patrick Barry of the Senate Republicans, Giovanni Randazzo of the Senate Democrats, Derek Persico of the House Republicans, and Heather Vaught of the House Democrats, for their countless hours and efforts on -- on our behalf, spending weekends and evenings together rather than with their families; CMS Director Weems; Matt Brown, Chief Procurement Officer; David Eldridge of the Executive Ethics Commission; John Schomberg from the Governor's Office; and Laura Minzer from the State Chamber. The legislation is an example of what we can accomplish when we choose to work together for a common goal. I'm extraordinarily proud of these results. A few of the highlights of the bill include: The requirement to procure one or more private vendors to administer the Workers' Compensation Program. This is done by the Chief Procurement Officer, in consultation with CMS. The creation of a formal hearing recourse process for contractors and subcontractors in response to any allegation of conflict of interest. Permits sole sourcing unless an interested party

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submits a written request for a public hearing. Requires the verification of the business's compliance with Procurement Code certification, as opposed to our current process of requiring a paper copy of the registration with any bid or proposal submission. It transfers IMSA from the General Services to Higher Ed CPO. It clarifies when a vendor can communicate with State agencies, removing the fear that many of these vendors had about being barred from the bidding or proposal process in the event they would actually like to bring a new product or an innovative method to the State. And, finally, it grants CPOs the sole authority over joint purchases and allows use of the competitive selection process through RFPs. Be happy to answer any questions at this time.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR HARMON:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Leader Harmon.

SENATOR HARMON:

Thank you, Mr. President. I -- I want to join with Senator Althoff in thanking all of the folks that she thanked for their hard work on that. Especially want to make sure that our staff is singled out, both Patrick on -- on the Senate Republican side and our own Giovanni Randazzo on -- on our side, who did incredible -- incredible work. I also want to thank my co-chair, Senator Althoff, for all the work that you did. You -- you have proven what we can do when we are willing to put

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partisan differences aside and focus on improving the -- the rules of the road for the State. I'm confident we will get better procurements and save money for the taxpayers as a result of -- of this legislation. So, for all the Members on this side of the aisle, I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you, Senator Harmon. Seeing no further discussion, Ladies and Gentlemen, the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 2958. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 58 voting Aye, 0 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments 1 and 2 to Senate Bill 2958, and the bill is declared passed. Mr. Secretary, Messages from the House.

SECRETARY ANDERSON:

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

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

Senate Bill 3766.

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

House Amendment 1 to Senate Bill 3766.

Passed the House, as amended, May 31st, 2012. Timothy D. Mapes, Clerk of the House.

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, the Senate will stand at ease for a few minutes to allow the Committee on Assignments to meet. Will all members of the Committee on Assignments please come to the President's Anteroom immediately? Committee on Assignments will meet immediately. Senate will stand at ease. (at ease) Senate will come to order. Mr. Secretary, Committee Reports.

SECRETARY ANDERSON:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to Criminal Law Committee - Senate Bill 306; refer to Executive Committee - Motion to Concur on House Amendment 5 to Senate Bill 38, Motion to Concur on House Amendment 1 and 2 to Senate Bill 179, Floor Amendment 1 to Senate Bill 184, Motion to Concur on House Amendments 1 and 2 to Senate Bill 1900, Motion to Concur on House Amendments 1 and 2 to Senate Bill 3428, Motion to Concur on House Amendment 1 to Senate Bill 3766, Motion to Concur on House Amendment 1 and 6 to Senate Bill 3802, Floor Amendment 4 to House Bill 5495; re-refer from Executive Committee to Assignments Committee - Senate Resolutions 752, 773, and House Joint Resolution 79; Be Approved for Consideration - Floor Amendment 2 to House Bill 5342, House Joint Resolution 93, Senate Resolution 637, Senate Resolution -- 811 and Senate Resolution 788.

Signed, James F. Clayborne, Chairman.

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Be Approved for Consideration - Senate Resolution 752, 773, and House Joint Resolution 79.

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Signed, Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, if I can have your attention. The following committees will be meeting to take up Floor amendments and/or concurrence motions: The Executive Committee will meet in Room 212 today at 5:25 p.m. - Exec, in Room 212 at 5:25 p.m. today. Ladies and Gentlemen, if I can have your attention again. Committee on Assignments will meet immediately. Will all members of the Committee on Assignments please come to the - - President's Anteroom immediately? Will all members of the Committee on Assignments come to the President's Anteroom? Senate will stand at ease. (at ease) Senate will come to order. Mr. Secretary, Committee Reports.

SECRETARY ANDERSON:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Be Approved for Consideration - Floor Amendment 2 to House Bill 4568.

Signed, Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, on page 9 of the printed Calendar, on the Order of House Bills 3rd Reading, we have House Bill 4568. President Cullerton, do you wish to proceed? Mr. Secretary, President Cullerton seeks leave of the Body to return House Bill 4568 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading, we have House Bill 4568. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

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Floor Amendment No. 1, offered by Senator Trotter.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Trotter, to explain Floor Amendment 1.

SENATOR TROTTER:

Thank you very much, Mr. President and Members of the Senate. Floor Amendment No. 1 is the amendment that increases the bond authorization for various road...

PRESIDING OFFICER: (SENATOR SULLIVAN)

Just one second. Senator Trotter.

SENATOR TROTTER:

Mr. President, it was just brought to my attention that we're basically not going to adopt Amendment No. 1. There's an Amendment No. 2 that we need to adopt.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Mr. Secretary, Senator Trotter would like to withdraw Floor Amendment No. 1. Mr. Secretary, are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 2, offered by Senator Trotter.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Trotter, on Floor Amendment 2.

SENATOR TROTTER:

Thank you very much, Mr. President. As I stated before, this is the bond authorization for various road and transit projects, totaling 1.6 billion dollars. Of that amount, the bond authorization is increased for transit projects by 799.5 million and for road projects by 817.3 million. This is part of the project that we passed in 2009, which was the Illinois Jobs Now! program. This will ensure that we can keep this multiyear

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program running smoothly, as well as capture federal dollars.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Now on -- now on the Order of 3rd Reading, we have House Bill 4568. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 4568.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

President Cullerton, on House Bill 4568.

SENATOR CULLERTON:

I would ask Senator Trotter if he can handle this bill for me, please.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Trotter, to explain the bill.

SENATOR TROTTER:

Thank you very much, Mr. President, and thank you very much, President Cullerton. I just explained it in -- in short that it in fact gives bond authorization for 1.6 billion dollars. It creates another twenty-seven thousand jobs here in the State of Illinois and ensures that we have our roads

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repaired, our bridges repaired, and it also deals with high-speed rail.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR RADOGNO:

Thank you, Mr. President. Just to reiterate what Senator Trotter said. This is the continuation of the capital program that we passed on a bipartisan basis. This allows the State to sell another 1.6 billion dollars in bonds. The amount has actually increased a little over the course of the day. But the -- this amount will allow IDOT to complete this construction season. As part of the agreement to go ahead and issue the bonds, we will also be seeing an audit of the road program, which is, I think, a very good thing for the State, to be sure that the money that we're -- that needs to be spent on roads is spent there. So I would urge an Aye vote on this bond authorization. Thank you.

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 he will yield, Senator Lauzen.

SENATOR LAUZEN:

Senator, thank you very much for outlining the different things that it does, including the high-speed rail. Can you tell me, out of the 1.6 billion dollars, how much is allocated

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to what some of us think is a little bit more controversial than -- than the rest?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Trotter.

SENATOR TROTTER:

Thank you, sir. Senator Lauzen, 799.5 million dollars will be put into the budget -- to authorization to finish those projects with -- specifically to the high-speed rail. And that's looking at the -- the train lines from Chicago to St. Louis, also working in tandem with the other states, looking at the Detroit to St. Louis rail as well.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Lauzen.

SENATOR LAUZEN:

Do I understand correctly that you're saying seven hundred and ninety million - approximately eight hundred million out of 1.6 billion? So, about half of the entire authorization goes to something that is that controversial for some of us?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Trotter.

SENATOR TROTTER:

Thank you. Just -- no, sir. It is not entirely for high-speed rail, even though that has been a priority of ours in recent years. These dollars also will go for other transit projects as well - the CREATE Project, which, again, is another ongoing program that we have in working with the -- the railroads, ensuring that we get these intermodal centers in place as well. So it's -- it -- it is a multifaceted program and it's over the next couple of years as well. This is just

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the authorization. These are not dollars that we're going to get this year to spend on these projects. So, it's an ongoing process.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Lauzen.

SENATOR LAUZEN:

I very much want to support the legislation and -- and put a Yes vote, although I think that you're going to have strong support in the Senate for it. I am trying to just narrow in. I now understand that the seven hundred and ninety -- you know, roughly eight hundred million dollars of the 1.6 is for all types of transit. And so, what I'm trying to figure out is how much of it goes to high-speed-rail-related projects?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Trotter.

SENATOR TROTTER:

For clarity sake, sir, this -- these dollars, again, are not all going for high-speed rail. These are projects, one, to pay for those projects that are already in the pipeline. There will be other projects that will be coming forward. As you know, we're working with the Secretary of Transportation, who is identifying these projects, and -- and taking suggestions as we go along. But it -- this is a continuum of this five-year program that we have.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Lauzen.

SENATOR LAUZEN:

Final -- final question. I -- I -- I understand all those things. I'm trying -- do you have any indication, perhaps from

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the Governor's Office, about how much of that lump sum? Because I understand that it's -- you know, as your staff member is talking to you and my staff member's talking to me, that -- do you have any guidance about what proportion of the eight hundred million is going to the high-speed?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Trotter.

SENATOR TROTTER:

Specifically, the answer is, no, sir. However, we are working with the Secretary of Transportation, who's assured us that there are some things on the table they're looking at - what is more feasible, what is realistic that we can do and complete within this next two years of the program. Again, most of the dollars that we got in the first three years have now been depleted and we're -- so, getting -- needing this authorization to go forward. It brings some kind of continuum of mindset, if nothing else, to those various people that we let bonds to, to know that we're on track to continue those projects that we started.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR PANKAU:

Thank you, Mr. President. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will, Senator Pankau.

SENATOR PANKAU:

Do you know approximately what interest rate we're

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anticipating we're going to have -- we're going to be paying on these bonds?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Trotter.

SENATOR TROTTER:

No, I do not.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Pankau.

SENATOR PANKAU:

Before the bonds are sold, there will be a -- a credit -- or, a -- a -- a -- the -- the bond houses will be coming to readjust the -- the -- the credit rating of the State. Is that true?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Trotter.

SENATOR TROTTER:

That's generally how it works. And as we know, in the past few years, we've also -- and some of the questions -- or, a question that was brought up in committee, talking about one of the funding sources to pay for these -- pay off the bonds, and that was video gaming, which has not really gone forward, but we were assured through GOMB that these new dollars and these -- that new plan should be in operation by the third quarter of this year. So, with that, with more dollars, we'll have more assurance that whatever that interest rate is that we can certainly meet the challenge.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Pankau.

SENATOR PANKAU:

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To the bill, Mr. President. I urge an Aye vote. Lot of the questions that we asked, we really didn't get specific answers for, but we can't let infrastructure go down the drain in this State. We have to keep moving forward. Yes, we're probably going to pay more than other states in the interest that we're going to have to pay back on these bonds. It's not going to probably be the most frugal of bond issues in front of us, but it still needs to be done. Roads have to be continued. Railroads, mass transit has to be done. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR JACOBS:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Jacobs.

SENATOR JACOBS:

I -- I would just point out to some of my skeptical friends that the real benefit of high-speed rail isn't that the train's going to make money. These trains don't really make money. The benefits is they take small towns and hook 'em to other small towns, enable cities to grow and to create jobs, and that's what infrastructure is for. I'm sure there were those people in the Flat Earth Society who didn't want to build bridges across the Mississippi because it'd be expensive - the State may have to pay for it - but eventually you have to pay for it. And I would also point out, too, that I would encourage you, as the sponsor of this bill, to make sure you speak with the Governor of Illinois and make sure that he understands that two and a half

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years ago now, we passed a capital bill here, and inside that capital bill, there was some video gaming, and we would like to make sure that the Governor is aware of that and maybe implement the plan. And if he's unable to implement it, I might recommend a good Senator across the way who could implement that for him.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Seeing no further discussion, Senator Trotter, to close.

SENATOR TROTTER:

When I go see the Governor, I'm going to take my muscle with me, and that's going to be you, sir. I just ask for an Aye vote for the State of Illinois.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, the question is, shall House Bill 4568 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 56 voting Aye, 1 voting Nay, 1 -- 0 voting Present. House Bill 4568, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, if you'll turn to page 9 in the regular Calendar, on the -- on the Order of House Bills 3rd Reading - page 9, the middle of the page, on the Order of House Bills 3rd Reading - we have House Bill 4513. We'll let it get up on the board. There it is. President Cullerton. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 4513.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR SULLIVAN)

President Cullerton.

SENATOR CULLERTON:

Yes, thank you, Mr. President, Members of the Senate. This bill amends the Metropolitan Water Reclamation District Article of the Illinois Pension Code. It increases Tier I employee contributions starting in 2013. Currently, these employees contribute nine percent of their salary. So, when it's fully implemented, employees would contribute twelve percent, but only until the system reaches a funding level of ninety percent. And employer contributions are also increased. And it puts the system on an actuarially required contribution out to 2050. Now, this represents an example of where a public employer and a public sector union can actually agree to take action requiring shared sacrifice and to try and stabilize a public pension system. And that's the reason why I think we should vote for this bill. However, I should also point out that the House sponsor has asked me not to amend this bill and to pass it, since an -- it's an agreed bill, but concerns have been raised as to whether this bill, as passed by the House, violates the pension clause of the Illinois Constitution because it unilaterally increases the fixed contribution rates of employees by three percent. After all, the unions cannot bind their members to changes to the Pension Code that reduce the pension benefit rights of their members. The only exception, perhaps, is an agreement between the employer and the unions to treat future increase in income as not qualifying as pensionable income. Nonetheless, the unions cannot speak on behalf of nonunion employees working at the Water Reclamation District.

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So, I'm not a member of the Supreme Court and it would be up to the Illinois courts to decide if this violates the pension clause. It's important, I think, to articulate the -- the legal arguments why a court could find it to be flawed. First, it unilaterally increases the contribution rate -- must pay the system to receive the same pension benefit amount when he or she retires. So, the 1970 Constitutional Convention debates regarding the pension clause and relevant court decisions indicate that a fixed employee contribution rate, like any other benefit right found in the Pension Code, at the time a person joins a pension system cannot be unilaterally dismissed or impaired by the General Assembly. And Illinois court decisions further indicate that the pension benefit rights of current employees can only be modified if employees are offered new consideration and offer -- and accept that offer. It also contains, this bill, no mechanism of offer, no consideration, and acceptance. So, the bill's unilateral increase in the employee contribution rate is tantamount to a benefit reduction because it requires employees to pay more for each dollar of benefits they will ultimately receive in their pension and thereby reduces the value of their benefits in proportion to their contributions. The other problem that could be raised with this bill is that it's -- it does require the Water Reclamation District to contribute more to the pension system by -- by increasing the multiplier formula governing the employer contributions. That requirement is simply a statutory change that the General Assembly can change at any time in the future. The legal argument correctly observes that this bill nowhere provides or implies that employees are being asked to increase

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their contributions in exchange for receiving a vested right in the provisions requiring the employer to contribute more to the pension system under the bill. As a result, the provision requiring the Water Reclamation District to contribute more to the pension system is a statutory change that would not qualify as a legal consideration. And, finally, even assuming that employee's fixed contribution rate, as set forth in the Pension Code, does not qualify as a pension benefit for pension clause purposes, the employee contribution rate would nonetheless qualify as a contractual right for contract clause purposes because it is an essential financial term of the contractual relationship that exists between the employee and the pension system. I'm not aware of any language in the bill or in the legislative record where the Water Reclamation District has articulated why it is reasonable and necessary to impair the employees' fixed contribution rate and what alternatives have been explored and exhausted. There is not a dispute that the Water Reclamation District has for decades, pursuant to State statute, contributed to the pension system based on a multiplier formula that is not tied to actuarially required funding amounts, but, rather, what is politically palatable to taxpayers. So the cause of the Water Reclamation District pension system's current underfunding stems in part from the funding obligations of the Water Reclamation District that we in the General Assembly established. So, as you see, I believe this bill, if passed, will be a test case. But it is something that the Water Reclamation District has asked for. They are increasing their own contribution. In committee, they reassured us they are going to manage that contribution without having to

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increase any property taxes. So we're assured of that. It is a voluntary -- the unions involved indicated -- the unions who work at the Water Reclamation District have agreed to the increase in the contribution, with the exception of the Teamsters, who said that the three percent increase is probably not enough. There are other unions, perhaps, that are against the bill, but are not work -- people who work for the Water Reclamation District. So with that, I would ask for an Aye vote. It's a very unusual situation, where I'm asking you to vote for a bill which may in fact be deemed to be unconstitutional, but it's a -- certainly a welcome test case if that's indeed what it leads to. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR LAUZEN:

To the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Lauzen.

SENATOR LAUZEN:

If I understand this legislation properly, I'd like to compliment the -- management and labor at the MWRD and the sponsor for putting together what seems to be a very good example of solving a pension problem in a collaborative way, where you get the job done and there hasn't been a whole lot of negative feelings. So everybody's been working together on this. There was some confusion during committee, where a question was asked, is this going to remain within the caps, the

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tax caps? And I think that the confusion, after it was discussed outside of committee, was that under the statutory cap - that's a much higher number that the Reclamation District can work under - versus the tax cap, which is a lower number, they - they're going to live within both of those, but it was especially the tax cap that was a concern. That's -- I think that that's been satisfied, so I recommend a Yes vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Seeing no other speaker seeking recognition, Ladies and Gentlemen, the question is, shall House Bill 4513 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. The question -- on that question, there are 50 voting Aye, 2 voting Nay, 2 voting Present. House Bill 4513, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, with leave of the Body, if you'll turn to page 15 of the printed Calendar, we're on the Order of Secretary's Desk, Concurrence on Senate Bills. The last -- the last bill on that motion -- on that Order is Senate Bill 3794. Senator Holmes, do you wish to proceed? Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendments 2 and 3 to Senate Bill 3794.

Signed by Senator Holmes.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Holmes.

SENATOR HOLMES:

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Thank you so much, Mr. President. Senate Bill 3794 was the bill we did a considerable amount of work with the Comptroller's Office, creating the Financial Reporting Standards Board to assist the State in improving the timeliness, quality, and process of financial reporting. We did not have agreement with the Governor's Office when we passed it out of this Chamber with forty votes. We continued to work on it when we passed it to the House and we added some amendments, and right now, with those amendments added, the bill currently has absolutely no opposition. And it passed the House 116 or something to nothing.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall the Senate concur in House Amendments 2 and 3 to Senate Bill 3794. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 59 voting Aye, 0 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments 2 and 3 to Senate Bill 3794, and the bill is declared passed. With leave of the Body, we will return to the previous bill, which is Senate Bill 3727. Leader Harmon. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 3727.

Signed by Senator Harmon.

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Harmon.

SENATOR HARMON:

Thank -- thank you, Mr. President, Ladies and Gentlemen of the Senate. The -- the underlying bill, Senate Bill 3727, is the modernization of the Swimming Facility Act, initiated by the Department of Public Health. The House offered a technical amendment related to the -- the -- the inspection protocols. I'm not aware of any opposition to the amendment, and I move to concur in the House's amendment.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR SYVERSON:

Thank you. A couple questions of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield, Senator Syverson.

SENATOR SYVERSON:

Senator, I think we had talked about this when it first came through here, but now under this new fee structure, with the new fees being put into place, how will that play in with the new federal mandate now that every public pool in Illinois has to be adapted to meet these new federal standards? Will that require now that each one of these public pools go through and get a -- at least a major alteration fee {sic} or a construction fee {sic} and will that be a added cost that they're going to all have to incur?

PRESIDING OFFICER: (SENATOR SULLIVAN)

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Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Senator, thank you for your question. I'm -- I'm probably at the edge of my expertise on this. My understanding is that much of the work for compliance with the federal law has been done. I know that, in my district, there have been a number of pools that have been through this process. It has caused a fair amount of angst with pools being closed and the like. If I'm -- if I am misstating the facts, I apologize, but that's my understanding. It would depend, of course, on the condition of each pool. I believe a construction permit would be limited to new construction. Alteration permits may be required, depending on the State of the pool. But, again, this is -- I think, much of the work is done and I think the remainder of the inspections is -- is the routine course. I hope that that's an accurate statement that answers your question.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Syverson.

SENATOR SYVERSON:

And you could be right about those who have complied with, so far, the federal law. I'm not sure when the deadline is for that. Now, is there going to be -- is there an annual inspection fee that's with this, so pools, locally, that are inspected, either by the local health department or the State health department? Is there a -- is there going to be a fee for that as well?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Harmon.

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SENATOR HARMON:

Yes, Senator. There -- there's an initial inspection fee for for-profit operators of a -- one hundred and fifty dollars and subsequent inspections for a hundred dollars. I think that would apply to remaining annual inspections for -- I'm sorry, that would be if -- if they have to come back to inspect after they cure some defect. For -- for tax-exempt organizations and for government-owned pools, there is no fee for the initial inspection.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Syverson.

SENATOR SYVERSON:

And the fee is -- is there also -- are schools required to pay these fees then, too, that have pools?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Harmon.

SENATOR HARMON:

No. The -- the school -- the -- the inspection fee is not charged to -- to the -- to the school, or any other local government unit.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. To the -- to the bill: I certainly understand what the Senator is trying to get at, but my concern is, this is just the -- another example of an -- of an agency that is trying to balance their budgets on increasing fees. And in the end, fees get -- always get passed on to the consumer. In this case, they're talking -- estimating I think

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it's three million dollars' worth of added -- added fees that will be bore by local hotels, local businesses that will end up, again, passing this on. So, for those who are opposed to the idea of more fee increases, then I would urge a -- a No vote. And believe that these -- that -- that this is a role of the agency that should be funded out of their own budget. So, thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR HAINE:

Would the sponsor yield?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield, Senator Haine.

SENATOR HAINE:

So, I'm -- Senator Harmon, is the House amendment the one adding the fees? The fees were already embedded in the bill, right?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Harmon.

SENATOR HARMON:

Yes, Senator. The underlying bill contains the fees. The Senate has already voted on those. The House amendment is really a technical change relating to the allocation of those fees among local health departments and -- and the Public Health Department itself.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Haine.

SENATOR HAINE:

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And the -- and the fees were necessary to expedite the inspections, is what you said, so that a hotel, school or whatever can get them open by Labor Day.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator...

SENATOR HAINE:

I'm sorry, by...

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Harmon.

SENATOR HARMON:

Yes. And this is the -- the point I was going to make in my closing argument. I don't think anyone in the Chamber believes that pools shouldn't be inspected, that they shouldn't comply with safety standards for all those children and adults who use them. The question is, simply, who's going to pay for it - the taxpayers, generally, as we've been doing, or the users of the pools, especially those who profit from operating the pools? I think user fees is a perfectly appropriate way to finance this endeavor and to give the Department the resources it needs to do its job.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Harmon, to close. Ladies and Gentlemen, the question is, shall Senate Bill 3727 pass. Actually, the question is, shall the Senate concur in House Amendments -- House Amendment 1 to Senate Bill 3727. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 34 voting Aye, 23 voting Nay, 0 voting Present. Having received

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the required constitutional majority, the Senate does concur in House Amendment 1 to Senate Bill 3727, and the bill is declared passed. Ladies and Gentlemen, with leave of the Body, we will turn to the middle of page 12 of your printed Calendar. On the Order of Secretary's Desk, Resolutions {sic}, we have Senate Bill 1034. Senator Jacqueline Collins. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendments 2 and 4 to Senate Bill 1034.

Signed by Senator Jacqueline Collins.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Collins.

SENATOR J. COLLINS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Amendment No. 2 and 4 were sent over from the House and basically what 2 did was just -- was a procedural, that we had to adopt it -- to concur with it. And so, House Amendment No. 4, which, as I'm going to explain now, is an agreed-upon bill, and what it did, it amended -- Senate Bill 1034, as amended, is an initiative of the Illinois State Police to address key findings of the Illinois Auditor General's FOIA {sic} (FOID) audit and to ensure that Illinois firearm regulations comport with federal law. Senate Bill 1034 codifies federal law and improves reporting requirements to ensure that perpetrators of domestic violence, the mentally ill, and individuals with an active order of protection or -- or stalking no contact order against them, that they do not possess or obtain a firearm. The bill also adds several protections for

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lawful firearm owners, including, one, reducing the penalty to a petty offense, rather than a Class A misdemeanor, for a person whose FOIA {sic} card has expired for less than six months; and, two, allowing new residents sixty days from the date they receive an Illinois driver's license or ID card to obtain a valid FOID card; and, lastly, creating a religious exception to the photograph requirement, thereby addressing a longtime concern of the Amish community. The Illinois State -- worked with the National Rifle -- Association and the Illinois Rifle Association negotiating House Amendment No. 4 for an agreed-upon bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR HAINE:

To the bill. I'm sorry, would the sponsor yield?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates she will yield, Senator Haine.

SENATOR HAINE:

And you -- you -- you mentioned, Senator Collins, and I want to reiterate on the -- the record, the National Rifle Association and the Illinois State Rifle Association are for the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Collins.

SENATOR J. COLLINS:

That's correct.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Haine. No. Ladies and Gentlemen, seeing no further

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discussion, the question is, shall the Senate concur in House Amendment 2 and 4 to Senate Bill 1034. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 59 voting Aye, 0 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment 2 and 4 to Senate Bill 1034, and the bill is declared passed. Senator Haine, for what purpose do you rise?

SENATOR HAINE:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your point, Senator Haine.

SENATOR HAINE:

I just want the Body to note this historic moment: Senator Collins sponsoring a gun bill on behalf of the National Rifle Association. This is a major watershed and I -- I hope to -- I hope we don't see the day when Senator Forby will be sponsoring a helmet bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, the Senate will recess to the call of the Chair to allow the Executive Committee to meet in Room 212, scheduled at 7:15. The Senate stands in recess to the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and -- Ladies and Gentlemen, the Senate will come to

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order for the purpose of a correction. The Executive Committee will meet at 5:25 - 5:25. The Executive Committee will meet at 5:25. Then the Senate will reconvene after Exec. The Senate stands in recess to the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR SULLIVAN)

The Senate will come to order. Mr. Secretary, Committee Reports. Mr. Secretary, Messages from the House.

SECRETARY ANDERSON:

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

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

Senate Bill 2537.

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 Amendments 1, 2, 3 and 5 to Senate Bill 2537.

We have received like Messages on Senate Bill 3522, with House Amendments 1 and 3 {sic} (2); Senate Bill 3592, with House Amendments 1, 2 and 3; Senate Bill 3616, with House Amendment 1; Senate Bill 3621, with House Amendment 1. Passed the House, as amended, May 31st, 2012. Timothy D. Mapes, Clerk of the House -
- Clerk of the House.

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

Mr. President - I am directed to inform the Senate that the

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House of Representative has refused to concur with the Senate in the adoption of their amendment to a bill of the following title, to wit:

House Bill 4692.

Which amendment is as follows:

Senate Amendment 1 to House Bill 4692.

Non-concurred in by the House, May 30th, 2012. Timothy D. Mapes, Clerk of the House.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Mr. Secretary, Resolutions.

SECRETARY ANDERSON:

Senate Resolution 812, offered by Senator Duffy and all Members.

And Senate Resolution 813, offered by Senator Hunter and all Members.

They are death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SECRETARY ANDERSON:

Senate Bill 3925, offered by Senator Link.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Mr. Secretary, Messages from the House.

SECRETARY ANDERSON:

Mr. President, correction to the earlier Message read in on Senate Bill 3522. It should be Senate Bill 3522, with House Amendments 1 and 2.

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Mr. Secretary, Committee Reports.

SECRETARY ANDERSON:

Senator Harmon, Chairperson of the Committee on Executive, reports Senate Amendment 1 to Senate Bill 184, Senate Amendments 2 and 3 to House Bill 1447, Senate Amendments 2, 3 and 4 to House Bill 5495; Motions to Concur: House Amendment 5 to Senate Bill 38, House Amendments 1 and 2 to Senate Bill 179, House Amendment 2 to Senate Bill 549, House Amendments 2 and 3 to Senate Bill 1849, House Amendments 1 and 2 to Senate Bill 1900, House Amendment 1 to Senate Bill 3262, House Amendments 1 and 2 to Senate Bill 3428, House Amendment 1 to Senate Bill 3442, House Amendments 1, 2 and 3 to Senate Bill 3514, House Amendment 1 to Senate Bill 3766, and House Amendments 1 and 6 to Senate Bill 3802 recommended Do Adopt.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Jay Levine with CBS 2 requests permission to videotape the proceedings. Seeing no objection, leave is granted. Ladies and Gentlemen, if I can have your attention. Will all members -- the Senate will stand at ease for a few minutes to allow the Committee on Assignments to meet. Will all members of the Committee on Assignments please come to the President's Anteroom immediately? Committee on Assignments members to the Anteroom immediately. The Senate will stand at ease. (at ease) The Senate will come to order. Mr. Secretary, Committee Reports.

SECRETARY ANDERSON:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to Financial Institutions Committee -

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Motion to Concur on House Amendment 1 and 2 to Senate Bill 3522; refer to Judiciary Committee - House Bill 306; Be Approved for Consideration - Motion to Concur on House Amendments 1, 2, 3 and 5 to Senate Bill 2537, Motion to Concur on House Amendment 1, 2 and 3 to Senate Bill 3592, Motion to Concur on House Amendment 1 to Senate Bill 3616, Motion to Concur on House Amendment 1 to Senate Bill 3621, Motion to Recede from House Amendment 1 to -- from House Amendment 1 to House Bill 4692, and House Joint Resolution 88.

Signed, Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, if I can have your attention for a committee announcement. The following committees will meet to take up motions to concur: Financial Institutions will meet in Room 400 at 8:30 p.m. - Financial Institutions, Room 400, 8 -- excuse me, 8:30 p.m., 8:30 p.m. Once again, Financial Institutions will meet in Room 400 at 8:30 p.m. Don Moseley, NBC WMAQ-TV, requests permission to videotape. Seeing no objection, leave is granted. Ladies and Gentlemen, if I can have your attention. We will return to Supplemental Calendar No. 1 that was distributed earlier today. And on that Calendar, on the Order of Secretary's Desk, Concurrence, Senate Bills, we have Senate Bill 2413. Senator Kotowski. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendments 1 and 3 to Senate Bill 2413.

Signed by Senator Kotowski.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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Senator Kotowski.

SENATOR KOTOWSKI:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. As amended by House Amendment No. 3, Senate Bill 2413 appropriates 9.544 billion all funds to the Illinois State Board of Education, the Illinois Labor Relations Board, the Illinois Community College Board, and the State Charter School Commission for Fiscal Year '13 agency operations and programmatic expenses. This represents a decrease of eight hundred and fifty-five million when compared to the Fiscal Year '12 total appropriation of 10.4 billion all funds. Areas in particular to highlight: A decrease in General State Aid of a 161.4 million. Mandated categoricals - there's a slight decrease, but we've been able to meet all maintenance of effort requirements under special education; transportation is level. Early childhood block grant - there's a reduction of 24.9 million. And then we have a shift -- beginning shift on to GRF for the regional offices of education. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR MURPHY:

To the bill, Mr. President. This is...

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Murphy.

SENATOR MURPHY:

This is yet another -- another brick in the wall of the permanent tax increase. For those on this side of the aisle, I

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would just remind you, this is the bill that has the million dollars in it that we're going to pay parents to volunteer at their kids' school. We're going to need to come up with a new word for it, since it's clearly not volunteering. I urge a No vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Seeing no further discussion, Senator Kotowski, to close. Excuse me, Senator Kotowski, just one minute. Late light came on. Senator Righter, for what purpose do you rise?

SENATOR RIGHTER:

Thank you for recognizing me, Mr. President. I appreciate that. Will the sponsor yield, please?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield, Senator Righter.

SENATOR RIGHTER:

Senator Kotowski, tell me about the program that Senator Murphy just referred to.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

Thank you very much, Senator Righter. The -- the bill -- the -- the -- the -- the program that the previous Senator is referring to is a program for parent mentoring; currently, is funded under the DHS budget, under the immigrant services and new immigrants line item. It's currently a program that's being offered in the City of Chicago. What this program will do is expand it to forty different sites, forty different school districts, across the State of Illinois. And their target -- it's been -- a program that's currently in existence. It's

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currently being funded. This'll allow the targeting of forty additional districts in minority populations across the State.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

Are the parents being mentored or the -- or are the parents mentoring someone? That's what I don't understand.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

The parents are mentoring.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

And who are they mentoring, Senator Kotowski?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

Just want to clarify, they're working in the classroom -- in the classroom setting, so that they can be trained and understand how to best connect with kids in that setting.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

Are they being trained for some kind of employment in the classroom?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

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Thank you for your question, Senator. I get the -- the purpose of the program is for them to have greater engagement in the scholastic setting to assist with participation in school and also better performance, I believe, of the students, who are in the program. So, it's a -- it's a program that increases greater engagement of parents, better training, better involvement in the scholastic environment.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

Excuse me, Mr. President. I'm -- I'm feeling a little thick here. I don't -- you said that we're training the parents. What are we training the parents to do, Senator? What are we paying the -- paying - we'll get to that in a moment - what are we training them to do?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

Appreciate your question. They're being trained to be more -- to be involved in the classroom setting, to -- to -- to -- to best contribute in -- in that -- in that setting. This is an opportunity - they have all sorts of things - to volunteer, to help out with projects in class.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

You know, Senator Kotowski, obviously here in the Senate, like in the House, we enjoy great freedoms in terms of using whatever rhetoric and whatever words we want to use, but I have

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to call foul when you use the word "volunteer" if we're paying 'em four grand. Now, why are -- so let's go to that issue. Why are we paying them this money?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

It's -- it currently -- as I said before, Senator, it's currently a program that's being offered in classrooms in the City of Chicago. There's -- it's -- the -- the purpose of the stipend -- the purpose of the stipend is to make sure that they -- they get -- they get the training that they need to increase the -- they're able to do what they need to do to help out with the projects. I guess the goal in being is to -- connecting the parents with what's going on. In some communities, it's more difficult for that to happen. This reflects the fact that this program works to achieve that.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

I wonder -- I wonder if we could have a little order, Mr. President. I wonder if we could have a little order, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen -- yes. Ladies and Gentlemen, could we have your attention, please? Can I have your attention, please? Senator Righter.

SENATOR RIGHTER:

And because I do think, Senator Kotowski, there are going to be a number of people who go home after voting for this and

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they're going to look their constituents in the eye and saying, we did our best to prudently spend the hard-earned dollars that you spend -- you send to the Capitol. And that we're going to use phrases like budgeting for results, efficiency, tough decisions, living within our means, and things like that. And then, at some point, one of those constituents is going to call you or me and they're going to say, wait a second, I just read a newspaper article that said we're going to pay parents four thousand dollars to volunteer in their kids' classrooms. And your response, Senator Kotowski, will be what?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

Appreciate your -- your question and your -- your pursuit of the -- getting at what this does within the budget, Senator. The fact is, it's an existing program that we currently fund. It's been able to demonstrate measurable results within the communities that it currently serves. The intent of this is it reflects the fact that we have a -- a diverse and growing population in the State of Illinois that, quite frankly, will see some improvement as a result of this. More teachers are going to be involved in classrooms, more teachers are going to be -- I mean, I'm sorry, more parents are going to be involved in classrooms. More parents will participate. And I think what the consequence of that is the greater involvement, a greater connection, helping out classrooms and you'll see better improvement in students and their performance. I mean, the fact is, in some communities throughout our State of Illinois, quite frankly, it's -- it's a little bit different and it's more of a

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challenge. This is an opportunity to be able to mentor parents and for -- and for them to get more involved, get them to participate, and ultimately benefit the students.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

To the motion, if I might, Mr. President. Thank you. Ladies and Gentlemen of the Senate, I appreciate that in any budget - and Senator Kotowski and Senator Steans have a tough job here, because no budget is perfect - we look around sometimes and we say, well, I'm not sure that belongs there or that belongs there, but what I just heard the sponsor say was that in some communities in this State, you got to pay the parents to get 'em to go into their kids' classroom and connect with the children. That's what you're going to go home and you're going to tell your constituents. We know you work hard. We know we just raised your taxes seven billion dollars, but don't worry, because, in some parts of this State, we're going to pay the parents to go into their kids' classrooms. That is outrageous. It is indefensible. When we hear wailing about cuts to education and cuts to human services, when we've moved Medicaid legislation that will hurt some people, we are nevertheless going to be able to find the money to say, I know you're a parent, I know you love your child, but, hey, don't worry, we've got four grand for you, so come on into their classroom. That's outrageous. Please vote No. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Further discussion? Senator McCarter, for what purpose do

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you rise?

SENATOR McCARTER:

A question of the sponsor, please.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield, Senator McCarter.

SENATOR McCARTER:

Senator, does -- does this bill have within it funding for regional superintendents of schools and their salaries?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

Yes. You may not have heard me in my opening. Senate Bill 2413 - Senator, I appreciate your question - includes twelve million other State funds for regional office of education salaries and 2.2 million General Revenue funds for regional office of education services, and seventy thousand GRF for bus driver training within the ROE umbrella.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCarter.

SENATOR McCARTER:

Now, are all those funds -- do all those funds come out of the General Fund, or do some of those come from another source?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

I'll -- I'll restate it, Senator. The -- we have -- for the salaries, twelve million comes from other State funds. For the services, 2.2 million comes from General Revenue funds. And for transportation, seventy thousand comes from General Revenue.

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCarter.

SENATOR McCARTER:

What are other State funds?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

Thank you, Senator McCarter. It's the personal property replacement tax funds.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCarter.

SENATOR McCARTER:

Did we not make an agreement last year that we were going to do that once and then we were going to have a task force that determined how we were going to reduce the number of regional superintendents, and -- and only that year, because we had to, we were going to take this out of the PPRT? Do you remember that discussion?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

I do, sir. I -- I think -- I believe the reductions will not be implemented till the year -- 2015. So, I mean, this is -- getting back to my -- my point that I raised when I initially presented the budget, this begins to shift it over to GRF. We've worked to do that here, to make sure we -- we fund the assistant salaries to GRF. Part of it is funded through other State funds. But that's, you know, what we're having to do in order to, you know, live within our means and manage this

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budget.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCarter.

SENATOR McCARTER:

To the bill: Ladies and Gentlemen, I don't know if you remember that conversation. We said we were going to do it once - one time. So we went back home and had to tell our local units of government, our schools, that we took their money away just to fund the regional superintendent salaries. We said we'd do it once. I think it's deceptive to say other funds. We made the commitment we'd only do it once. This -- this -- that was deceptive. This is one more good reason to vote No on this bill. We had -- we had the task force. We consolidate some of these -- these regional sups. But the agreement was it was to come out of the General Revenue Fund, not PPRT. I'm not going home and breaking my word to my local units of government. I told 'em I would do it once, and that's it. This is one more good reason to vote No on this bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Before we go to the next speaker, Patrick Keating, ABC 7 Chicago, requests permission to videotape the proceedings. Seeing no objection, leave is granted. Senator Lightford, for what purpose do you rise?

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. To the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Leader Lightford.

SENATOR LIGHTFORD:

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Mr. President, Ladies and Gentlemen of the Senate, I believe that the previous speakers were on point in suggesting that we vote No, but for all the wrong reasons. We should be voting No on this bill because the House sent us a budget with further cuts in education. The House sent us a budget that only added back fifty million dollars more in the general State aid. If you recall my testimony before, I indicated that the House was shorting the budget somewhere around six hundred and ten million dollars, which means our kids will receive five hundred and sixty million dollars less in the general State aid. That's why you should be voting No. But you don't want to vote No on the other side of the aisle because you wanted to cut our kids by seven hundred million dollars. That's the reason why we should be voting No on this bill. We should also be voting No on this bill because it underfunds the MAP grant. We spent a lot of time here this year cutting General Assembly scholarships and now we do not even put adequate funding for kids to be able to get the MAP grant. So all our kids are going to be in debt, because if they want to receive a higher education, they'll have to take out student loans. I don't know if it affects the kids that you represent, but it sure as heck affects the ones that I represent and many of us on this side of the aisle. Here's some more reasons why you should vote No on this bill. The Illinois Student Assistance Commission will receive almost forty-three million less than last year's budget. The Illinois Community College Board will receive almost twenty-eight million dollars less. Our State universities are looking at eighty million dollars less than last fiscal year. That's why we should be voting No on this bill. And that same foundation level that I

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spoke about, our kids will receive only five thousand six hundred and ninety-five dollars per pupil, when the EFAB recommendation board says that our kids should be somewhere over eight thousand dollars a year. Another reason why you should vote No, because it cuts forty-five percent of free or reduced lunch for children for breakfast and lunch. And we put that burden on the local school district. We're putting a whole lot of burden on the local school district and at the same time continuously underfunding them. What do they do? A whole lot of school districts don't have surpluses. They don't have the ability to make ends meet. They'll find themselves trying to get a loan at a bank to subsidize public education, because we're not doing our jobs here in the General Assembly. That's why we should be voting No on this bill. A couple more examples why we should be voting No: the Early Childhood Block Grant will be receiving a huge cut - 24.9 million dollars from last year, and we cut 'em last year by about twenty-five million. What are our children supposed to do? What will they do? It's our responsibility, when they're three and four and five years old, to give them a head start. That's our responsibility, and we're not living up to that obligation. And, finally, here's a few others. We're not preparing the teachers. We're not helping them. They're in overcrowded classrooms. They have no social services, no counselors, no truant officers. There's no support system for the teachers, and then we say, okay, there is also no teacher and administrators mentoring money. There is no principal mentoring money. There is no growth model assessment money. There is no performance evaluation. There's no strategic planning. We zeroed that completely out of the

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budget. Just don't do it. Just don't do it. This is a disgrace. All of us should be ashamed of ourselves for putting green lights on the board to support a education system that is failing our children. We already rank forty-nine of fiftieth in education funding. We have nowhere else to go. We have nowhere else to go. All of you should be ashamed of yourselves to go back to your districts after leaving here on tonight and say you did a good job for education. You would not be telling the truth, when you punched that green light. I urge a No vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Seeing no further discussion, Senator Kotowski, to close.

SENATOR KOTOWSKI:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. There's no question that this is a difficult budget to pass and there's no question that we've had very difficult choices before us. This budget overall spends about seven hundred million less than it did last year in discretionary spending. It's a very, very challenging time that we have in our State of Illinois. I think for the first time in a long time, we have allocated money to pay off bills. We have a budget that balances and we have a budget that does its best to fund key priorities. So it is a challenge. It is difficult. I would ask for your support. We're doing our best to move forward. To some previous questions that were raised, we've looked at this and we've done our best to make some difficult decisions and there are some programs that are out there that have been funded that we've looked at, and in a budget, you make decisions about what's a priority and I think education and making sure that we help kids in the classroom is a priority.

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I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Ladies and Gentlemen, the question is, shall the Senate concur in House Amendments 1 and 3 to Senate Bill 2413. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 22 voting Aye, 34 voting Nay, 1 voting Present. Having -- having failed to receive the required constitutional majority, the motion fails. Next up on the Calendar, Ladies and Gentlemen, is Senate Bill 2443. Senator Kotowski. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 2443.

Signed by Senator Kotowski.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. As amended, House Amendment No. 3 {sic} appropriates 2.439 billion all funds to agencies and institutions of higher education. Other agencies associated with higher education include the Illinois Community College Board, the Board of Higher Education, Illinois Math and Science Academy, the Illinois Student Assistance Council, and the State University Civil Service System for Fiscal Year '13 agency operations and programmatic expenses. This represents a decrease of 152.5 million when compared to Fiscal Year '12 total appropriation of

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2.591 billion all funds. Area to point out: There is a decrease - GRF of 79.6 million for universities. Monetary Award Program is reduced by 15.3 -- 15.3 million, and then base operating grants is decrease of seven and a half million, and equalization grants is a decrease of 3.8 million from the previous fiscal year. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR MURPHY:

To the bill, Mr. President. I urge a No vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR LIGHTFORD:

Thank you, Mr. President. To the bill. May I please? Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Yes. Senator Lightford, please.

SENATOR LIGHTFORD:

Ladies and Gentlemen of the Senate, my sentiments are very similar to the previous bill. I just only indicate here, once again, that the MAP grant is severely underfunded year after year and you're not allowing young people an opportunity to gain a higher education when you don't give them the necessary tools they need to earn it. We're not even giving them a chance to earn an education in higher education. And what about the adults who find themselves on their jobs for year after year after year, they get passed over because they don't have the

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degree? They find themselves back at our community colleges for adult learning. We're not giving them a chance either, because they're raising children. They're on the job and they cannot afford it. So here we are again, cutting areas where we want to help people move themselves from being on the TANF rolls. We want to -- hell, you don't want to give 'em Medicaid. You don't want to give 'em health insurance and you're cutting everything else. Give them a chance to earn a higher education. This is what we're doing with this bill: We're cutting that opportunity out. We're cutting our universities by eighty million dollars. We're cutting our community college boards by twenty-seven million dollars and ISAC by forty-two. These numbers are above the cuts from last year. These aren't just miniscule numbers that just came up because we have a delay right now. We delayed them last year. We delayed capital projects. We give our schools no support. And the few of us who have universities in our districts brag and boast about the little bit that you have. News flash: You're not educating the kids in Illinois properly. You're not educating the young adults properly. So stop bragging about it. And this is not a balanced budget. This is not a balanced budget. That is not true. This is underfunding education, underfunding the poor, the people who need our help. The reason why we're here: to govern and to help people who need our assistance the most. Again, shame on you for voting Aye and I urge a No vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski, to close.

SENATOR KOTOWSKI:

Thank you very much to the previous speakers. As someone

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who is the son of a community college teacher who's taught his entire life in the community college system and was eighty years old and was still teaching, I don't take this budget lightly. Education is the foundation, is the opportunity that we provide for our kids and adults throughout the State of Illinois. But there are some people in this Chamber who didn't get the memo: We don't have any money. We don't have any money. We have no money, and we're working to pay off our bills. We have to make tough decisions. I simply ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 2443. All in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 30 voting Aye, 29 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments 1 and 2 to Senate Bill 2443, and the bill is declared passed. Next up on the Calendar is Senate Bill 2454. Senator Steans, do you wish to move forward? Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendments 1, 4 and 5 to Senate Bill 2454.

Signed by Senator Steans.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

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

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Senate bill, as amended, makes appropriations to the State's human services agencies for Fiscal Year 2013. The bill appropriates twenty-five billion all funds to the agencies, an increase of 1.9 billion over Fiscal Year '12, primarily in -- more so than in -- in other State funds. Of this total, 11.7 billion is appropriated from the General Revenue Fund, 10.8 billion from other State funds, and 2.4 billion from federal funds. Represents a two-hundred-million-dollar decrease in General Revenue funds when compared to the Fiscal Year '12 final budget. I'll be happy to answer any questions on any details if anyone has questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR MURPHY:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates she will yield, Senator Murphy.

SENATOR MURPHY:

Senator, last week, when you guys had your budget, it appropriated about 6.64 billion for Medicaid. And we had the conversation at that time and Senator Kotowski had acknowledged that if we didn't get to 2.7 in cuts and did 1.1 in new revenue that we would need to increase the appropriation for Medicaid. Does this budget do that?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

No. The revenue bill to support it has not yet been signed

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by the Governor, so it's not yet law. We'll have to come back once that's the case and do a supplemental appropriation to allocate the funds from the new expanded hospital assessment and the cigarette tax.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy.

SENATOR MURPHY:

So earlier when we discussed the broad strokes of this budget and we said that the spending goes up by a little over four hundred million, that didn't include the 1.1 billion we'll have to appropriate later?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Does not include this, but this is likely to be other State funds, not General Revenue Fund. It's still within the 33.7 billion, I believe, on the General Revenue funds.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy.

SENATOR MURPHY:

What other funds do you anticipate the 1.1 billion supplemental appropriation we'll need to do in Medicaid coming from?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

It'll be eight hundred million. We expect three hundred and fifty million in -- from the cigarette tax, then doubled for -- for Medicaid match, to get seven hundred; another one hundred

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million. It's eight hundred million revenue. And I'm just not sure how it's going to get accounted for. It may get put into the Healthcare Provider Relief Fund, which would be other State funds. I'm not sure where it's going to get accounted. We won't know that until we do the appropriation for it.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy.

SENATOR MURPHY:

To the -- to the bill, Mr. President. The -- I guess we understated today just how much of an increase in spending this budget really is. You can move it around into whatever fund you want, but the truth of the matter is, instead of the almost four hundred million that the House admits to, at least you had the candor to admit that it's really going to be more like about 1.4 billion -- 1.5 billion in increased spending over the current budget. A 1.5-billion-dollar increase in spending overall absolutely unequivocally puts us on a path to a permanent tax increase. This is, frankly, even worse than we imagined earlier. I urge a No vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR McCANN:

Will the sponsor yield, Mr. President?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he -- she will yield, Senator McCann.

SENATOR McCANN:

Thank you, Mr. President. Senator Steans, I believe, according to our analysis, that there is approximately twenty-

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five and a half million dollars for a line item for Jacksonville Developmental Center. Is that -- is that the case?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Yes, this does fund Jacksonville and keeps it open.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCann.

SENATOR McCANN:

I believe that's a little over eighteen percent under last year's request. Can you tell me why that is?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Yeah, the -- in general, DHS had -- include pay raise increases in their personal services lines, including those items for their -- the facility. So we -- a lot of the reduction is related to not presuming that they're going to be getting those pay raises as they go through contract negotiations.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCann.

SENATOR McCANN:

It -- with it being eighteen percent under last year's request, FY'12's request, is the intent -- when you crafted the language in this bill, was the intent to follow our very own General Assembly Commission on Government Forecasting -- is it the intent to keep Jacksonville Developmental Center open for the full Fiscal Year '13?

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Yes. Our intent is to give the Governor's Office the option to keep the facility open and that would be a full funding amount for that.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCann.

SENATOR McCANN:

Senator Steans, I appreciate that. I appreciate the answer and your work. Just one last question to be clear: Can these funds be -- if -- if the Governor so chose to -- to move forward with his plan, his rebalancing initiative and close Jacksonville, could this be used - these funds - be used for transitional purposes?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

There is language in a BIMP bill that allows the Governor's Office to move dollars from a facility to transitions if the Governor's Office so chooses. Our intent here is to fully fund and keep the facilities open, but the Governor's Office does have that flexibility and is the one who ultimately makes that decision.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCann.

SENATOR McCANN:

Okay. Thank -- so -- so, for the record, the -- the intent of this Body is -- is to keep Jacksonville Developmental Center

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open for the full fiscal year?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Yes, to give the Governor's -- I mean, to put the full funding in there for it so the Governor's Office has the option to keep the facility open. That's the intent.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR SYVERSON:

Thank you, Mr. President. Some questions of the sponsor.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates she will yield, Senator Syverson.

SENATOR SYVERSON:

Thank you. Senator, just to follow up on Senator -- McCann's questions, the total funding of the eight facilities in this budget -- of the -- of the DD facilities, those eight, what's the funding level this year compared to last year, or this current year that we're in?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Current year is two hundred and ninety-three million, and what is in -- and what is in the House budget is two hundred and sixty-nine million. So we're -- we were taking down some, generally speaking, for pay raises they were including. The intent is, as we are sort of reducing everything, there's some reductions to everything too. The intent is, though, to be

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fully -- providing full funding for all the facilities.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Syverson.

SENATOR SYVERSON:

I'm not sure what pay raises we're talking about. Which -- which pay raises are we -- that are -- are we talking about that would equate to that much that wasn't in the funding?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

I'm not sure of the details. I'm just -- I was told, though, that they had included some estimated amounts for pay raise increases and we were backing those out.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Syverson, do you have a follow-up? Senator Syverson.

SENATOR SYVERSON:

Yes. Okay, on the -- on the MI facilities, the -- we're talking about twenty-seven million dollars below the FY'12, and we're saying that the twenty-seven million dollars is just the pay raise difference that we're taking away?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Yeah, we -- we did take back the pay raises, may be a deeper cut than that. It's in a lump sum so they can try to manage it to the best of their ability. This -- there's cuts throughout the budget.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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Senator Syverson, follow-up? Senator Syverson.

SENATOR SYVERSON:

Yes. I guess the reality is that I think we're trying to have our -- our cake and eat it too. We're trying to appease people by saying we're going to keep all these facilities open, but then we're underfunding 'em dramatically at a level that, unless we have a supplemental, they can't possibly all stay open. And so what -- I guess what we need to know is what -- do you agree with that, that, number one, we can't -- that all these are not going to stay open based on this funding level, that we're going to need a supplemental, or, in fact, is the Governor going to move forward with their closures of certain facilities? And if that were the case, then these funding levels would actually work compared to last year?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

I believe they can all stay open at these funding levels. You should also remember that money in the transition lines can also be moved to the facilities, as well as the other way around. I think that the Governor's Office is going to have to manage that. It is a tight budget.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Syverson.

SENATOR SYVERSON:

Except this -- this matches -- this matches the Governor's introduced budget, which says they're closing Tinley July 1, and that's what was -- and Singer November 1. That was the introduced budget and that's what these numbers were predicated

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on. How do we keep both of those facilities open for a whole year, if that's not what it was introduced as?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

They can always move money from the transition lines to the facilities that they want. They -- there's flexibility between those lines in the BIMP.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Syverson.

SENATOR SYVERSON:

That would be two percent. But two percent doesn't equal this much money.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

They have more flexibility in a BIMP bill to move between those lines in those -- in these particular areas than the two percent.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Syverson.

SENATOR SYVERSON:

How much flexibility would they have then under the BIMP bill?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

I'll try to have the answer for you when we get to the BIMP bill to actually look at that language, but I believe there's a

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lot of flexibility.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Syverson.

SENATOR SYVERSON:

Okay, then, I guess, to the bill: I understand we have to work within tight budgets and, you know, my fear is this is -- this is really more of a political move to try to appease everyone that all these facilities are going to stay open. There clearly isn't enough funding to do that. And either we have to increase the funding or be honest enough to say that certain facilities are going to close, because these numbers clearly don't work based on the budget that was introduced based on last year's numbers. And that's disappointing, because in the end, I don't know if there's going to be dollars saved by closing facilities and -- and moving them to other locations. But I just wish we were more upfront with people that -- showing that these numbers just aren't going to work. But, thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Our last speaker seeking recognition, Senator Kotowski, for what purpose do you rise?

SENATOR KOTOWSKI:

Thank you, Mr. President. To the bill: Just wanted to conclude on a couple of points before Senator Steans finishes. I think there are items within this budget that have never before existed in the State of Illinois. We require a multiyear revenue forecast right now, which looks at our threats and opportunities in the State budget. We know the pressures we're facing in the State budget and it's compelled significant

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changes in Medicaid. It's going to compel significant changes in other areas when it comes to spending. This is a budget that we're presenting, again, that lives -- lives within the means that are provided by taxpayers. It makes very, very tough decisions. But I do want to point out, I think it's curious and -- we still have not seen any particular bill from the other side of the aisle. Still haven't seen anything. We've seen no bill. So what do I tell my kids? I said, "Grab a mitt and a ball and get in the game." If you got a bill, we'll look at it. The third point I want to raise is this: We have a lot of people on our staff who've worked on this budget who deserve a tremendous amount of recognition. They've had to go through a lot of iterations, a lot of changes. It's a great able team, led by Kristin Richards, who's done a terrific job on the budget. If we could just take a moment just to have 'em all stand up. Everybody on the team, the budget team, stand up, and give 'em a round of applause for all their good work. Stand up.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans, to close.

SENATOR STEANS:

First, I -- you know what, Senator -- from across the aisle, I want to just make a correction. It's not in the BIMP bill. The language is actually in the appropriation bill that gives the complete flexibility to move dollars between the facilities and the transitions. It's written so that the sum of the amount that's going to the facilities can get spent on these facilities or the costs associated with the services for the transition of State-operated mental health facilities and it's written the same way in those transitions. It can be for those

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transition services or for those facilities. So it's written right into the appropriation bill. This budget -- you know, it was mentioned that we'll be having an increase in funding for Medicaid, because of the cigarette tax, and that means we're not going to be able to have the tax increase go away. That's irrelevant. First, the tax increase is just set in law. It goes away unless this General Assembly takes a vote otherwise. Second, the new revenue is an ongoing revenue stream. It's going to be able to be there, also continuing. It's not adding to our unfunded liability whatsoever. It's just enabling us to provide more health care coverage to needier families in Illinois, which, I think, is just a good thing. I would urge an Aye vote to this budget. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Ladies and Gentlemen, the question is, shall the Senate concur in House Amendments 1, 4 and 5 to Senate Bill 2454. 2454. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 37 voting Aye, 21 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments 1, 4 and 5 to Senate Bill 2454, and the bill is declared passed. Ladies and Gentlemen, the Senate will stand at ease for a few minutes to allow the Committee on Assignments to meet. Will all 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. Mr. Secretary, Committee Reports.

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SECRETARY ANDERSON:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Be Approved for Consideration - Floor Amendment 1 to Senate Bill 2365, Motion to Concur on House Amendment 1 and 3 to Senate Bill 2413.

Signed, Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, if you'll turn to page 10 of the printed Calendar, on the Order of House Bills 3rd Reading, we have House Bill 5342. I'll let it get up on the board. There it is. President Cullerton, do you wish to proceed? Mr. Secretary, President Cullerton seeks leave of the Body to return House Bill 5342 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading, we have House Bill 5342. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 1, offered by Senator -- President Cullerton.

PRESIDING OFFICER: (SENATOR SULLIVAN)

President Cullerton, on Floor Amendment 1.

SENATOR CULLERTON:

Thank you, Mr. President. I move for the adoption of the amendment. It's technical in nature.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

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amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 2, offered by President Cullerton.

PRESIDING OFFICER: (SENATOR SULLIVAN)

President Cullerton, on Amendment 2.

SENATOR CULLERTON:

Yes, thank you, Mr. President. Amendment No. 2 cleans up some technical concerns which were in -- Senate Amendment No. 1 and then becomes the bill. So I'd like to adopt it and then debate the bill on bill {sic}.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion on Amendment 2? Seeing none, all those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Now on the Order of 3rd Reading, we have House Bill 5342. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 5342.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

President Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This bill has two parts to it. The first one is to deal with a loophole

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that's in our Tax Code. It's referred to as the "Outer Continental Shelf" loophole, where -- and it deals with oil derricks in the Gulf of Mexico. By closing this loophole, it's estimated that we would be able to obtain as much as one hundred million dollars in revenue. Oil and gas producers are placing their wells and pipelines in the outer continental shelf into separate subsidiaries and Illinois cannot tax the portion of their income from that subsidiary. Other states have done this. I believe at least thirteen states, including the State of Iowa, has done this successfully. And it would have that -- benefit of having the proceeds deposited into the Education Assistance Fund. This would be one hundred million more dollars to the Education Assistance Fund. And, secondly, this bill offers a two-hundred-and-fifty-dollar credit to a family earning a joint income of up to a hundred and fifty thousand dollars for higher education expenses. To qualify, they must be Illinois residents and have a student enrolled in -- in a qualified Illinois institution of higher learning. So it would be tax credit -- tax break for folks who send their kids to college. The tuitions have been increasing as a result of our underfunding. This will give a chance for a family to get a little money back when then send their kids to college. Two together are important bills. I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy, for what reason do you rise?

SENATOR MURPHY:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Murphy.

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SENATOR MURPHY:

This -- the first thing I would note is, last night, this was worth seventy-five million; tonight, it's worth a hundred. I suspect the need to find some money to pass the budget bill that went down might have something to do with the increase in the math. But let's make no mistake, for everybody who's heard from a constituent about gas prices, guess who is going to pay the bill when we jack up taxes on this horrible big oil? Your constituents, who are already worried about gas prices. You can go ahead and try and wrap this in a sugary sweet tax credit, but the reality is the people in your district would rather have you not jack up their gas prices with a ridiculous outlier tax like this one. Do us all a favor, spare us the last-minute charades and gimmicks and buyoffs and give the people of this State a little piece of mind that, for one late May, they can maybe feel like they're not going to get their pockets picked by the Democrats in the Senate. I urge a No vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR LIGHTFORD:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Lightford.

SENATOR LIGHTFORD:

I -- I rise in support of this legislation. And I'd like to thank President Cullerton for allowing the funds to be allocated to the Education Assistance Fund. I previously stated how grossly underfunded our education system is. I don't know

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that this is enough, but it sure is something that we welcome and appreciate wholeheartedly. I was remiss on speaking on House Bill 5440, which was also the other counterpart to this bill. And I appreciate, again, the President's work and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

President Cullerton, to close.

SENATOR CULLERTON:

Simply ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, the question is, shall House Bill 5342 pass. All those in favor will say Aye. Opposed, Nay. The Aye -- the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 31 voting Aye, 25 voting Nay, 1 voting Present. House Bill 5342, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, turn to page 3 of your printed Calendars. On the Order of Senate Bills 3rd Reading, we have Senate Bill 2365. Senator Steans. Senator Steans seeks leave of the Body to return Senate Bill 2365 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 2365. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 1, offered by Senator Trotter.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Trotter, on Floor Amendment No. 1.

SENATOR TROTTER:

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Yes, thank you very much, Mr. President. And thank you very much, Senator -- Leader Crotty, for getting my attention. Senate Bill 2365, Senate Amendment No. 1 makes additional appropriations to the FY'13 budget in the following ways: It adds 24.9 million of Education Assistance funds for the early childhood education funding, which will make that funding level with FY'12. It adds another 134.7 million dollars' additional funding for the general State aid, bringing that funding for the program closer to the FY'12 level. Additionally, it -- it adds another 15.4 for MAP grants, which will bring that program to FY'12 levels as well. In a separate line, it adds twenty-four million dollars of other State funds to the Circuit Breaker/Pharmaceutical Assistance Program.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion on the amendment? Senator Murphy. No -- not on the amendment? Seeing no discussion, all those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Mr. Secretary, are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 2365. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 2365.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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Senator Steans, on Senate Bill 2365.

SENATOR STEANS:

I -- I would ask to have Senator Trotter carry the bill.
Thanks.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Trotter, to present the bill. Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President. In the interest of
time, I essentially just explained the entire bill with the --
to the Body and I'm open for questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR MURPHY:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield, Senator Murphy.

SENATOR MURPHY:

Is there a House sponsor for this Senate bill that
appropriates more money?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Trotter.

SENATOR TROTTER:

Not at this point in time. I'm certain we can find
somebody out of those good Members over there who feel just as I
do, that we need to do something for the people of Illinois to
make their lives and their quality of life better.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy.

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SENATOR MURPHY:

Well, have there been any conversations with the Speaker about this additional money, because it goes above and beyond his spending cap that he put in place?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Trotter.

SENATOR TROTTER:

I have not had any conversations with him this year on any issue. So, certainly, I have not talked to him about this.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy.

SENATOR MURPHY:

And this -- this is a Senate bill. So if it passes out now, even if the House wanted to pass it today, they couldn't, could they?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Trotter.

SENATOR TROTTER:

I think they have the authority to waive times and committee times and in -- meetings. They can -- and since you mentioned it, the Speaker is very powerful. I'm sure he can work a miracle before midnight if he wanted to.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy.

SENATOR MURPHY:

I -- I -- I've seen evidence of his power in this Chamber, I -- I must confess, but I don't know that he's going to be able to pass this Senate bill in that amount of time. To the bill: Much has been -- much has been made tonight of the education

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budget and the immorality of it all and the failure of it all, and I think a little bit of data might be helpful for context. When you factor in property tax, State revenue and federal revenue, in 1994, the State of Illinois, collectively on K through 12 public schools, spent eleven billion dollars. Seventeen years later, in 2010, it was 28.6 - one billion dollars a year on top. Every single year it went up - a billion dollars a year for a generation. And you know what test scores did? Flat lined. So, coming and lecturing about spending and education, come with numbers, 'cause the numbers don't back up the claim that this place has short sold education K through 12 over the last generation. If you want to solve the problem, and there is a problem that needs to be solved, start looking in other areas, 'cause it isn't 'cause taxpayers aren't funding it enough. This bill is a joke. I urge a No vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Lightford, for what purpose do you rise?

SENATOR LIGHTFORD:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Lightford.

SENATOR LIGHTFORD:

Ladies and Gentlemen of the Senate, the previous speaker, the joke's on you. That's where the joke is. We all know that we're ranked forty-ninth in education funding in the whole United States of America. Explain that, Senator. I'm not going to say your name, because I don't want you to talk again. This is a -- this is an amendment that I believe is so crucial for us just barely taking a step in the right direction. We're barely

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there. Even with this supplemental, we're still underfunding education. We're forty-eighth - I just stand corrected - forty-eighth in the United States of America, yet you say we're putting too much money in education funding. Shame on you, Senator. I rise in support of this amendment. And I beg of the Body, beg of this General Assembly and across the aisle, across the Chamber, to come up with even more funding. We're far from doing the right thing. But I appreciate the President's support in this and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR LAUZEN:

Thank you very much, Mr. President. Just to correct the record.

PRESIDING OFFICER: (SENATOR SULLIVAN)

...bill -- to the bill, Senator Lauzen.

SENATOR LAUZEN:

Yes. On this bill and on the comment that was just made, the -- the idea of shame on anybody, shame on folks who would make public policy without having accurate information to mislead people, of -- saying that we're forty-eighth in education funding is just false. We are forty-eighth as far as the percentage of State funding to total funding that goes to education. And the reason why that is, is because our property taxes are so high, and the reason why that's so high is that people don't trust that if they send the money down here, that any money is going to come back to our schools to educate our kids. So, really, we -- I think we have to bring down

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temperature, the rhetoric. I think that it's important that we stick with the facts, and -- and enough scolding on -- on stuff. But the accurate information is that we are forty-eighth as far as the percentage of State money to total money spent on education, and the statistics are as the -- a couple of speakers ago had pointed out from this side of the aisle.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR RAOUL:

I -- I think, you know, twice I heard in Room 212 the words of Rodney King: Can't we all just get along? I urge a Aye vote on this bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Senator Trotter, to close.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. I was here in 1994 and we looked at the United States and we looked at Illinois, and we made an assessment that we were woefully underfunding our education system, that we were so far behind, even for states like Mississippi and -- and Alabama - not any aspersions against them - that we created, in 1995 {sic}, the Educational Funding Accountability Board {sic} (Education Funding Advisory Board), which -- which determined that our general State aid, those dollars that went to students, was just horrendous. And each year, we made a concerted effort to try to put more dollars into education incrementally to get to a level that this board in '95 said we had to get. We haven't gotten there yet. That's how poor we used to take care

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and educate the children here in the State of Illinois. So instead of continuing going forward, we are definitely going backwards in this global economy that we're in, with people that we're competing with from around the world. We're going backwards in our own country and certainly in this global economy. These are not perfect things. We certainly had a bill that wasn't perfect at all. The House sent us over a bill that was a joke - a joke. We sent out of here, within -- under the cap, a budget for education that we knew we can afford and live with. They didn't even acknowledge it. We've come over here now saying that's the best thing ever should happen to us. We should just swallow what he sent us. It's not that way. That's why, constitutionally, we came up -- our Founding Fathers said we should have two chambers, a bicameral legislature, where they can come up with their ideas, we come up with ours, and hopefully somewhere we meet in the middle. They met all the way at the bottom end of that pool. This is just a good beginning as we go forward. We have found the -- the funding sources for this. We've just passed the satellite tax for seventy-five million. We closed another egregious loophole in the offshore drilling tax loophole for a hundred million dollars. This can be paid for with dollars we just found from people who's been hiding it from -- and then hiding it from our children. And I ask for a -- Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, the question is, shall Senate Bill 2365 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the

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record. On that question, there are 30 voting Aye, 25 voting Nay, 4 voting Present. Senate Bill 2365, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, if you turn to Supplemental Calendar No. 2, at the bottom of the Calendar, we have Senate Bill 3802. Senator Steans, on 3802. Mr. Secretary, read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendments 1 and 6 to Senate Bill 3802.

Signed by Senator Steans.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans, on the motion.

SENATOR STEANS:

Yes, thank you, Mr. President, Members of the Senate. As amended, Senate Bill 3802 is the BIMP bill. It also extends the Grant (Funds) Recovery Act sunset date six months, from July 1st, 2012 to January 1st, 2013. So there's a number of BIMP items in here. Creates the Home Services Medicaid Trust Fund. Extends the {sic} 2013 IDOT's authority to pay RTA reduced-fare subsidy grants and Amtrak subsidies from the Road Fund. It allows eighty million in short-term cash transfers from GRF to the Tobacco Settlement Recovery Fund so that'll get repaid when the Tobacco funds come in. There's a number of other items in here. I'll be happy to answer any questions people have or go through it in more detail, if you'd like, upon request or a question.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

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SENATOR SCHMIDT:

A question of the sponsor, please.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates she will yield, Senator Schmidt.

SENATOR SCHMIDT:

Yes, Senator Steans, I'm looking at this. Is this taking the estate tax from the counties?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

It's creating the Estate Tax Refund Fund, providing that the State Treasurer now, rather than the counties, will collect the estate tax money directly and six percent of the receipts will be transferred into a refund fund to pay the estate tax overpayment, similar to what we do with corporate and personal income tax refund payments. But it's now going to be the State Treasurer who plays that role.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Schmidt.

SENATOR SCHMIDT:

So now the counties are not going to be getting that six percent? That will be going to the State Treasurer instead of to the county treasurer?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Correct. And the State Treasurer will also be doing the duties that are associated with that.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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Senator Schmidt.

SENATOR SCHMIDT:

Well, I realize that, but do you -- you know, what is the impact to counties by taking, you know, the estate tax from those local forms of government?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

It's -- it's an estimated fifteen million dollars in Fiscal Year '13. But they'll no longer...

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Schmidt.

SENATOR SCHMIDT:

Sorry. Fifteen million statewide?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Yes.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Schmidt.

SENATOR SCHMIDT:

Well, I have to tell you, I did check with Lake County, as I always do, and the impact that this is going to have on Lake County is going to be 2.2 million dollars, which is a lot of money to -- to Lake County, and I do not even know what the impact is going to be, you know, to the other counties. But, you know, we're taking the personal property replacement tax to pay for ROEs, which we promised we were never, ever going to do again. And now we're taking the estate tax from the counties,

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which is an impact on them, which is going to force counties possibly to raise their taxes - a big concern.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Yeah, you know, I'd like to just note that last year the Senate Republicans had a proposal on a budget. We never actually saw a budget bill, just like we haven't this year, but last year they did have a budget proposal. And I'm reading from the Senate Republican budget proposal that suggested automatic statutory transfers of the whole -- all of the local government revenue sharing, that a hundred percent of revenues from the PPRT -- well, let's see - "Review the" - "the over six billion that local governments receive in revenue sharing from the State of Illinois. They receive around six percent of income tax receipts, over half of all gas tax receipts, twenty percent of sales tax receipts on items other than food and drugs, a hundred percent of sales tax receipts on food and drug purchases, and a hundred percent of revenues from the Personal Property Replacement Tax. A three-hundred-million-dollar reduction represents about five percent of those revenues. This approach has been suggested by many groups..." They were suggesting that we reduce that three hundred million. This is just doing a fraction of that.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Schmidt.

SENATOR SCHMIDT:

Thank you, Senator Steans. But, I will tell you that I remember when that was being worked on last year and that was

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just a menu of possibilities where things could be cut. I am just saying that it's right in front of me right now. I just read it. I see that Lake County government - and that's the only one I can speak to - is going to lose 2.2 million dollars and I -- I have to object to that. I -- I think we're taking from the locals because we are not able to balance our budgets unless we do it on the back of local governments. And what are the locals supposed to do?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

I would suggest that if you want to actually put your proposals on paper and put in a bill, we would welcome them. You had suggested three hundred million. This is fifteen million.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

Thank you. Ladies and Gentlemen of the Senate, I rise in opposition to the motion. This bill has more Road Fund diversions. If you are for more Road Fund diversions, vote for the bill. This money takes more money away from local governments. If you are for that, then vote for the bill. Thank you, Mr. President.

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PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR JACOBS:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Jacobs.

SENATOR JACOBS:

I would just point out that if the local governments don't get our share that -- that we're - or that -- it's our tax, isn't it, Senator? Is it our tax? And if the local government needs a tax, Senator, I suggest that they go raise one. I mean, that's what we do. We have to raise our own money, and it's never easy. I don't like raising anything, but sometimes you have to do what you have to do. And I just suggest that, in your county, they ought to take a look at some property tax increase.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans, to close.

SENATOR STEANS:

Yes, in committee, one of my colleagues across the aisle had suggested that there may be a conflict or concern with another bill we were also doing for the Healthcare Provider Relief Fund. Just for purposes of -- we did look into it. We think there's no problem, but just for purposes of legislative intent, I want to acknowledge that both SB3802, SB2971 create a new Section {sic} (f) under 30 -- the -- you know, Chapter 30/105, paragraph 6z-81 for GRF transfers into the Healthcare Provider Relief Fund. In drafting them, LRB cannot assume that both of these proposals will become law, so in both drafts, the

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new transfers into the Healthcare Provider Relief Fund are assigned to the next available subsection (f). Additionally, both of the transfers into the Healthcare Provider Relief Fund are -- prefaced with the following: "Notwithstanding any other State law to the contrary, and in addition to any other transfers that may be provided by the {sic} (for by) law, the State Comptroller shall order transferred..." For the purpose of legislative intent, Fiscal Year '13 GRF transfers to the Healthcare Provider Relief Fund contained in SB3802, as amended by House Amendments 1 and 6, and SB2971, as amended by House Amendments 1, 2 and 3, are not to be read in conflict with one another. It is this Body's intent that both the five hundred million and the hundred and fifty-one million transfers occur in Fiscal Year 2013. I would urge an Aye -- Aye vote on this BIMP bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, the question is, shall the Senate concur in House Amendments 1 and 6 to Senate Bill 3802. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 32 voting Aye, 25 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments 1 and 6 to Senate Bill 3802. Next up, Ladies and Gentlemen -- Supplemental Calendar No. 3 has been distributed. It is on your desks. And on that order, we have Secretary's Desk, Concurrence, Senate Bills. And we have Senate Bill 2413. It's up on the board. Senator Kotowski, do you wish to proceed? Mr. Secretary, please

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read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendments 1 and 3 to Senate Bill 2413.

Signed by Senator Kotowski.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Amendment No. 3 to Senate Bill 2413 appropriates 9.544 billion all funds to the Illinois State Board of Education, Illinois Labor Relations Board, Illinois Community College Board, and the State Charter School Commission for Fiscal Year '13 agency operations and programmatic expenses. This represents a decrease of eight hundred and fifty-five million when compared to the Fiscal Year '12 total appropriation of 10.4 billion all funds. More than happy to answer any of your questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR DILLARD:

Thank you, Mr. President. This is the same type of motion we heard here about a half an hour ago. And I've been around here a while and I always wondered what it cost to change six votes in this Chamber. But, apparently, it costs a hundred and ninety-nine million dollars in hollow promises. So, you know, this is the same motion that was up a half an hour ago. And I would suggest we probably give it the same vote.

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Seeing no further discussion, Senator Kotowski, do you wish to close? Senator Kotowski.

SENATOR KOTOWSKI:

Thank you very much, Mr. President. I would simply ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, the question is, shall the Senate concur in House Amendments 1 and 3 to Senate Bill 2413. All in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 34 voting Aye, 25 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments 1 and 3 to Senate Bill 2413, and the bill is declared passed. Ladies and Gentlemen, on page 7 of your printed Calendar, on the Order of House Bills 3rd Reading, we have House Bill 1447. 1447. President Cullerton, do you wish to proceed? Mr. Secretary, President Cullerton seeks leave of the Body to return House Bill 1447 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading, we have House Bill 1447. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 2, offered by President Cullerton.

PRESIDING OFFICER: (SENATOR SULLIVAN)

President Cullerton, on Floor Amendment No. 2.

SENATOR CULLERTON:

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

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Senate Amendment No. 2 becomes the bill and amends the State Employees' Retirement System and the General Assembly Retirement System and deals with a number of changes to the Pension Code that I'd like to explain on 3rd Reading after we adopt the amendment.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SECRETARY ANDERSON:

Floor Amendment 3, offered by President Cullerton.

PRESIDING OFFICER: (SENATOR SULLIVAN)

President Cullerton, on Amendment 3.

SENATOR CULLERTON:

Thank you, Mr. President. I'd move for its adoption. It's technical, which adds some inadvertently omitted language in Senate Amendment No. 2.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion on Amendment 3? Seeing none, all those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Mr. Secretary, are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Now on the Order of 3rd Reading is House Bill 1447. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

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House Bill 1447.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Mr. President -- President Cullerton, on House Bill 1447.

SENATOR CULLERTON:

Yes, thank you very much. We've had a lot of discussion this Session about pension reform. This is a provision that will certainly bring about pension reform. This bill applies to us. This bill applies to the Members of the General Assembly, as well as the State Employees' Retirement System. This bill is constitutional. It's been framed in such a way where employees will have two choices: To accept a reduced COLA and postpone when that COLA will apply. This will save an enormous amount of money for the State, but when that person does that, they will get a contractual right to have access to health care and they will get a contractual right to knowing that all their pay raises that they may receive for the rest of their career will - - will be figured into their pension. If they choose to keep this -- the current COLA, they will have that option, but they would not have access to health care and those pensions -- increases will not be part of the pension. They will have an election, an election that would occur between January of next year and May 31st. And there is consideration for making this selection, so that all of these future salary increases will be counted towards their pension. This also does apply to retirees and a similar choice would be made for them. Do they want their COLA to be reduced and delayed no later than age sixty-seven, but then they would have that option then to access retiree

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health care. So, this bill also sets up a State Actuary that the Auditor General would set up. And it does say that if fifty percent of the employees make this option, this option number one, then the State would be able to fund this retirement system and change what the current law is so that we would get to a hundred percent funding at the end of 2043, rather than just ninety percent at the end of 2045. It also has a number of reforms by eliminating the ability of certain people to join the IMRF, SURS, TRS, who are not public employees. I'd be happy to answer any questions. I think it's a significant reform we have to start. The Governor's asked us to do this. This is a good start - start with ourselves and the State employees.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion? Senator Radogno. Leader Radogno, for what purpose do you rise?

SENATOR RADOGNO:

To the bill, please.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Leader Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. I rise on this bill somewhat with mixed feelings. On the one hand, I cannot tell you how pleased that I am that we are discussing this bill on 3rd Reading in the Senate. This is a serious discussion. What's proposed in this bill saves serious money, between twenty-three and thirty-one billion dollars that the State will not have to contribute towards pensions because of the reduced liability in this bill. The fact that we all are -- have gotten the bill this far, in a serious and reasonable bill, is a giant step

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forward. And I'm very, very pleased about that. The part that I wish that wasn't happening right now is we know this probably is not going to become law tonight. The House was unable to pass a pension bill. But we're all on the same track and talking about the same kind of framework, and they, too, have engaged in a very serious discussion about pension reform. The Governor's indicated that we'll be meeting again next week and that's a good sign too, because I think what's in this bill can certainly be improved and, secondly, it clearly needs to be expanded, because we have to deal with the other pension systems that we know are problematic to the State - the University System and TRS. So I very much look forward to finishing this job, but I strongly encourage people to vote Yes to let everyone know, including the citizens of this State, that we're serious about pension reform. We have to have pension reform, both to ensure that the retirees have a check to which they're entitled and, secondly, in order to stabilize the finances of this State. So, please vote Yes. It's a hard vote, but it is definitely the right one. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR LAUZEN:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Lauzen.

SENATOR LAUZEN:

As you know, Ladies and Gentlemen, for twenty years in this Chamber, I've worked for reform of the pensions - the proper

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funding of the pensions, proper benefits. I'm sorry, but this is not true reform. I have to ask myself about this bill: Who's this proposal really going to help? Number one, there's no taxpayer protection. You know, it -- we still have, in Illinois, unlimited liability under the pensions because of the defined benefit architecture of paying out the benefits; that if the stock market crashes, if there are any kind of benefit increases, all those things are borne by the taxpayers. So the taxpayers are not protected. I think that the -- there's no public employee protection either in this bill. There's no funding mechanism. Earlier in this Session, we were able to put on to the ballot in the fall a constitutional amendment. If we're really serious about funding it, we could put that bill, and as public employees are offering concessions, the taxpayers and all of us could offer security that those payments are actually going to be made. So, no taxpayer protection, no public employee protection. I don't think that we're capping the most important abuses that we have. One of the things that bothers the State employees and the teachers are the abuses in the amounts of some of the benefits. It bothers rank-and-file teachers that administrators walk off with more than a hundred and fifty thousand/two hundred thousand dollars in annual pensions for not coming to work. Their neighbors think that that's what kind of money they make and that makes 'em angry. Finally, I think -- I -- I wonder also to myself, and out loud now here, is, how is it any more constitutional to threaten we'll deny you health care insurance if you don't choose what we want? You say, my gosh, that's not a real choice. So, I think that we have alternatives that -- for the last three years, at

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least in my district, and I'll bet you many of you in your districts, where you propose a cap and an age, where you cap the abuses. It's more symbolic than it is actuarial and financial, but it's symbolic that we're not going to have people walking off with more than a hundred and twenty thousand cap. The age - - we have to ask our public employees if -- please, would you work, not until fifty-five, but sixty-two? There needs to be some kind of grandfather clause, you know, so that people can phase it in. But, seven more years paying in and, unfortunately, seven fewer years of taking out has a dramatic impact on the unfunded liability. And if we have to go into a COLA or something like that, it can be done much more directly of -- maybe one out of the three percent withdrawn. So, I'm -- unfortunately, I think that this is not real reform. It's window dressing. It's a fig leaf. People who vote for this, I guess, you can say that you were for some kind of reform. But, I remember the experience in 1995 of passing legislation, being a lead co-sponsor of legislation that put in place a fifty-year mortgage to pay back what had been raided from the funds. We paid on that mortgage for ten years and then, in 2005, 2.3 billion was taken out. And we thought that we had protection of the continuing appropriation. But when that was busted through, it was like that was tissue paper. So I do think that the protection is some kind of constitutional amendment. I suggest a No vote to this.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR DUFFY:

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Thank you, Mr. President. Question for the sponsor.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield, Senator Duffy.

SENATOR DUFFY:

Mr. President, is there any -- is the State University {sic} (Universities) Retirement System or the Teachers' Retirement System, is that included in this bill at all?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator -- President Cullerton.

SENATOR CULLERTON:

Not in terms of the benefit reforms, not at all. That -- this is State Employees' -- State Employees' Retirement System and our retirement system.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Duffy.

SENATOR DUFFY:

Mr. President, I -- you know, I -- I haven't been here as long as some of my esteemed Members of the Senate, but I've been here for four years and I know that things move pretty quickly on the last day of Session. Is this the only reform -- pension reform bill that we're going to receive tonight?

PRESIDING OFFICER: (SENATOR SULLIVAN)

President Cullerton.

SENATOR CULLERTON:

Yes. This is the one, I believe, that we have a consensus, hopefully, of a majority of the Senators. The other two systems, there still are some very contentious issues that we don't have an agreement on. So -- but these two, the -- the General Assembly and the State Employees', I believe we have an

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agreement. Hopefully, a majority of the Senators would agree.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Duffy.

SENATOR DUFFY:

To the bill, Mr. President: You know, after all the years of people discussing this pension problem, after all the research, the think tanks, the analysis, after all the time and energy that went into pension reforms, and this is it? You know, this is like trying to put out a forest fire with a spray bottle. You know, earlier a Member mentioned that he didn't think someone in the Chamber got the memo. I don't think the leadership on the Democratic Party got the memo. We're in debt. We have eighty-three billion dollars in unfunded pension liability, and this is all that we get. We are never going to get out of debt and we are never going to put our place in the State of Illinois and bring jobs and bring people back to the State of Illinois unless we truly -- try to take a look at our problems in this State. Now you've tried with Medicaid and we've taken a step forward. Now we're going to take two steps back with this farce of a bill that we call pension reform. We need to implement some fair and constitutionally accurate pension reforms. We need to cap pension. We need to reduce COLAs. We need to end the double-dipping. Why is it that we can't take a look at these low-hanging fruit situations like that and cut those out immediately? Why is it that we let people in Illinois on the pension systems receive multiple pensions from the State of Illinois? How hard is it to say, "Pick one pension and go with it"? So, you know, if we're not going to take a look at the easiest items and reform those, then

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we're not serious about pension reform. I understand this is a political year. I understand that there's an election coming up. But the people of Illinois are very smart. They can't be fooled. To try to take this bill, put this out there, and say that now you've tackled pension reform, is a complete joke. And the people understand that it's a farce. This is not going near far enough. This isn't even the tip of the iceberg. We're eighty-five billion dollars in debt, and that's going to continue to compound every day. Our bond rating is going to continue to drop. And people and companies are going to continue to leave the State of Illinois until the leadership on that side of the aisle grabs a ball, grabs a mitt, and decides to get in the game. You have the leadership. You're in charge. You can pass any bill anytime you want without one vote from this side of the aisle. Well, now here's your chance to do something. Here's your chance to lead and put Illinois back on top, and you are failing. You are passing up that opportunity and you are kicking the can down the road once again.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR DILLARD:

...you -- thank you, Mr. President. I rise in support of the -- the Senate President's bill. We are a million miles from milestone pension reform. And I don't want anybody to read into my vote tonight where I'll be on a final package, other than I am for real substantial pension reform, as pointed out by Senator Duffy and Leader Radogno. I mean, this bill, though, I believe is symbolic. I mean, I want to cast a vote leading with

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the General Assembly on pension reform. I do have serious questions about what I call the adhesion contract nature of forcing someone to give up their health insurance in return for staying in a pension system. That's a legal issue and it's one that we'll flush out when we come back here. And I'll see you all very soon, I'm sure, in Special Session, as we got to get right back to the grindstone on this particular topic. But Illinois has got to do something drastic about its pension cost. We have no other choice but to do that. And that's what I've written my constituents, like most of you have, throughout the course of the few years we've been dealing with this topic. But I don't want anybody to read in anything as to where I'm at, other than I am for substantial pension reform. We've got to stop fooling ourselves. I mean, this is clearly nothing close to the beginning of substantial pension reform. And we're just beginning to lace up the shoes for the long marathon here. So, I'll see you all back here whenever we get called back by the Governor or Senator Cullerton and Speaker Madigan call us back. But I think it's important to -- to cast a symbolic vote. But I'm for real pension reform and this is nowhere close. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR HARMON:

Thank you, Mr. President. I move the previous question.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Harmon, there are one, two, three, four, five -- speakers seeking recognition. Also, it has been requested that

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the debate timer be used. We will start using the debate timer.
Senator Sandack, for what purpose do you rise?

SENATOR SANDACK:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Sandack.

SENATOR SANDACK:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, I'll be brief. I'm -- I'm -- I rise in support of the President's bill, but I, too, am disappointed, given the amount of time and energy expended on matters of some importance, including some events this evening, including the budget. But we know, in this Session, we've done some things that are -- that pale in comparison to this issue. And the fact of the matter is, there may be no other issue that's remaining open that's bigger. I salute my colleagues, particularly the folks that led the Medicaid reform movement, because that was big. That was important. It was called for. However, we've kind of failed in our duties with respect to dealing with pension reform in a forthright manner. We all go through the motions sometimes and don't give our best efforts. And, occasionally, parents or coaches call us out and say, "Get to it". I think, when we look back at this Session, we would be probably remiss if -- if we didn't look at ourselves in the mirror and say, "Did we put our best foot forward? Did we give this a true look?" The fact of the matter is, this is a symbolic vote, as my colleague just mentioned. A cynic would say it's a sham vote, but I'm going to choose to say it's symbolic and portends well for what's ahead. For, if we do not seriously and methodically and forthrightly

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take this issue on, it will be the end of this State's financial future. We have a calamity on our hands right now. Some say Rome is burning and people are fiddling. I hope soon that will not be the case and that we will honestly move forward, honestly, and look at approaches that will deal with pension reform in an adult manner. I urge a Yes vote, but I also urge urgency and serious attention to this issue. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR BRADY:

Thank you, Mr. President. To the gentleman's piece of legislation: You know, there's really two reasons we're here today - the first being our failure, probably collectively, although not many of us voted for budgets in the last decade, to realize that we had a serious problem confronting us. Over the last decade or longer, we failed the people of Illinois by not realizing that we had an obligation - I'll even call it a fiduciary obligation - to fund our pensions. But, instead, we took the easy way out. Budgets were passed that didn't meet those obligations. And, today, we sit here reluctantly in a position where -- where we're going to have to ask the people who've, eventually, raised our children, taught in our universities, worked at our -- in our prisons, to give, because we can't afford to live up to the obligations we made to them. Ladies and Gentlemen, this is not an easy vote for anybody, but we cannot continue to kick the can down the road. I want to compliment the group that worked alongside of me and the staff

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that put a lot of time in trying to come up with the most reasonable reforms in the confines that we came up with. I truly believe they're not only fiscally responsible, but they're humane in what we're asking. No one's going to win when we solve this problem, but there will be losers if we don't solve this problem. Senator Cullerton, we shouldn't have to rely on the Governor to call us back. You're the Leader of this Body and you owe it to us to call us into Special Session to resolve this crisis. As I've said before, this Ponzi scheme's up. Bernie Madoff doesn't hold a candle to us, Ladies and Gentlemen. Well, why do I say "us"? We are all collectively responsible. And we're going to have to work together to solve this or it won't be solved. So, Senator Cullerton, I applaud you for calling this measure. I want you to know that we on this side of the aisle are willing to work together to solve this, but it can't wait until the fall. It must be done now and it must be done with our leadership. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR CROTTY:

To the -- to the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Crotty.

SENATOR CROTTY:

You know, I -- I listened to all the -- the rhetoric, but I would have to say I'm probably not the only one on this Floor that when we read about some of the abuses, that we weren't shocked. I've been here sixteen years. I had no idea the games

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that were played all these years with -- with the retirement system here in Illinois. You're right, you're right, we can't afford it. And you're right that this bill is -- is not going to go anywhere. But, you know what, it started the rhetoric. And it started the discussions. The people of Illinois hate the abuses of this system. But I think about -- and we're all -- some of us are pretty close to retirement, some of us might be over the retirement age. I think about the retiree, who has gone to work every day, maybe for thirty/thirty-five years, put their money into their pension and were told what they would get when they retired. One job and one retiree that is sitting here and we have their lives in our hands. That's the person that I'm thinking of. There is a lot of good things in this bill, but there are things that we need to be cautious about when we have seventy-year-olds, eighty-year-olds that now are looking at major decisions. Some of them may have, not because it's their fault, but conditions that insurance companies won't take them. So I rise today to say that, as we go into negotiations, we need to think of everyone that's in the system - the abusers, but don't throw out those retirees that have worked hard, and think that they are living on a meager pension, and we have to keep those persons in mind too. So I look forward to the discussions within the -- all summer, all the way up to the time that I no longer serve. But I hope, when the day comes that I'm not here, that we don't forget that there's so many good people and we shouldn't throw them out with the ones that we are trying to correct those behaviors. Maybe me working with behavioral disordered all my life, I can start to -- to see that these -- these patterns can be -- they can be corrected without hurting

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everyone. So, thank you very much for letting me at least speak to this.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR MURPHY:

To the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Murphy.

SENATOR MURPHY:

Well, you know, Mr. President, after a quiet night in here, we finally found something that could get everyone's attention. It -- the -- the emotion on this that you've heard in this Chamber is heartfelt. The reality is, a promise has been broken by people who have held these positions for years, the one on the -- on the other side of this Chamber and on the second floor. There's an eighty-three-billion-dollar elephant in this pension room. And I don't think you can look the people in the eye who are counting on it and continue to tell 'em, "Don't worry; it's there", 'cause we don't have an eighty-three-billion-dollar silver bullet to back that up. We have two choices right now. We can continue to duck this punch and effectively lie to the people who have worked for this State, or we can have the courage to face up to where we are right now and try to do something that salvages as much of the original promise as possible and, yet, is still workable within the confines of our budget for taxpayers who don't have a pension. That was the goal of the pension work group. And I commend Senator Brady and Senator Noland and Representative Nekritz and

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Representative Biss, and our staff, Kim Fowler and Erik Dillman, who know this issue better, I -- I submit, than anybody around, for their hard work on solving this huge, emotional problem. It is with no relish that I point out that something has to be done and the promise needs to be remade. I do like the fact that this bill leads by example, starting with us. This is a Chamber, this is a government that has lacked the credibility to do big things in the eyes of the people we represent. By starting with ourselves, we have the ability to potentially rebuild that relationship a little bit, so when the rest of this gets done and -- and -- and, please, let me be clear - not doing the rest of this now is a failure. Those who spoke passionately about that earlier are a hundred percent correct. This is a good bill. It's a good measure, but it is far from putting the check in the box on pension reform. It is far from solving the problem. And I submit that the failure to get this done in this time will be judged by the ratings agencies. And so, Senator Brady I think was right. Whether it's you, Mr. President, or the Governor, this can't wait till the fall. The rest of this has to get done. Let's get it done right. Let's get it done fair. Let's get it done with everybody involved, but let's get it done now, because there's a steep price to be paid if we don't. This is a good start, but it's woefully inadequate. Nonetheless, I urge an Aye vote, because we're putting ourselves first and, as some have said, we're starting down this road and this needs to happen for the future of this State. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Our last speaker seeking recognition, Senator Schoenberg,

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for what purpose do you rise?

SENATOR SCHOENBERG:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Schoenberg.

SENATOR SCHOENBERG:

Mr. President and Ladies and Gentlemen of the Senate, I think we saw the precursor of this discussion tonight when we considered Senate Bill 1313 earlier. We were faced with an unfunded liability for our -- for our group health insurance program that was at thirty-three billion dollars and change. The actions that we took as a result of addressing that very complex and difficult situation had the result of reducing that liability by a quarter, perhaps even more. Senator Brady, with whom I have served on all the prior Governors' pension reform commissions with the exception of this one, I think was spot on in many respects, but I'll have to correct you on something, Senator Brady. Senator Brady, you indicated that we "will be" experiencing the effects of doing -- if we do nothing. We "are" experiencing the effects of having done nothing. As we've seen the budget discussions and the difficult choices that we've realized on the levels we fund education and providing access to quality health care and ensuring safer communities, we've had to make tougher choices already, not only because of a constricting economy and fewer revenues, but because we've had to spend exponentially more each and every year to meet our pension obligations just to try and tread water. I have to say, for those who are trying to self-rationalize how we should vote No and do nothing at all to reduce even a part of the unfunded

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liability - an eighty-three-billion unfunded liability - that, as Leader Radogno very accurately pointed out, could be reduced by a third, do me a favor, don't go talk to Moody's. Don't go talk to the other rating agencies. We are trying to show that we actually want to spend the money we take in more soundly and the last thing we want to do is pay higher interest rates so that we'll have even less money for education. We'll have even less money for providing quality health care. We'll have even less money to ensure we have safer communities. You can't -- no is not a sufficient answer here. No is walking away from a problem, the way people walked away from more responsible actions earlier. No is not a realistic, it's not a plausible, it's not a justifiable answer under any circumstances. And, Mr. President and Ladies and Gentlemen of the Senate, in closing, I want to add one thing. As we're setting the parameters for future discussion tonight, we've all acknowledged the sins of the past. There's plenty of red ink on everybody's hands in the Capitol, from Democratic administrations to Republican administrations. This is a problem that was decades in the making. We need to ensure that there is a trigger mechanism in place to whatever pension reform bill we pass, so that when the economy grows, we automatically put more money into the pension systems. If we had had that previously, when the economy grew at record levels at the end of the prior century and the beginning of this one, we would have realized hundreds of millions of dollars more going into the pension systems automatically, if it had been indexed to true economic growth and economic realism. I give Eric Madiar a great deal of credit for identifying a means, which I believe is constitutional, to

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set the parameters for discussion on an election of benefits. This is not an easy choice, but we don't get sent here to -- to make the easy choices. We get sent here to make the tough ones. Don't walk away from this challenge - vote Aye.

PRESIDING OFFICER: (SENATOR SULLIVAN)

President Cullerton, to close.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. We have five State-funded systems. This bill applies to two of them. The reason why we don't have a bill, yet, for the other systems is because there was a disagreement over a portion of the bill, dealing with the issue of what was described as a cost shift. I hope and I trust that we'll be able to work an arrangement out -- an agreement out with regard to that provision. But this -- these two systems don't have that problem. That's why we're debating this. So, it's not -- it's inadequate because we don't have an agreement on the other systems, but we do, I think, have a majority agreement on this. And that's why it's important. And I would say to you that this is the framework that we will use with the other systems as well. And so this vote is not just symbolic, because I believe this is going to become the law. The House will take this up. I don't know when they'll take it up, but they will take this up if we pass this. And I would predict that this bill is what will become the law. That's why this is so important. And I, first of all, appreciate the comments of Senator Brady, because he did a tremendous amount of work on this. And I agree with him: We should not wait long to take up the other systems. And we should come back to Springfield and do so and see if we can get

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a compromise on that topic that divides us. We also - for those who think we could do more than what we're doing in this bill - we have the problem, if you will - if you want to call it that - of the Constitution. So, if you pass an unconstitutional bill and, you know, take credit for it and then two years later find out that the Supreme Court threw it out, not only will you -- would you have -- have wasted those two years, but you really would have deceived the people. And that's why it's so important that we use the framework that we're using here by giving people a choice. Now, some people have said, "Well, why don't you do some other provisions, like change the age and have people contribute more to their -- their pension system?" Well, that's not where the money is. We found the money is in the compounded COLA. It's the compounded COLA that we're asking people to sacrifice in exchange for a guarantee for health care and their pay raises to be pensionable. And by delaying that COLA, we're able to make up for any money that could have been achieved by asking people to pay more into their pension system. So, what we're really doing here is asking people, many people who are very young - two-thirds of the State employees have been working for less than fifteen years - we're asking them to make a decision to forego some benefit that might be in the very, very distant future so as to help us now. We're spending over five billion dollars off the top, over to the pension systems, before we even start the budget. We have to stop that, and we will do that by passing this bill. This reduces the unfunded liability in this bill significantly. When we complete the -- the rest of the package, we'll be able to say we did a tremendous job. We're one of the worst funded in the nation.

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We have to end that. We have to think about our future. We have to solidify, solidify the -- the system. For those people who are unions, who I greatly respect, who are working against this bill, we are actually helping you. We are helping you in the long run to solidify the system and, quite frankly, free up more money, free up more money for today so that we can decide in our budget whether we pay old bills, whether we forego future income tax increases, whatever it is. We need to do that. We need to do it now. So I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, the question is, shall House Bill 1447 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 30 voting Aye, 24 voting Nay, 1 voting Present. House Bill 1447, having received the required constitutional majority, is declared passed. Mr. -- Mr. Secretary, Messages from the House.

SECRETARY ANDERSON:

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

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

Senate Bill 1566.

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

House Amendment 2 to Senate Bill 1566.

Passed the House, as amended, May 31st, 2012. Timothy D. Mapes,

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Clerk of the House.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Clayborne, for what purpose do you rise?

SENATOR CLAYBORNE:

Yes, I hit my No button, but obviously it didn't light up. I would like the record to reflect that I was voting No on that last bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Hold on just one second. Senator Jones, for what -- John Jones, for what purpose do you rise?

SENATOR J. JONES:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your point, Senator Jones.

SENATOR J. JONES:

If I might, a few minutes ago, maybe thirty minutes or so ago, one of the Members on our side got up and warned that if you passed a bill that taxed the oil derricks in the Gulf of Mexico, gasoline prices could rise. I just wanted to let the Body know that, as of right now, gasoline has gone up twenty-seven cents a gallon today in Springfield.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, the Senate will stand at ease for a few minutes to allow the Committee on Assignments to meet. Will all members of the Committee on Assignments please come to the President's Anteroom immediately? Senate will stand at ease. (at ease) Senate will come to order. Mr. Secretary, Committee Reports.

SECRETARY ANDERSON:

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Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to Financial Institutions Committee - Motion to Concur on House Amendment 2 to Senate Bill 1566.

Signed, Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, the following committee will be meeting to take up motions to concur: Financial Institutions will meet in Room 400 at 10:30 this evening - Financial Institutions, Room 400, at 10:30 p.m. this evening. Ladies and Gentlemen, Supplemental Calendar No. 2 has already been distributed earlier this evening. We're going to go to that order, which is Secretary's Desk, Concurrence, Senate Bills. At the top of that Calendar, we have Senate Bill 38. Leader Harmon. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendment No. 5 to Senate Bill 38.

Signed, Senator Harmon.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Harmon, on the motion. Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 38, in the House, became an extension of the sunset date of the Funeral Directors and Embalmers Licensing Code. I'm not aware of any opposition or concerns and I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion? Is there any discussion? Ladies

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and Gentlemen, we're checking on some technical issues with the system. We'll be getting to that vote just momentarily. While we're at -- while we're checking on those technical difficulties, Senator Lightford, for what purpose do you rise?

SENATOR LIGHTFORD:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your point, Senator Lightford.

SENATOR LIGHTFORD:

Ladies and Gentlemen of the Senate, I have had a Page here with me in the General Assembly all week and today he finally said, "Mommy, you never introduced me or recognized me as your Page." Please welcome my son to the Illinois General Assembly and thank him for being such a fine Page.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Isaiah, welcome. Great to have you here today. Great to have you here all week. Thanks for joining us. Okay, Ladies and Gentlemen, the question is, shall -- shall the Senate concur in House Amendment No. 5 to Senate Bill 38. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary -- somebody want to vote the -- President? Take the record. On that question, there are 56 voting Aye, 0 voting Nay, 1 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment 5 to Senate Bill 38, and the bill is declared passed. Next up on Supplemental Calendar No. 2, we have Senate Bill 179. Leader Clayborne. Senator Clayborne. Mr. Secretary, please read the motion.

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SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 179.

Signed by Senator Clayborne.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President, Members of the Senate. House Bill 179 allows for the Auditor General to seek to hire a Actuary as it relates to certain investigations and audits that comes before them.

PRESIDING OFFICER: (SENATOR SULLIVAN)

President -- or, Senator Clayborne, did you -- was -- did you explain the bill? Very good. Ladies and Gentlemen, is there any discussion? Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendment 1 and 2 to Senate Bill 179. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 58 voting Aye, 0 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment 1 and 2 to Senate Bill 179, and the bill is declared passed. Next up on the Calendar, we have Senate Bill 549. Leader Clayborne. Mr. Secretary, please read the gentleman's motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendment 2 to Senate Bill 549.

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Signed by Senator Clayborne.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President, Members of the Senate. Senate Bill 549 combines Senate Bill 549 and House Bill 1404. One, the bill creates the Metro East Police District in St. Clair County, and the other bill allows for those cities that are in the Metro East Police District to be able to use a -- ten percent of their tax increment financing to support new development as relates to commercial and/or housing. I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall the Senate concur in House Amendments {sic} 2 to Senate Bill 549. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 42 voting Aye, 16 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment 2 to Senate Bill 549, and the bill is declared passed. With leave of the Body, we will return to 1849 and go to Senate Bill 1900. Senator Link. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1900.

Signed by Senator Link.

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. This -- simple two amendments. Amendment 1 just changes the definition of "year" and Amendment No. 2 changes the provision to counties for six hundred thousand or more but no more than seven hundred thousand inhabitants to six hundred thousand up to -- with counties no less than three million.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall the Senate concur in House Amendment 1 and 2 to Senate Bill 1900. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 52 voting Aye, 1 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment 1 and 2 to Senate Bill 1900, and the bill is declared passed. Next up on the Calendar, we have Senate Bill 3262. Senator Steans. Mr. Secretary, please read the lady's motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 3262.

Signed by Senator Steans.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

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Thank you, Mr. President, Members of the Senate. Senate Bill 3262, as amended, allows the City of Chicago to issue a liquor license to the Raven Theatre, which is one -- within one hundred feet of Hayt Elementary School. We've got a letter from Hayt Elementary School in hand that says that they support this.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR RIGHTER:

Thank you, Mr. President. Simply -- will the sponsor yield, please?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates she will, Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Senator Steans, could you please just recite the names of the entertainment facilities or restaurants that will be affected by your motion to concur on Senate Bill 3262? Slowly for the record, please, Senator Steans. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Seeing -- Senator Steans, to close and respond.

SENATOR STEANS:

I am so pleased that you can get -- derive such amusement from the same thing over and over and over again. So Gong Dong Tofu House - and I'm only doing it once. Please vote Aye.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 3262. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have

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all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 48 voting Aye, 8 voting Nay, 0 voting Present. Having received the required constitutional majority, the House does concur in House Amendment 1 to Senate Bill 3262, and the bill is declared passed. Next up on the Calendar, we have Senate Bill 3428. Senator Maloney. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 3428.

Signed by Senator Maloney.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Maloney.

SENATOR MALONEY:

Thank you, Mr. President. The original bill requires one of the members of the Illinois Community College Board appointed by the Governor to be the president of a public community college. This simply adds the Chancellor of City Colleges and the Chief Executive Officer of the Illinois Eastern Community College {sic} (Colleges) are two additional people that could be considered for that spot.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion? Is there any discussion? Ladies and Gentlemen, the question is, shall the Senate concur in House Amendment 1 and 2 to Senate Bill 3428. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 57 voting Aye, 0 voting Nay, 0 voting Present. Having received the

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required constitutional majority, the Senate does concur in House Amendments 1 and 2 to Senate Bill 3428, and the bill is declared passed. With leave of the Body, we will skip over 3442 and go to Senate Bill 3514. Senator Martinez. Mr. Secretary, please read the lady's motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendments 1, 2 and 3 to Senate Bill 3514.

Signed by Senator Martinez.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President. This -- Senate Bill 3514 revises the classification of the Illinois Medical District Commission as a political subdivision, unit of local government, body politic and corporate that would be a special district no longer subject to the State Personnel or Procurement Code. It provides that the Commission will promulgate its own procurement rules. Gives the Commission the authority to mortgage its property and manage its finances without transferring excess money received by the Commission to the State Treasurer, and requires the Commission to enter into an intergovernmental agreement with the Auditor General to -- to conduct a biennial audit, and provides that any judgment in legal action taken against the Commission cannot attach to the property of the Commission. And I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

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SENATOR RIGHTER:

Will the sponsor yield, please, Madam President -- Mr....?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates she will yield, Senator Righter.

SENATOR RIGHTER:

Excuse me, Mr. President. One of the pieces of information that I have on this bill, Senator Martinez, has to do with a default in bond payments of forty million dollars with regards to the Illinois Finance Authority. It's my understanding there are provisions in the bill that would allow the Medical District Commission to become more of a -- a freestanding entity, that would allow it to pledge its own assets in order to secure debt. Is that correct?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Martinez.

SENATOR MARTINEZ:

Yes, that's correct.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

And one last area, even though it's becoming its own political subdivision, it's not picking up any taxing authority with this change. Is that correct?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Martinez.

SENATOR MARTINEZ:

No.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Seeing no further discussion, Ladies and Gentlemen, the

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question is, shall the Senate concur in House Amendments 1, 2 and 3 to Senate Bill 3514. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 55 voting Aye, 1 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments 1, 2 and 3 to Senate Bill 3514, and the bill is declared passed. Next up, we have Senate Bill 3766. Leader Trotter. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendment 1 to Senate Bill 3766.

Signed by Senator Trotter.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. We have heard this bill several times in this Chamber, as well in the House. We have passed it three times and it's been signed by the Governor, and we've had multiple hearings. The Governor even had a -- a ribbon-cutting ceremony, celebrating the opening of the Leucadia project in the City of Chicago, which was put on by the Clean -- Chicago Clean Energy, LLC, which will create eleven hundred jobs, construction jobs, and two hundred permanent jobs. Repeatedly, the -- ICC has not respected the wishes of this Chamber. We have asked them through resolution - this is a trailer bill to that resolution - for them to have timely meetings and to address this issue with

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the intent in which it was passed out of this Chamber. And I'll answer any questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR McCARTER:

Questions of the sponsor, please.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield, Senator McCarter.

SENATOR McCARTER:

Senator, what will -- what cost will be passed on to the consumer? Can you explain that to us?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Trotter.

SENATOR TROTTER:

Sure. The -- the cost of gas. What -- what this bill has in it -- and you're probably looking at something that I received earlier myself, that they said that the cost will go up to eighty-four percent of the cost of natural gas, where, in fact, the legislation we passed in this Chamber puts a cap at two percent, not eighty-four - two percent per customer. And if we use the example of someone -- a typical customer who pays a two-hundred-dollar bill -- has a two-hundred-dollar bill, there would be at the most a four-dollar increase, not a hundred-and-sixty-eight-dollar increase, which is being touted by the individuals that have been sending out erroneous information all day.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCarter.

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SENATOR McCARTER:

Now, the amount of the increase is based on the cost of the facility and a designated payback, is it not?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Trotter.

SENATOR TROTTER:

No, not necessarily, because in the legislation that we passed out of here, in addition to the cap, to ensure that there was consumer protection, we created a consumer protection reserve fund, which will have a hundred and fifty million dollars in it, which will ensure that whatever cost over the going rate will be paid back to the consumer. And that is a ongoing fund, which will actually be regenerated annually up to forty to fifty million dollars by the selling of its various byproducts, be it sulfur, mercury, argon gases, and things of that nature. So, the consumer protections were in the initial, original bill to ensure that, again, the consumer will, again, have remediation and protection.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCarter.

SENATOR McCARTER:

What is the cost of the facility?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Trotter.

SENATOR TROTTER:

Totally, this will be a three-billion-dollar privately financed facility on the southeast side of Chicago, which would not only bring jobs to a community that has been decimated with the closing of the steel mills and the other industrial sites

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over there, but this also cleans up a brownfield and is an economic development for the whole community - an economic gold mine for the whole community. So, again, it's a three-billion-dollar privately funded project.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCarter.

SENATOR McCARTER:

Is -- is the -- will the success of this project be based on whether they can gain contracts through Ameren or Nicor for a -- for gas at a certain price?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Trotter.

SENATOR TROTTER:

Certainly in part that would be the answer. However, the gas that they'll be selling to Nicor or Ameren basically just says it's going to be six percent of their total output. So, six percent of that -- of their profit -- or their ability to have profitability will come from those two entities.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCarter.

SENATOR McCARTER:

To the bill, please. Ladies and Gentlemen, this is the same policy that we've rejected twice already with Power Holdings and Tenaska, obligating ratepayers to pay more than the market price. Gas is at an all-time low. This is bad policy and the wrong time. Now, why would you cause the price of natural gas to go up when you've got a project that we see in Senate Bill 184, where a fertilizer plant making anhydrous ammonia is going to come about, a 1.5-billion-dollar investment?

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We're going to give 'em EDGE credits, and I'm a sponsor of the bill. We're making money the old-fashioned way, with industry and manufacturing. The real problem there is, you know how you make anhydrous ammonia? With natural gas. Seventy-five percent of the cost of the fertilizer that's going to be made in that old-fashioned..

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCarter, please keep your comments to the bill. I'll let you finish, but please keep your comments to the bill. You're -- you've got off subject here. Senator McCarter.

SENATOR McCARTER:

I'm not talking off -- it's related. You can't raise the price of what it costs to make fertilizer. It is related. This is bad policy for the third time. Don't make consumers pay more. It's two percent. Sounds like a small amount, but it's more than that. We don't need prices increased in this State. We need to keep the prices low so we can put people back to work, put our families back to work. I encourage a No vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the motion, Senator Righter.

SENATOR RIGHTER:

Thank you very much, Mr. President. Ladies and Gentlemen of the Senate, you know, every once in a while we run into legislation or a subject matter around here that's just like gum

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on your shoe. You just can't get it off. You keep scraping on the sidewalk and scraping on the sidewalk and it just never comes off. This is just like that. There's two bad things about this bill. One, we're in the middle of an administrative proceeding with the Illinois Commerce Commission. Right now, there's a proceeding going on. Now, I would think at the very least, elected Members of the General Assembly would be at least somewhat hesitant to reach into a body like the ICC in the middle of its proceeding and say, "Oh, wait a second. Let's do something different." Now maybe, maybe, there are times when that's appropriate. In the advance of what is clearly and unambiguously good public policy, maybe you should do something like that. But here's why you would be doing this if you vote for this bill: You would be doing this to make sure that the consumers with Ameren and Nicor get the pleasure of paying higher rates. That's the public policy goal you're advancing here by reaching into the middle of the ICC proceeding and saying let's go in a different direction. There are some indisputable facts here. One, the ICC is working on this issue as we speak. Two, natural gas is at about twenty-five cents a therm. Three, the plant that will be built on the backs of the ratepayers will produce that same therm for forty-six cents a therm - eighty-four percent higher than the market rates. So is this what we want to do? Here, in the last few hours before Session, we want to run through a bill that pulls the process out from underneath the ICC and says let's build this plant anyway and let's do it on the backs of the ratepayers at a grossly increased rate above the market rate. That's the wrong thing to do and we're doing it for the wrong reason. Please

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vote No.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Trotter, to close.

SENATOR TROTTER:

Thank you very much, Mr. President and Members of the Senate. To the previous speaker before the last speaker, he talks about his fertilizer gas. Well, that whole rhetoric, that hyperbole, that horse manure that you're talking about has nothing to do with my bill. It's also natural. Well, he said it comes from bulls, which -- whichever animal on your farm it happens to be. The one I'm talking about, this is retaking gas and addressing it and having this gas turn into a natural -- another natural gas. This -- this coal, Illinois coal, have it turned into a gas. Not eighty-four percent - it's capped at the most -- capped at two percent, but there's also, as I pointed out, a relief fund there. You don't offer that. This is a privately funded plant that's being built. We're bringing jobs, keeping jobs, not only in the City of Chicago, but also creating jobs for the coal miners in southern Illinois. This benefits all of our State using one of our natural resources and that's coal, and ensuring that it's going to be clean coal with that. Eighty-five percent of it will be turned into gas and sequestered. The rest will go for other byproducts. This is -- this is how you do business now. You have -- you have your old-fashioned way and that might be what the other speaker scrapes off the bottom of his shoe, but this is the right thing for the State of Illinois. And I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

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the Senate concur in House Amendments -- House Amendment 1 to Senate Bill 3766. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 35 voting Aye, 16 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment 1 to Senate Bill 3766, and the bill is declared passed. Ladies and Gentlemen, we're going to Supplemental Calendar No. 4. It has been distributed. And at the top of that order, and this is on the Order of Secretary's Desk, Resolutions, Senate Resolution 637. Excuse me, we are not going to the resolutions. We are going -- on the same Calendar, Secretary's Desk, Concurrence, Senate Bills. And on that first order is Senate Bill 2537. I'll wait till we get it up on the board. There it is. Senator Silverstein, do you wish to proceed? Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendments 1, 2, 3 and 5 to Senate Bill 2537.

Signed, Senator Silverstein.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you, Mr. President. This is the Caylee's law we passed out of here back in March. Amendments 1 and 2 amends Caylee's law, providing that parents, guardian -- legal guardians, and caretakers of -- of a child are guilty of a Class 4 felony when they know or should have known that they failed to

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report the death or the disappearance of a child under the age of thirteen within twenty-four hours. The amendments require that if the child is less than two years old, the death or disappearance must be reported within one hour. And the amendments also require that the location of the child's corpse be reported as well. The amendments provided for exceptions for failure to -- to report the death or disappearance, including -- including the acts of -- events of acts of God. We've also, in Senate Amendment No. 5, added your language on another bill which has to do with threatening of public officials. It adds to the definition of "public official" as a social worker, caseworker, or an investigator employed by the Department of Healthcare and Family Services, Healthcare -- Human Services, or Department of (Children and) Family Services. Take any questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR DILLARD:

Thank you, Mr. President. If the sponsor would yield for a question.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will, Senator Dillard.

SENATOR DILLARD:

Senator Silverstein, sometimes minor children unfortunately die in overnight events sponsored by schools or churches, sometimes Scouting events. Who is deemed to have, quote, custody and control for purposes of notification in this kind of tragic situation?

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Silverstein.

SENATOR SILVERSTEIN:

I would assume the parent would.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Dillard.

SENATOR DILLARD:

What happens if the parent's not there?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Silverstein.

SENATOR SILVERSTEIN:

Well, I -- I hope that never happens, but I'm sure that, God forbid, the parents would be notified. I just -- that question is open-ended.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Dillard.

SENATOR DILLARD:

If the parent's not there, can the school or the church or the Scout pack be held liable under Caylee's law?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Silverstein.

SENATOR SILVERSTEIN:

Well, the caretaker, if there's a caretaker, they would also be -- can notify. So, I don't know -- I mean, you have raised a question, but I think the -- the caretaker would have to be notified.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Raoul, for what purpose do you rise?

SENATOR RAOUL:

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Question of the sponsor.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield, Senator Raoul.

SENATOR RAOUL:

And I'm sorry, 'cause there are a bunch of amendments that I didn't get a chance to digest, but did I hear you say one of the amendments said you would have to report a child missing after one hour?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Silverstein.

SENATOR SILVERSTEIN:

It's the death or disappearance of a child under two years old. I -- I don't think I said an hour. I think within twenty-four hours under the age of thirteen.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Raoul.

SENATOR RAOUL:

So, the -- I -- I thought I did say -- see something in an analysis that says, yes, less than two years old, it -- the death or disappearance must be reported within one hour.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Silverstein.

SENATOR SILVERSTEIN:

That -- that is correct. I'm sorry, Senator Raoul.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Raoul.

SENATOR RAOUL:

Now, certainly, if a parent is aware of a death, I can see that, you know, they know that the child is dead. A missing

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child is a little bit different. When -- when does the trigger start that one hour? And how would that be determined?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Silverstein.

SENATOR SILVERSTEIN:

It's one hour after they know. So, God forbid, if you -- if a child's missing, you would know.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Raoul.

SENATOR RAOUL:

And -- and I'm just trying to imagine how -- I mean, how would that be determined that a parent knew a child was missing after one hour? And let's say, they know and they're looking for them; you know, one hour is not an unreasonable amount of time to be looking for your child that a relative may have taken or -- the child may be fine. But one hour is not an extremely long period of time to make a parent subject to a Class 4 felony.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Silverstein.

SENATOR SILVERSTEIN:

It's a child under the age of two, Senator Raoul. I understand your point. I understand your argument. But I -- I just have to disagree with you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Raoul.

SENATOR RAOUL:

Yeah, I understand it's a child under the age of two. You know, a parent could have been sleeping at home and has other

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relatives there, and one of the relatives took the child to the ice cream parlor or to the toy store, and then likely they might have spent more than a couple of hours. So a parent may be phoning around to figure out where their child may be. And, you know, if, in that instance, it's an instance where something bad has actually happened to a child, we're going to make that parent a Class 4 felon for not making a call within an hour. To the bill: I just -- I -- I think we're getting carried away. I think we're allowing Nancy Grace to affect this Chamber a little bit too much. Let's pass our own law in the State of Illinois, forget about what's going on in Florida. Let's be reasonable. Let's not try to criminalize our parents.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Seeing no further discussion, Senator -- Ladies and Gentlemen, the question is, shall the Senate concur in House Amendments 1, 2, 3 and 5 to Senate Bill -- excuse me, there was a light on. I didn't catch it. Senator Cultra, for what purpose do you rise?

SENATOR CULTRA:

Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will, Senator Cultra.

SENATOR CULTRA:

Yeah, in House Amendment 5, it adds the threatening of a social worker. I mean, what would be the penalty and -- and what would you call threatening?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Silverstein.

SENATOR SILVERSTEIN:

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Threaten -- threatening can be any type of verbal or violent act, physical act - verbal threatening or physical act.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Cultra.

SENATOR CULTRA:

How -- how would you prove that?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Silverstein.

SENATOR SILVERSTEIN:

That -- that would have to be within the discretion of the State's attorney whether there's enough proof -- evidence to prove that.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Cultra.

SENATOR CULTRA:

So, what -- what would the -- normally the penalty -- if someone did threaten a social worker? What -- what's the -- what would have happen to them?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Silverstein.

SENATOR SILVERSTEIN:

It would be a Class 3 felony.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR HAINE:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield, Senator Haine.

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SENATOR HAINE:

Senator Silverstein, why is this a Class 4 felony for failure to report the disappearance of a child or the homicidal death of a child or where the corpse is?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Silverstein.

SENATOR SILVERSTEIN:

That -- that -- that was in the original bill and it's been in the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Haine.

SENATOR HAINE:

I -- I understand that, but why a Class 4 felony? Class 4 felony, you know, is a -- the most minimum felony. It's a probationable offense. And we all know that Casey - is it Casey Anthony? - the mother of this poor child in Florida whose acquittal is the genesis of this bill, the most hated woman since Tokyo Rose. I -- she was not innocent. She was found by a knucklehead jury to be not guilty. But why is this woman going to face a Class 4 felony, or a woman like her, in your bill? Why isn't this a Class X?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Silverstein.

SENATOR SILVERSTEIN:

Senator, we voted for this bill twice already. And the committee did not want anything higher.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Haine.

SENATOR HAINE:

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I have something on my shoe, to quote Senator Righter, and it's this bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Silverstein, to close. Ladies and Gentlemen, the question is, shall the Senate concur in Amendments 1, 2, 3 and 5 to Senate Bill 2537. All in favor will vote Aye. Opposed, Nay. The voting is open. Have -- have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 38 voting Aye, 11 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments 1, 2, 3 and 5 to Senate Bill 2537, and the bill is declared passed. Senator Schoenberg, for what purpose do you rise?

SENATOR SCHOENBERG:

I rise on a point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your point, Senator Schoenberg.

SENATOR SCHOENBERG:

Mr. President, Ladies and Gentlemen of the Senate, I want to introduce to you a -- a valued member of my staff and a dear friend, my Chief of Staff Shiva Mohsenzadeh. Shiva is a whip smart lawyer, who has done a phenomenal job handling everything in my Senate office, keeping me prepared for my work here at the Capitol. I'm actively seeking further employment for her come January 2013. But for now, I ask you to give her a warm Senate greeting, and thank her for me as well.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Welcome to the Illinois State Senate, Shiva. Great to have

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you here today. Thanks for joining us. Senator Forby, for what purpose do you rise?

SENATOR FORBY:

On a bill there, Leader Donne Trotter's Senate Bill 3766, I'd like to be an Aye on that bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

The record will so indicate your intent. Ladies and Gentlemen, we're on Senate Bill 3592, on Supplemental Calendar No. 4. Senator Silverstein. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendments 1, 2 and 3 to Senate Bill 3592.

Signed, Senator Silverstein.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you. This has to do with probate, if anyone's interested or sleeping. What it does, it amends the Probate Act regarding a process when a guardian or disabled person wants to be reinstated. They must file a certified {sic} petition to terminate the adjudication and revoke the letters. If it's filed with a doctor's report and it's -- the guardian and the ward also wants it, there is a burden of proof that shifts to the individual who is originally petitioning the guardianship. The bill further adds a collection fee of a thousand -- of a hundred dollars for administration of estates of a decedent or of a missing person.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will, Senator Righter.

SENATOR RIGHTER:

Senator Silverstein, in the House amendment that was sent back over, is there a fee increase in the bill for filing of probate cases?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Silverstein.

SENATOR SILVERSTEIN:

Yes. I just said that there's a fee increase of a hundred dollars for the administration of an estate of a decedent or a missing person. I said that already.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

I -- could Senator Silverstein please repeat the answer? I -- there's a lot of noise in the Chamber.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Silverstein, would you please repeat that answer, please? Ladies and Gentlemen, let's hold the visiting down. We have a lot of business to do yet this evening. Senator Silverstein.

SENATOR SILVERSTEIN:

Yes. Again, I -- when I did the bill, there is a fee increase of a hundred dollars for the administration of an

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estate of a decedent or of a missing person.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

For the administration of the estate of the decedent or for something to do with a missing child?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Silverstein.

SENATOR SILVERSTEIN:

Missing -- missing person.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

Now, what does that have to do with the probate case that's being opened up in that instance, that the -- that the fee is being charged on?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Silverstein.

SENATOR SILVERSTEIN:

It's just an added fee that's going to the Office of State Guardian, I believe.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

Okay. So, the fee does -- is not necessarily connected to the filing of the individual case. It's going to a State office somewhere? That's what I'm -- that's what I'm trying to figure out, is that this is being imposed by the State, as opposed to the filing fee that's already going to be charged on these folks

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when they open a probate estate. Correct?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Silverstein.

SENATOR SILVERSTEIN:

The fee is going to the Guardianship and Advocacy Commission. They -- they oversee a lot of probate cases. So that's where that hundred dollars would be going to.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

Is the fee limited to cases that involve the State Guardian, or is it all probate cases?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Silverstein.

SENATOR SILVERSTEIN:

All -- all probate cases.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. To the motion, if I might. Ladies and Gentlemen, this is another example of a good idea that Senator Silverstein sent over to the House that comes back with something to pull a little more money out of people's pockets. This time the folks who are charged with administering someone's estate, have to hire a lawyer and open a probate case, will get the pleasure now from Springfield of lifting another hundred dollars -- having another hundred dollars lifted out of their pocket to go to pay for a State agency that is supposed to be paid for with the tax dollars that we already pay. I would

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urge a No vote. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, the question is, shall the Senate concur in House Amendments 1, 2 and 3 to Senate Bill 3592. All in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 30 voting Aye, 26 voting Nay, 1 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment 1, 2 and 3 to Senate Bill 3592, and the bill is declared passed. Next up on the Calendar, we have Senate Bill 3616. Senator Frerichs. Mr. Secretary, read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 3616.

Signed by Senator Frerichs.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Frerichs.

SENATOR FRERICHS:

Thank you much, Mr. President. For three years, this Chamber has sent bills -- a bill over to the House to prolong enterprise zones, a proven program that creates and grows jobs in our State of Illinois. For the last two years, that bill has withered over in the House. This year, after hours of negotiations, attended by Senator Althoff and myself with House members, we finally have an agreement. We finally have a chance to pass on a continuation of an economic development tool that works in the State of Illinois. It may not be the exact same

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bill we passed out of here, but it's something the State needs; it's something we shouldn't waste anymore time passing. It's passed -- a similar bill has passed unanimously out of this Chamber three times already. I would ask a favorable vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Ladies and Gentlemen, just for an announcement. President Cullerton had asked -- has indicated we have a lot of work to do yet this evening and we are going to be using the timer. We will have three minutes per speaker starting now. Senator Althoff, for what purpose do you rise?

SENATOR ALTHOFF:

Thank you very much, Mr. President. I, too, just would like to add my request to vote Aye on this. It has been a work of a very, very long time. It's been bipartisan. We're extraordinarily pleased that we actually have this back in front of you. So I would just ask the Chamber to vote Aye. And thank you very much, again, to Senator Frerichs.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR DILLARD:

Thank you. I just want to commend the sponsor and Representative Bradley for sponsoring the great enterprise zone ideas that were enumerated by former President Ronald Reagan and Jack Kemp. So, welcome to the club.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Seeing no further discussion, Ladies and Gentlemen, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 3616. All in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted

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who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 59 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill -- having received the required constitutional majority, the Senate does concur in House Amendment 1 to Senate Bill 3616, and the bill is declared passed. Senator Emil Jones, for what purpose do you rise?

SENATOR E. JONES:

Thank you, Mr. President. I'd like to be recorded as a Yes on Senate Bill 3766.

PRESIDING OFFICER: (SENATOR SULLIVAN)

The record will so indicate your intention. Ladies and Gentlemen, Senate Bill 3621. Senator Delgado. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 3621.

Signed by Senator Delgado.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Delgado.

SENATOR DELGADO:

Thank you, Mr. President, Members of the Senate. I would ask for concurrence on Amendment No. 1. This is just a basic technical change, the bill sponsored by the State Police, in terms of creating a trust and making sure that it's a federal trust and the -- all interest follow that.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion? Seeing none, the question is, shall the Senate concur in Amendment 1 to Senate Bill 3621. All in favor will vote Aye. Opposed, Nay. The voting is open.

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Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On that question, there are 59 voting Aye, 0 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment 1 to Senate Bill 3621, and the bill is declared passed. Ladies and Gentlemen, let's go to Supplemental Calendar No. 2. Supplemental Calendar No. 2. Senate Bill 1849. Senator Link. Mr. Secretary, when we get it up on the board, we will go to that motion. We're on Supplemental Calendar No. 2. Senate Bill 1849. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendments 2 and 3 to Senate Bill 1849.

Signed by Senator Link.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. This is the gaming bill. It's similar to Senate Bill 744, which we passed prior. What we did is we improved it by a lot of ethics reforms that we put in there, which the Governor had asked for. We improved it on there with oversight by the Gaming Board on a number of different situations. We also removed over seven thousand and fifty gaming positions, which equals out to twenty-six percent of those positions, to lower the amount of positions, at the request of the Governor. We also stopped the amount of -- or, stopped having slots at the airport. We also kept the -- the schools hold harmless at education for a three-year period and

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other modifications that we did. I would now be more than happy to ask for any type of questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Jones, for what -- Senator Frerichs, rather, for what purpose do you rise?

SENATOR FRERICHS:

I think it's a good bill. It's been debated several times. I move the previous question.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Frerichs, there are one, two, three, four, five, six speakers seeking recognition. Again, we will be using the timer. 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 -- I -- I want to first commend the -- the sponsor for his work in improving this bill over Senate Bill 744 that passed last year. This is a better bill. It does have more protections in it. In -- in my area, where we have Arlington International Racecourse, this is an extremely important issue. The people in my district want to keep that jewel open. Beyond my district, this is a really important issue for those who care about agriculture, for those who care about the horseracing industry and the horsemen. I might have liked to do this a little bit differently. Maybe we wouldn't have everything in here that's in here. This isn't a perfect bill. But if you care about one of those industries, this could be your only

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chance to support it. This is a difficult issue for a lot of people, I understand. Has the potential to generate a significant amount of revenue for the State, but more importantly, keep a lot of people, who are working in areas that are the lifeblood of this State, working and staying engaged. I strongly urge an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR NOLAND:

Thank you, Mr. President. Question of the speaker -- or, sponsor.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield, Senator Noland.

SENATOR NOLAND:

Thank you, Mr. President. Senator Link - excuse me - within the bill I note that there are a number of what we call, and -- for lack of a better term, "earmarks" that are givebacks for different purposes, noble or otherwise, depending on your opinion. I note that within the bill we're giving back 22.39 million dollars for economically depressed communities, which I, you know, would probably agree is a good idea; giving for Partners for Conservation, State Fairgrounds. We're also helping out DHS to provide programs to treat problem -- with -- people with -- with compulsive gambling problems, Illinois Forestry Fund, and the like. So, we have a number of those funds, but can you tell me, what is the annual payment to Des Plaines, in which we're paying...

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Link.

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SENATOR LINK:

What had -- what had happened under -- Senator Noland, is the previous administration in Des Plaines probably made a -- a very harsh decision and a ill-advised decision and more than generous decision when they agreed to a -- a very generous amount of money that they would throw in and they are probably at a negative amount of money that they are going to be receiving. So we, in the bill, decided to lower that amount that they would have to be paying in the payment back in the bid process to the Gaming Board, but they will still be paying a very large sum of money.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Noland.

SENATOR NOLAND:

How much were they paying in, and how much are they now going to pay in?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Link.

SENATOR LINK:

They were paying ten million dollars a year for thirty years. They will be paying six million dollars a year for thirty years.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Noland, you have just under a minute. Senator Noland.

SENATOR NOLAND:

Thank you, Mr. President. Then, to the bill: You know, according to the -- a report issued by the proponents themselves, there'd be over eighty thousand gaming positions

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here in the State of Illinois. That's around a hundred adults per gaming position. Gaming experts say that fewer than a -- a hundred gaming positions is saturation. If you don't think that saturation is an important point, note that my boat - and I confess a parochial concern here - has dropped -- their revenues have dropped twenty percent - twenty percent. Now, gaming proponents' own -- own projections here state that a hundred and ninety-five million dollars would be coming into the State by way of revenues. Eighty-five million for these earmarks that we talk about, seventy-five million in hold harmless, fifty million in additional regulatory costs, leaving a deficit of fifteen million dollars, proving once again that relying on these types of revenues is like gambling itself. It's a miracle when you win and it's reality when you lose. I urge an -- a No vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Next speaker, Senator Holmes, for what purpose do you rise?

SENATOR HOLMES:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Holmes.

SENATOR HOLMES:

We're back to that gum on the bottom of the shoe. I think this is definitely a bill that always comes up in the final days of a Session and, fortunately, either it doesn't pass one Chamber or the other or the Governor decides to veto it. We run into the same problem every time with this bill. And, I'm sorry, it's not about agribusiness. It's really a revenue generator. That's what it's intended to do. Unfortunately, the numbers that are put forth as the revenue that this expansion --

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major expansion of gaming will generate are wrong. They are predicated on new positions at our existing facilities. I tell you right now, if we keep cannibalizing our casinos -- we do not need new positions. We cannot fill the positions we currently have. So if we go ahead and we add slots in racetracks that are between the City and our casinos, all we're doing is cannibalizing ourselves in the gaming industry. So I just want to say, please, once again, look at those numbers, look at them realistically, and vote No on this expansion of gaming.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Bivins, for what purpose do you rise?

SENATOR BIVINS:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates she will -- he will yield, Senator Bivins.

SENATOR BIVINS:

Is there money in this for law enforcement?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Link.

SENATOR LINK:

Yes.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Bivins.

SENATOR BIVINS:

And how much would that be?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Link.

SENATOR LINK:

I don't think there's an exact amount, but I know there is

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money in there for the State Police. There's also money in there for the Gaming Board, fifty million dollars for the Gaming Board to hire more head count to help with this -- with the State -- with the -- with the overhead, as far as the need for whatever they have to do, too.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Bivins.

SENATOR BIVINS:

I believe, last year, you said there was about ten million dollars for gambling -- to treat gambling addiction. Is there still ten million dollars or is there more or less?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Link.

SENATOR LINK:

Yes, that's still in there.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Bivins.

SENATOR BIVINS:

To the bill, Mr. President. Ten million dollars won't be quite enough, Ladies and Gentlemen. Eighty-two hundred people in this State have voluntarily banned themselves from gambling. At a cost of thirteen thousand five hundred and eighty-six per pathological gambler, you're talking about a hundred and eleven million dollars just for those, and we know there's more. Last week in the State Journal-Register, there was an article about expanded gambling, and I'd like to read you a line from that. "U.S. Senator Paul Simon sponsored and enacted the U.S. National Gambling Impact Study Commission. Among other recommendations, the 1999 U.S. Gambling Commission recommended a moratorium on

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the expansion of any type of gambling anywhere in the United States, as well as the re-criminalization of slot machines/electronic gambling machines convenient to the public. These conclusions have been strongly reconfirmed in the multi-volume 2009-2012 U.S. International Gambling Report, produced in large part at the University of Illinois and in concert with colleagues at other academic institutions." This bill gives you more gambling, more revenue, more slots, more casinos, more jobs. It also gives you something else more - gives you more bankruptcies, gives you more suicides, and gives you more gambling addictions and gives you more divorces and gives you more child abuse. It gives you more child neglect. It gives you more embezzlement, and it gives you more domestic violence and more theft. It also gives you more overall crime, more exploitation of the poor. So if you want more, then vote for this bill. Personally, I want less. I'd encourage a No vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator LaHood, for what purpose do you rise?

SENATOR LaHOOD:

Question to the sponsor.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield, Senator LaHood.

SENATOR LaHOOD:

Senator Link, earlier in committee tonight, you talked about how this bill had changed from last year to tonight and that you had made the bill more transparent and more ethical. Could you explain the policy reason why you have no ban on political contributions from casinos or the gaming industry?

PRESIDING OFFICER: (SENATOR SULLIVAN)

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Senator Link.

SENATOR LINK:

There -- right now, there is not bans on any regulatory industries in the State, but in my closing, I will address that for you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator LaHood.

SENATOR LaHOOD:

And I know I heard you mention the other states around us, and is it correct that -- Indiana, Iowa and Michigan all have bans on political contributions from the gaming industry?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Link.

SENATOR LINK:

That's something I don't know.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator LaHood.

SENATOR LaHOOD:

As I look at this bill, Senator Link, this, in my view, is a -- really a massive expansion of gambling in Illinois. We go from ten casinos to now twenty-one with this bill, slots at racetracks. Besides that we have video poker and gaming going online here at bars and taverns throughout the State; now have Lottery online. I guess my question to you is, what's the saturation point in Illinois for gambling?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Link.

SENATOR LINK:

I don't know what the saturation point is, but I don't know

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what the saturation point is for gasoline stations. I don't know what the saturation point is for retail stores. I don't know what the saturation point is for liquor stores. I don't know what the saturation point is for bars. But we continue to give licenses for all of those places and they continue to keep on growing. They keep on putting malls up. They keep on putting hotels up. They keep on putting motels up. They keep on doing that in your area. I understand that you are pro-growth in your area constantly. You don't stop growth in your area for stores. You don't stop that. What's the saturation point on that?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator LaHood.

SENATOR LaHOOD:

Senator Link, can you give me an example of where -- a municipality or a state that's reached the saturation point in your mind?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Link.

SENATOR LINK:

I -- I don't know of any, but I know the State of Mississippi gives out licenses to anyone that applies and qualifies for it, and if they succeed, they stay; if they don't succeed, they close their doors. And that's the way it should work - free enterprise, which I know all of you on that side believe in.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator LaHood, you have about twenty seconds left.
Senator LaHood.

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SENATOR LaHOOD:

To the bill: I'm not sure that we want to hold Mississippi out as a goal for this State, but if -- if that's the state you -- you cite, I'm not sure that that's -- that's good public policy. I guess, in looking at this bill, it's a lot of false promises, as I look at what this bill is going to do. If we had a balanced budget in this State, would we really be pushing this bill? If we had a nine-billion-dollar surplus, instead of a nine-billion-dollar deficit, would we really be pushing this bill? And as I look at this, this is all about revenue. Instead, we should be looking at how we cut spending in the State and not be looking at how we bring in more revenue. And..

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator LaHood, your time is up. Just one -- few seconds to close real quickly. Senator LaHood.

SENATOR LaHOOD:

Just -- I would just close by saying what Governor Quinn said, he does not want to make -- Illinois the Las Vegas of the Midwest. I would ask for a No vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Last speaker seeking recognition, Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. First, I'd like to thank Representative Lang and Senator Link for their diligence in working on this legislation. As a foundation, we need to understand that Illinois is under attack economically. We have five states around us that are working ad nauseam to take our jobs and to take our tourism dollars. And, frankly, they've been successful at doing it. Over the last ten years, we have

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lost thousands of jobs -- we have lost hundreds of thousands of jobs. I mean thousands of companies that have left. From a tourism standpoint, these states are spending millions of dollars marketing Illinois tourism. These states aren't subtle in their attacks against Illinois. And that's not any more evident than it -- when it comes to gaming. Our neighboring states are intentionally building casinos on Illinois borders. They must not think there's a saturation point. They are taking our tourism dollars and they're taking our jobs. The question is not whether or not there's going to be gaming - gaming is here. We can't stop that. It's at every state. It's across the country. It's on the Internet. It's not going to be changed. The question is, is it going to be in Illinois, where we can tax it, where we can regulate it, where we can control it, or is it going to be in the border states, where we have all the problems, but none of the benefits that come with it? For us along the Wisconsin border, it's even more pressing. The tribes have gotten together and they're planning to build massive casinos, literally within feet of the Illinois border, right on I-90. If we don't act and they do, we're talking about casinos larger than anything we have in Illinois, with water park, convention center, hotels, and it'll be, economically, a destruction for northern Illinois. So, to the question of is there too much expansion? Well, again, it's going to happen either here or just over the border. To the question about have we reached a saturation point or are there going to be problems with gaming? Of course there is. But, again, the problem is that they're going to continue to build on the border if we don't react. So I think this is a good bill and I appreciate

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your leadership on that, and I hope we have Yes votes on this.
Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Senator Link, to close.

SENATOR LINK:

Thank you, Mr. President. If we could have it quiet just a little bit.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, if you can hold the visiting down, this is an important piece of legislation. Senator Link.

SENATOR LINK:

Thank you. First of all, I want to give a couple thank yous out. I want to -- I see him in the -- in the Chambers. I want to thank Leader Lou Lang for his long, hard work on this. I want to thank my colleague, Matt Murphy, who was -- has been in all these meetings. Representative Ed Sullivan. I want to thank staff, Amy, who -- who's been -- found out more about gaming than I think she ever wants to know about. Giovanni, who was with me from the beginning on this. I want to thank President Cullerton, who has been with me from day one on this thing and he -- he knows how difficult this is, and he's learned -- for a guy who doesn't gamble, probably knows more about gambling than any of us do. But I also want to thank somebody that's probably going to be an unusual thank you to. I'm going to thank Governor Quinn. And Governor Quinn has come up with a lot of suggestions of what we should do. And one of the questions that was brought up about the gambling ban or ban on gambling contributions and other types of things that we should do, well, President Cullerton and I have met and we took very

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careful consideration of some of the things that Governor Quinn suggested. And, Governor, I hope you're listening to this, because if you look up Senate Bill 3925, I filed it today. And I'm going to tell you, because we're running out of time, which we have an - what? - an hour and twenty minutes to go, we didn't have time to do this. But here's the bill and I'm going to work just as hard on this bill as I've worked on this. And one of the things I'm going to tell you, the only way this gets through is if this bill is passed and signed. But here it is, some of the highlights: Number one, ban on political contribution for gaming licensees; clarification that the Gaming Board has authority over racinos and Chicago casino; eliminates the deadline for Gaming Board to issue licenses on the new riverboats and racinos, and specifies that licenses shall be issued within a reasonable time; specifies that tax reductions set in Senate Bill 1849 to take in -- effect in 2015 or when the Chicago casino comes online, whichever is earlier; requires the Gaming -- Board studies the feasibility of electronic gaming at the Quad City Downs and issues a recommendation before Quad City Down can obtain a gaming position; and, Senator Lightford, this is for you - transfers seventy-five million from the State Gaming Fund to the MAP on effective day of this bill; and annually distributes the first seventy-five million of wager revenue to MAP every year. These are some of the things. President Cullerton and I were listening to you, Governor. We were listening and we filed this bill. This is going to create twenty thousand jobs, add four million dollars to this budget. You might say it's saturation - and I notice the only people that said it was saturation, they already got their boats.

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They're the ones that are okay. They're satisfied. You know what? The bottom line is, everybody in this room represents one client and that's the people of the State of Illinois. I don't care about saturation. I care about the bottom line, and as long as the people of the State of Illinois are getting more money in from gaming, that's who we represent. That's the people. I don't represent any particular casino or racino. I represent the people of Illinois. I want them to make more money. We make more money for them, that's all that counts. I need a lot of green lights so they win. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, the question is, shall the Senate concur in House Amendments 1 -- 2 and 3 -- excuse me, Senate {sic} Amendments 2 and 3 to Senate Bill 1849. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 30 voting Aye, 26 voting Nay, 3 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments 2 and 3 to Senate Bill 1849, and the bill is declared passed. Ladies and Gentlemen, Supplemental Calendar -- Senator McCarter, for what purpose do you rise?

SENATOR McCARTER:

Like a verification of the roll call vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCarter has requested a verification. Will all Members please be in their -- in their seats. Mr. Secretary, read the affirmative votes.

SECRETARY ANDERSON:

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Bomke, Jacqueline Collins, Crotty, Delgado, Frerichs, Haine, Harmon, Hunter, Hutchinson, Emil Jones, Koehler, Landek, Lightford, Link, Luechtefeld, Maloney, Martinez, Mulroe, Muñoz, Murphy, Pankau, Raoul, Sandack, Sandoval, Silverstein, Steans, Sullivan, Syverson, Trotter, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCarter, do you question -- is there any -- do you question the presence of any Member voting in the affirmative?

SENATOR McCARTER:

No.

PRESIDING OFFICER: (SENATOR SULLIVAN)

On a verified roll call, there are 30 Aye -- Yeas -- 30 Ayes, 26 Nays, 3 Presents. Having received the required constitutional majority, Senate Bill 1849 is declared passed. Next up on the Calendar -- hey, Ladies and Gentlemen, turn to Supplemental Calendar No. 4 - Supplemental Calendar No. 4. On the second page of that Calendar, we have House Bill 4692. We'll wait for it to come up on the board. Senator Brady. There it is. Senator Brady, you wish to proceed? This is on the Order of Non-Concurrence, House Bills. Senator Brady.

SENATOR BRADY:

Thank you, Mr. President. I -- I move to recede from the amendment. I had an agreement with the House sponsor that if we couldn't get it passed in the House, I would recede from the amendment we placed on it here so that his bill wouldn't be damaged. His bill goes to allow the Secretary of State to establish restrictions on a driver's license that will help law enforcement and individuals with difficulties.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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Is there any discussion? Is there any discussion? Seeing none, the question is, shall the Senate recede from its amendments to House Bill No. -- or, House -- yes, House Bill 4692, Amendment No. 1. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 56 voting Aye, 0 voting Nay, 0 voting Present. The Senate recedes from the -- from Senate Amendments {sic} No. 1 to House Bill 4692, and the bill, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, go to -- turn to page 7 of the printed Calendar - page 7 of the printed Calendar. On the Order of House Bills 3rd Reading, at the bottom of the page, we have House Bill 1489. Senator Kotowski. Mr. Secretary. Senator Kotowski seeks leave of the Body to return House Bill 1489 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading, we have House Bill 1489. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 4, offered by Senator Kotowski.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski, to explain Amendment 4.

SENATOR KOTOWSKI:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1489 adds a new Section to the Juvenile Court Act of 1987 that clarifies individuals who were previously in foster care can re-enter foster care till the age of twenty-one. This will allow the State to potentially capture an

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additional fifteen million in federal revenue. It also amends the Department of Human Services Act to require Department of Human Services to assess which contracts and grants are appropriate for the implementation of a performance-based contract evaluation model.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SECRETARY ANDERSON:

Floor Amendment No. 5, offered by Senator Kotowski.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski, on Amendment 5.

SENATOR KOTOWSKI:

Thank you -- thank you, Mr. President. I explained both Amendment 4 and 5 in my opening introduction.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion on Amendment 5? 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 -- Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Now on the Order of 3rd Reading, we have House Bill 1489. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

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House Bill 1489.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

I explained the bill. I would simply ask for an Aye vote and just want a point of recognition for my colleague, Senator Althoff, for all her hard work on this bill and in appreciation for her bipartisan support.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 1489 pass. All those in favor will say Aye. Opposed, Nay. The -- excuse me. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 58 voting Aye, 0 voting Nay, 0 voting Present. House Bill 1489, having received the required constitutional majority, is declared passed. Senator Muñoz, for what purpose do you rise? Excuse me. Ladies and Gentlemen -- Senator Jacqueline Collins, for what purpose do you rise?

SENATOR J. COLLINS:

Thank you, Mr. President. I would like to be recorded a No. Someone else voted for me. I was out of the room. I would like to be recorded -- on Senate Bill 1849, I would like to be recorded as a No.

PRESIDING OFFICER: (SENATOR SULLIVAN)

The record will so indicate your intentions. Ladies and

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Gentlemen, page 9 of the Calendar, we have House Bill 4320.
Senator Muñoz. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 4320.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Muñoz.

SENATOR MUÑOZ:

Thank you, Mr. President. This amendment -- House amendment {sic} just amends the Criminal Code by adding language to definition to a term "redemption machine" to include computer simulations of certain physical games such as Skee-Ball, bowling or beanbags. The result, exempt both the computerized version, as well as physical version, of these games from the definition of "gambling devices", so long as redemption value or {sic} (of) tickets and tokens for winning prizes of such game does not exceed twenty-five dollars. I know of no opposition and I'll answer any questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall House Bill 4320 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 43 voting Aye, 8 voting Nay, 0 voting Present. House Bill 4320, having received the required constitutional majority, is declared passed. Senator Syverson, for what purpose do you rise? Senator Frerichs, for

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what purpose do you rise?

SENATOR FRERICHS:

Thank you very much, Mr. -- Mr. President. As voting on the prevailing side on Bill 1849, I move to reconsider the vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Link.

SENATOR LINK:

Mr. President, I move to table the motion to reconsider.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Link has moved to table the motion to reconsider. On that question, those in favor will say Aye. Those against, Nay. The Ayes have it, and the motion to table -- to table carries. Senator -- Senator Righter, for what purpose do you rise?

SENATOR RIGHTER:

I rose, while Senator Link was making his motion, to request a roll call on his motion, Mr. President. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter, the matter was taken. Senator Harmon in the Chair.

PRESIDING OFFICER: (SENATOR HARMON)

Ladies and Gentlemen of the Senate, on page 9 of your printed Calendar is the Order of House Bills 3rd Reading. At the top of the page is House Bill 4074. Senator Sullivan, do you wish to proceed? Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 4074.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR HARMON)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Mr. President. House Bill 4074, as amended, does two things. First of all, it amends -- it amends the Patients' Right to Know Act by extending a physician's required disclosure period from five to -- from five years to ten years for information regarding criminal convictions, disciplinary action, medical malpractice judgments, and some other matters. It also -- the second thing the bill does - this is an agreement between the -- the Auctioneers Association and the Realtors Association - it allows an auctioneer without a real estate license to perform certain activities regarding a real estate auction, as long as the auctioneer holds an auction license and obtains a real estate auction certification under the Real Estate License Act. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR RIGHTER:

Inquiry of the Chair, if I might, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Please state your inquiry, Senator.

SENATOR RIGHTER:

Mr. President, I know that you and everyone in the Chamber is aware of what just happened when Senator Link rose to make a motion to table Senator Frerichs' motion and I hit my light to ask for a roll call. The Presiding Officer - obviously, it was not you - clearly blew right through my light and chose not to

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recognize me. Now, it's always been my understanding, Mr. President - and I stand to be corrected here - that in a situation like that, the person rising to request the roll call - in this case, me - is given the courtesy of being recognized so that they can make an appropriate motion, which mine would have been. Mr. President, am I misunderstanding the appropriate procedure there?

PRESIDING OFFICER: (SENATOR HARMON)

Senator, I -- I was not in the Chair at the time. I cannot say whether your light was lit or whether the Presiding Officer saw that your light was lit. The matter was taken and we have moved on to subsequent business. Do you have a further inquiry on this bill? Senator Righter.

SENATOR RIGHTER:

You know, Mr. President, would it be appropriate for me to ask Senator Sullivan that since he's the sponsor of this bill?

PRESIDING OFFICER: (SENATOR HARMON)

It would not be appropriate, Senator Righter. Senator Righter.

SENATOR RIGHTER:

Will the sponsor yield, please?

PRESIDING OFFICER: (SENATOR HARMON)

Sponsor indicates that he will yield.

SENATOR RIGHTER:

Senator Sullivan, can you walk through for us a little bit kind of how the negotiations went back and forth on this legislation - you said for over a year - to arrive at this point?

PRESIDING OFFICER: (SENATOR HARMON)

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Senator Sullivan.

SENATOR SULLIVAN:

I'll be happy to, Senator Righter. Back in 2000, there was legislation passed. It was before I was in the Chamber here, of course, that -- that licensed auctioneers. And at that time -- actually, that was in -- wasn't in 2000, it was actually earlier than that, but previously. And it -- and it was a -- came up with a licensing procedure for auctioneers. At that time, auctioneers could sell anything, whether it's real estate, personal property, et cetera. The -- they also, at that time, said all auctioneers that were -- currently had a license were grandfathered in and allowed them to sell personal property or chattel property. Auctioneers that came in after that date, they are referred to -- they have a different licensing number. They were not -- they could not sell real estate at auction. And so, over the course of the last -- well, since that time, I know there's been -- folks working on this legislation. But over the last year, we've sat down with the Realtors Association and the Auctioneers Association and -- and worked out an agreement, which we have in this bill today, that would allow those auctioneers that came in after that registration date, that currently cannot sell real estate at auction, to -- to go through certification and licensing and be able to sell real estate at public auction.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Righter, do you have another question?

SENATOR RIGHTER:

I sure do, Mr. President. Thank you. Now, Senator Sullivan, tell me about the input you've received from the

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members of your industry - I know that you're a licensed auctioneer - the input that you've received from members of your industry about where they -- does this bill fall -- does this bill fall short of where the people in your industry would have liked to have seen it arrive, in any way?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Sullivan.

SENATOR SULLIVAN:

Mr. President, I'd like to pull the bill out of the record.

PRESIDING OFFICER: (SENATOR HARMON)

Take the bill out of the record, Mr. Secretary. Ladies and Gentlemen, the Senate is going to stand at ease to the call of the Chair, so that the -- stand in recess, I apologize, to the call of the Chair so that Financial Institutions Committee may meet in Room 400 immediately upon recess. Senator Frerichs, are you seeking recognition before we recess? Thank you. Senate stands in recess to the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR SULLIVAN)

The Senate will come to order. Ladies and Gentlemen, if you'll turn to -- turn to the top of page 7 of the printed Calendar, we have House Bill 1076. Senator Hutchinson. Mr. Secretary, please -- there it is. It's up on the board now. Mr. Secretary, Senator Hutchinson seeks leave of the Body to return House Bill 1076 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading, we have House Bill 1076. Mr. Secretary, are there any Floor

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amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 2, offered by Senator Hutchinson.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hutchinson, on Amendment 2.

SENATOR HUTCHINSON:

Thank you, Mr. President. I'd like to adopt Amendment 2 and I can explain it further at the bill -- or on 3rd.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there -- 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. Mr. Secretary, are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Now on the Order of 3rd Reading, we have House Bill 1076. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 1076.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hutchinson.

SENATOR HUTCHINSON:

Thank you, Mr. President and Members of the Body. Senate Amendment No. 2 becomes the bill. There are a limited number of counties that are able to establish an area that is similar to a

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TIF. For these areas, counties can rebate property taxes back to property owners under certain requirements. The -- that, one, the area is in an enterprise zone. Two, the taxing districts approve. Three, the amount rebated cannot exceed the amount that went into the TIF. And, four, the funds used to rebate must come from the area's fund. This bill exempts Grundy County from the first two requirements, largely because they do not have an enterprise zone. They are in an area that created an EDPA, so an economic development zone, but they can't utilize it, because they're not in an enterprise zone. So all this bill seeks to do is to create a fix that's actually been about forty years in the making. Grundy County has a broader definition of real property than other counties in Illinois. And so for a business that's looking for a site, their property taxes will often be higher in Grundy because of this. We have one particular example where you have one business that pays about seven million dollars in property taxes here, but in Iowa actually pays about seven hundred thousand. So the disparity is huge. This is a simple fix, but it's nowhere near what it is we need to do to continue this. And I'd ask for your Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall House Bill 1076 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 49 voting Aye, 2 voting Nay, 0 voting Present. House Bill 1076, having received the required constitutional majority, is

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declared passed. Next up on the Calendar, we have House Bill 4239. Senator Haine. Senator Bill Haine, on House Bill 4239. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 4239.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Haine.

SENATOR HAINE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This merely -- it amends the Property Tax Code. This is an agreed bill. There's no opposition. It gives assessors more of an ability to -- to require certain information before granting homestead exemptions on property that is leased. Again, there is no opposition to this. This was worked out between the assessors and the Realtors. The second part of the bill is necessary. It gives the Department of Revenue an additional time to certify software used in -- in tax sales by those who do computerized tax sales, which grew out of a -- some suspicious activity in Madison County. And, of course, I'm shocked, just shocked, to hear that, but that's what happened, allegedly. And this allows the Department of Revenue to make sure everyone is doing the right thing. Again...

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall House Bill 4239 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted

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who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 56 voting Aye, 0 voting Nay, 0 voting Present. House Bill 4239, having -- House Bill 4239, having received the constitutional majority, is declared passed. Ladies and Gentlemen, turn to page 11 or your printed Calendar, page 11. We have House Bill 5865. 5865. We'll let it get up on the board. Senator LaHood. There it is. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 5865.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator LaHood.

SENATOR LaHOOD:

Thank you, Mr. President. This bill has two parts. The first part was passed in the House earlier. It amends the Deferred Compensation Article of the Illinois Pension Code. Allows for the employees in the Deferred Compensation Plan offered by the State of Illinois to participate in a Roth plan, which is -- which is a post-tax contribution plan, in addition to the current pre-tax investment options. That provision passed overwhelmingly with no opposition in the House. The second part of the bill pertains to a pension issue in the City of Eureka, and it allows their police department, which consists of four police officers, to remain in IMRF despite the city's population exceeding five thousand as a result of the 2010 census. It has the support of the mayor and city council there and also the police department. And I know of no opposition to

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that part of the bill. And be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR LAUZEN:

Thank you, Mr. President. Just to let folks know that this passed unanimously out of Revenue Committee.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, the question is, shall House Bill 5865 pass. All those in favor will say Aye -- vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 54 voting Aye, 2 voting Nay, 1 voting Present. House Bill 5865, having received the required constitutional majority, is declared passed. Mr. Secretary, Committee Reports.

SECRETARY ANDERSON:

Senator Collins, Chairperson of the Committee on Financial Institutions, reports Motions to Concur: House Amendment 2 to Senate Bill 1566 and House Amendments 1 and 2 to Senate Bill 3522 recommended Do Adopt.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Delgado, for what purpose do you rise?

SENATOR DELGADO:

Thank you, Mr. President. I apologize. At this point, I attempted to vote Present on the last bill. I believe it was 5865. I'd like to be recognized for the Journal.

PRESIDING OFFICER: (SENATOR SULLIVAN)

The record will so indicate your intent. Thank you,

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Senator Delgado. Ladies and Gentlemen, if you will turn to Supplemental Calendar No. 2, Supplemental Calendar No. 2, we have Senate Bill 3442. This is Secretary's Desk, Concurrence, Senate Bills. Senator Link, when it's up on the board. Senate Bill 3442. There it is. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 3442.

Signed by Senator Link.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. This is -- all this does is makes a few changes. One of 'em is that on the amendments -- hold on one second. Let me check on the details. In -- it adds dry cleaning bags and newspaper bags to the definition of plastic film products. It requires the IEPA assign to manufacturers a vendor number as soon as the manufacturer registers with the agency. It authorizes manufacturers to develop recycling plans to joint {sic} units of local government. It increases from ten percent to twelve percent the projected increase on plastic bag recycling. And I'll be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Seeing none, as the bill denies or limits the power of a home rule unit to tax, pursuant to Section 6(g) of Article VII of the Illinois Constitution, the passage of this measure will require a three-fifths majority. Ladies and Gentlemen, the

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question is, shall the Senate concur in Amendment 1 to Senate Bill 3442. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 38 voting Aye, 15 voting Nay, 1 voting Present. A majority of the -- having received the required constitutional majority, the Senate does concur in House Amendment 1 to Senate Bill 3442, and the bill is declared passed. Senator Steans, for what purpose do you rise?

SENATOR STEANS:

I'm sorry. I wanted to be recorded as a Present on Senate Bill 3442.

PRESIDING OFFICER: (SENATOR SULLIVAN)

The record will so indicate your intent. Ladies -- Ladies and Gentlemen, we're back to the regular printed Calendar. If you'll go to page 10, at the top of the page, we have House Bills 3rd Reading. And we have House Bill -- excuse me, Senator Trotter, for what purpose do you rise?

SENATOR TROTTER:

Mr. President, I was recorded Aye on the last vote. It was my intent to vote No.

PRESIDING OFFICER: (SENATOR SULLIVAN)

The record will so indicate your intent. Again, on the regular -- page 10 of the regular Calendar, House Bills 3rd Reading, we have House Bill 5192. Senator -- Senator Hutchinson. House Bill 5192. We'll let it come up on the board. There it is. Senator Hutchinson, you wish to proceed? Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

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House Bill 5192.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hutchinson.

SENATOR HUTCHINSON:

Thank you, Mr. President, Members of the Senate. House Bill 5192 creates the Illinois Tax Tribunal Act of 2012. The purpose of the bill is to take the process of appealing a tax determination away from the Department of Revenue and putting it into a more neutral agency. The business community says that the current processing seems biased, since the auditors that made the initial determination and the administrative law judges both report to the Director of the Department of Revenue. The bill creates a Tax Tribunal as a separate State agency. The Governor would appoint the chief administrative judge with the advice and consent of the Senate. The Governor would be able to appoint three additional judges. Happy to answer any questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR LAUZEN:

Thank you, Mr. President. Just to report that this bill passed out of Revenue Committee unanimously.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any other discussion? Is there any other discussion? Seeing none, Ladies and Gentlemen, the question is, shall House Bill 5192 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all

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voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 56 voting Aye, 0 voting Nay, 0 voting Present. House Bill 5192, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, on page 7 of the printed Calendar, House Bills 3rd Reading, we have House Bill 1263. Senator Noland, on House Bill 1263. We'll let it get up on the board. There it is. Mr. Secretary, please read the bill. Senator Noland seeks leave of the Body to return House Bill 1263 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 1263. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 4, offered by Senator Noland.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Noland, to explain Amendment 4.

SENATOR NOLAND:

Thank you, Mr. President. I know we're all growing weary so I'll try to give you the brief version of this bill. This bill basically just rolls back the felony provisions of the eavesdropping statute, reconciles current decisions with our statutes, and allows both public and -- and the police to record police activity in public places. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR RAOUL:

To the bill, and I'm going to talk loud, because...

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Excuse me, Senator.

SENATOR RAOUL:

...he tried to mumble...

PRESIDING OFFICER: (SENATOR SULLIVAN)

Excuse me. Excuse me, Senator Raoul. This is to the amendment. Did you want to speak to the amendment? Senator Raoul.

SENATOR RAOUL:

Well, yeah, the amendment sucks too, but I'll wait till the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Now on the Order of 3rd Reading, we have House Bill 1263. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

House Bill 1263.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Noland.

SENATOR NOLAND:

All right, now that everybody's awake. So, I'm going to

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read the more detailed version of this. This bill creates an exemption to the eavesdropping statute so that any person may record the conversation of a law enforcement officer who is performing a public duty in a public place, as well as any other person who is having a conversation with that police officer. The conversation may be recorded if the conversation is at a volume audible to the unassisted ear of the person making the recording and there is no reasonable expectation of privacy. If the person is a law enforcement officer, the person must notify the parties that the conversation is being recorded. The amendment also amends the State Police Act and the Uniform Police {sic} (Peace) Officers' Disciplinary Act to provide that, in a misconduct hearing under either of the Acts, any recorded conversation that is used as evidence against a police officer and is found to have been intentionally altered by or at the direction of the complainant -- to inaccurately reflect the incident at issue must be presented to a State's attorney's office for the determination of prosecution. The amendment also removes the notice requirement for persons who are not law enforcement officers. Happy to ask -- or, take any questions, excuse me.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion? Senator Raoul, for what purpose do you rise this time?

SENATOR RAOUL:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Raoul.

SENATOR RAOUL:

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And let me first apologize to my colleague, the esteemed Chairman of the Criminal Law Committee, who just a couple of weeks ago opposed a eavesdropping bill that Senator Haine sponsored and, as Senator Haine described it, was a very narrow expansion of the eavesdropping Act. And you -- if you may recall, as I talked about it the last time, I said we will be back. I didn't expect to be back just two weeks later with this huge expansion of eavesdropping - this mammoth expansion of eavesdropping. And it just makes no sense to me how a couple of weeks ago the sponsor was opposed to a narrow expansion and now we have this mammoth expansion. I think we all ought to pay attention -- and I know it's the end of Session. It's -- whatever day it is. This is dangerous, folks. I asked the sponsor, how does -- Mr. President, if...

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, can we hold the volume down a little bit? Senator Raoul, apologize for that. Please continue.

SENATOR RAOUL:

I -- I asked the sponsor in committee, how does an officer provide notice to a law-abiding citizen that they're being recorded? The answer in committee was, well, if you're wearing a uniform and they can show a badge, then that'll be notice. That was the answer, Ladies and Gentlemen. And what about bystanders that may be talking? What about them? There's a recent federal case that involves the ACLU and the Cook County State's Attorney's Office. And I know both parties would object to this bill going forward, 'cause the State's Attorney's Office wants to appeal and to try to figure out what's going on. There's a pending Illinois Supreme Court case. This is far too

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premature and this is a huge expansion of the eavesdropping. If you ever want to walk down the street and just have a private conversation, beware. Beware. I urge everybody -- and if there were a hundred Members here, we could go with the century bill -- I urge everybody to vote No on this - red lights. This is -- you know, I understand giving law enforcement tools. I understand the Press Association and -- and the ACLU wanting to record. We need the courts to first resolve where we can go legislatively with this before we do this huge, huge expansion of eavesdropping. Our State Constitution has specific language in it that speaks to eavesdropping, and we're throwing our Constitution out the window on May 31st, June 1st, whatever day it is, while nobody's really paying attention. We ought not to do this. I urge everybody, put a red light up on the board.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, the timer is back on. Senator Millner, for what purpose do you rise?

SENATOR MILLNER:

Thank you, Mr. President. And for the previous speaker, I just would like him to take a -- a deep breath. It's not a huge expansion of eavesdropping. Here's what it is, folks. We have -- we're one of the very few states in this country that doesn't allow people recording each other. So, a bill came across from the House that allowed the citizens to record, and frankly, I think that's a good idea. I believe in transparency. And then they had a bill that would allow police officers to record. But what we said is, we're going to have -- hold the police officers even to a higher standard. And that is, they have to notify someone, if they're recording 'em. And there's so many reasons

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for this. We have example after example after example in other states where this is simply allowed. I mean, all these other states, with the exception of three - Illinois would -- being one of the three - allows this. So -- but we, our bill now, this bill, is even stronger than the other states. So here's how it works: A person is on the street, they're recording the police officer and they take that video and they manipulate it. We see this happen many times. They actually manipulate the recording. They put it up on YouTube. They make a complaint. We're saying that the police officer should be allowed to protect themselves, not by recording in secret, but to notify the person, "Hey, you're recording me, now I'm recording you." It's a very simple bill. It protects the police. It protects the citizens. It protects the communities. It protects everybody, because we're not going to have these -- these frivolous lawsuits being filed against police on manipulated videos, 'cause they can record in return. This is really a good piece of legislation. It's good for our communities. It's good for everyone. It's a simple thing to do. It holds our police officers to a higher standard than all these other states in the union. They have to do more. Other states, the police officers don't have to do that, but we're requiring our officers to do it. It was a negotiated bill. We worked with the police officers. The police really don't like to do this, but they agreed. And so I would really ask you all for an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

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SENATOR SCHOENBERG:

To the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I -- I -- with all due respect to the prior speaker, I think that the fact that the Illinois State Bar Association is in opposition to this should give everybody pause. I think that this does, indeed, encroach upon First Amendment rights. At -- at this point, this is an issue where we need to slow this down. As Senator Raoul pointed out, just two weeks ago there was a relatively modest, in comparison, expansion of eavesdropping that was offered. This is significantly more. There are a number of First Amendment reservations, and if you like speed cameras and how they could record all kinds of activities, you'll love this. I urge a No vote. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR SANDOVAL:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. President, Members of the Senate. Senator Noland, buenos dias, assalamu alaikum, dzien dobry. You know, the year is 2012 and the hour is 12:30 on May -- on June 1st, 2012. It's Senator Mattie Hunter's birthday. Senator Noland,

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allow me to express that I feel that this bill is a bill that is a slap in the face of many of the people that many of us represent in our backyards in the State of Illinois. I happen to represent one of the largest Latino constituencies in this country, and you happen to be married to one of them, a Latina from Chile, in Elgin. And we have Mexicanos and Puerto Ricans and Chileans in Elgin, Aurora, Waukegan and Rockford. We even have 'em in Senator Sullivan's district. You know, what do you tell to all those immigrants who have not had the opportunity of becoming citizens? And becoming citizens is the result of one of the greatest Presidents, who granted an amnesty for the undocumented residents, Ronald Reagan - Ronald Reagan, one of the greatest Presidents to live and preside in the White House. Yes, he was a Republican. He was a Republican that granted an amnesty to illegal aliens. He was a Republican.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Sandoval, your time's concluded. I'll give you a few seconds to conclude your remarks, please.

SENATOR SANDOVAL:

...President. This bill is overreaching, unconstitutional, unconscionable, and it is a slap in the face of many of the people that are taxpaying, law-abiding residents, who live in the shadows before us. I ask you, I ask you and I implore you with all sincerity to pull this bill out of the record. Come back some other time in another life.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR DELGADO:

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Thank you, Mr. President. I'll continue and Senator Sandoval's going to yield his minutes to me. With all due respect, I -- I rise. And I have worked -- and I just talked to a colleague. Now I'm not a police officer, but I'm a former felony parole and probation officer, and I rise in strong opposition, because at the end of the day, in real time -- I will just use my small -- short time for a inner-city -- a perspective of an inner-city legislator as a former felony parole agent. But in real time, you try to go ahead and do that, they can -- you can spit on the curb and you'll have a disorderly conduct. They will turn that around and it'll be a disorderly conduct; you're interfering with the duty of a police officer. There will be a battle and then you'll get caught up in the web of the criminal justice system. So at the end of the day, I say to you, having worked in that field - I didn't have jurisdiction on every citizen; I had a caseload - but at the end of the day, to be able to realistically believe in real time that in -- within these communities that we live in, where I go to bed with fire trucks and nine millimeters at night, and there's so many great people in the 2nd Legislative that this is overreaching. I respect my colleague. I have read this legislation. But we need parity and fairness. And doing this is -- is not fair, because in real time the -- the law will fall on that particular officer, on the moral turpitude of that individual, because I believe in the police departments and law enforcement, but the individual's moral turpitude is what will be tried here. And I would ask for a strong No or your Present vote, with all due respect, because -- and -- and you can. But at the end of the day, this will not -- this is not the way we

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should be going at this time of the -- in 2012, knowing that we do have certain individuals that get on our forces and are just frustrated and will take it out with that ability as -- "Citizen Joe" is going to say, "Citizen's arrest, citizen's arrest", or take some information and that individual will wind up in the hotel that you -- you don't pay to get in, but you will pay to get out. I would ask for a No vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR MUÑOZ:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Muñoz.

SENATOR MUÑOZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I just rise in support of the bill. You know, we heard a lot of our colleagues. Everyone has their own opinion and I respect every one opinion. Just so you know, you know, Chicago police, everyone is recorded from the time you get pulled over to the time you're talking to someone and now that when the officer's there, you're going to record 'em. And that's fine, First Amendment right. Hey, I am all for that. But when an officer -- I think they should be given the opportunity to -- let's be fair..

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Muñoz, can I interrupt you just for one second? I want -- I need to recognize Senator Noland for just one minute. Senator Noland, for what purpose do you rise?

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SENATOR NOLAND:

Okay, obviously, there is a great deal of misinformation on this bill. And it's going to take a little bit more education of my colleagues here, and I understand that, to a certain extent, this is showbiz for some people. I know that the -- very good. And we're going to talk about those things probably over the summer and going into November. So -- but I will just say this, this is a constitutional matter. Okay? It is something to be taken solemnly and not to be taken lightly..

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Noland, do you wish to pull it out of the record?
Senator Noland.

SENATOR NOLAND:

Thank you. Right. We're all getting tired. I understand. So I want to say thank you to those who brought this to greater attention - okay? - and brought the proper light on this. Yes, I wish to take it from the record, and I'm going to talk to all..

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Senator Noland -- Mr. Secretary, Senator Noland would like to take House Bill 1263 out of the record. Ladies and Gentlemen, Supplemental Calendar No. 5 has been circulated. Supplemental Calendar No. 5. We will go to that Calendar right now, on the Order of Secretary's Desk, Concurrence, Senate Bills. Ladies and Gentlemen, we have a little glitch with the computer. Just give us a second. Correct it here momentarily. Senator Hutchinson, we're going to have to hold off on your bill just for a little bit. Ladies and Gentlemen, on the bottom of page 2 of the regular Calendar, on the Order of Senate Bills 3rd Reading, we have Senate Bill 184. Senator Koehler. Mr.

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Secretary, Senator Koehler seeks leave of the Body to return Senate Bill 184 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading, we have Senate Bill 184. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 1, offered by Senator Koehler.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Koehler, to explain Floor Amendment 1.

SENATOR KOEHLER:

Thank you, Mr. President. The amendment becomes the bill and I'll speak to it on 3rd.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Now on the Order of 3rd Reading, we have Senate Bill 184. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 184.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Koehler.

SENATOR KOEHLER:

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Thank you, Mr. President, Members of the Senate. This is an exciting bill, because it really offers a great opportunity for Illinois. What this does is it amends the EDGE tax credits, creates a larger threshold. First of all, I want to thank some co-sponsors. Senator LaHood, who is a co-sponsor on this bill, he and I, as well as our -- our Representatives in the House, worked very well together in a bipartisan way for the Peoria area. I want to especially thank Senator Lauzen, because it was his phone call that really got this thing launched. And what we're talking about is a 1.6-billion-dollar fertilizer plant that is looking to locate possibly in southern Peoria County. Yes, we are in competition with Iowa for this. And because of something - I'm not going to get into detail - because of the throwback rule in our Tax Code, we are at a -- very much a disadvantage with Iowa on this. So we have to correct that and eventually we'll need to look at -- at revamping our Tax Code. But what this bill does is it actually creates a threshold of a billion dollars, and anyone who makes a capital investment of at least a billion dollars in this State in connection with a project that is the subject of the agreement, the credit may exceed the incremental income tax, but shall not exceed one percent of capital investment attributable to the project that is the subject of this agreement. And what that means over a ten-year period of time is that the tax advantages are anywhere from a hundred and -- hundred and thirty million to a hundred and sixty million dollars. This levels the playing field. This allows us to bid, and I think outcompete, with Iowa to get this project here. It makes sense logistically. Sixty-five percent of the farmers in Illinois become the prime -- or, target for --

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for the distribution of this product. It's both anhydrous ammonia and nitrogen. It saves Illinois farmers, as we were told by the consultant, probably between forty and fifty million dollars a year. This is a regulated commodity. It's -- it's traded on the -- on the world market. But the transportation costs are what the difference are. And so, I would ask for your support and I'd be happy to take any questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR LAUZEN:

I just rise in support of the sponsor's legislation. I am just amazed at what a great job you've done, Senator, in mobilizing a whole bunch of forces to demonstrate that Illinois is competitive. And it really is a choice of we can either do nothing and get nothing, as far as State revenues, jobs and competitiveness for our farmers, or we can demonstrate that the State of Illinois is serious about stimulating growth through a lower tax policy. So, I rise in support. I think you've done a great job.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you, Senator Lauzen. Seeing no further discussion, Senator Koehler, to close.

SENATOR KOEHLER:

Let me just tell you what's at stake here. And I appreciate that, Senator Lauzen, and thank you for your support and your help. We're talking about a hundred and fifty to two hundred permanent jobs. We're talking about one thousand construction jobs for a two-year period. This is a big project.

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This is a big project and I'd appreciate your support. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Ladies and Gentlemen, the question is, shall Senate Bill 184 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 57 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 184, having received the required constitutional majority, is declared passed. Supplemental Calendar -- Ladies and Gentlemen, go to Supplemental Calendar No. 5. It has been distributed. On the Order of Secretary's Desk, Concurrence, Senate Bills, we have Senate Bill 1566. 1566. Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendment 2 to Senate Bill 1566.

Signed, Senator Hutchinson.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hutchinson, on Amendment -- or, excuse me, on Senate Bill 1566.

SENATOR HUTCHINSON:

Thank you, Mr. President and Members of this Body. Senate Bill 1566 is the IDNR sustainability bill, and Floor Amendment No. 2 deletes all and becomes the bill. And it -- it allows IDNR to charge a number of fees for services that they provide. Senate Bill 1566 is estimated to generate thirty-two million dollars in new revenues for the Department. The bill contains

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languages -- language that states the revenues generated by Senate Bill 1566 cannot be swept. I just want to say a couple of things at the outset. Number one, this is a critical package that we put -- put together and I need to give a lot of acknowledgement and thanks to Leader Mautino. Representative Mautino in the House spent a long time negotiating this package. And the one thing I want to say at the outset is that very rarely do we get bills that are negotiated to an agreed status like this. Every single one of the user fees that is incorporated into this package was negotiated and planned and will be implemented by the people who will actually have to pay them. So, for me, as a Democrat, to stand here and see the Illinois Coal Association as a proponent at the same time the Sierra Club is an -- is a proponent is a pretty amazing thing, the fact that we have the Illinois Oil and Gas Coalition at the same time as the Illinois Environmental and Poverty Law Center {sic} (Environmental Law and Policy Center). These people are not always in the same group together, we all know this. There are plenty of things - we've seen it here tonight - that go straight down the line; they tend to be very partisan in nature. But our parks -- our park system across this State is not one of those things. This bill is something that we need to do to right the wrongs of the last ten to fifteen years, where we've gone from a hundred million dollars at DNR down to forty-four million dollars at DNR. We can't even protect our parks at night because of the staffing levels. Good luck going to some of our places that used to be jewels in this State and finding a toilet that flushes. That's how bad it is right now. Now, the second part of this that we've heard, especially about, you

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know, fees that are associated with this - and I know it's an election year; I know that there are people who are ideologically opposed to anything that raises money; I get it - this has a two-dollar license fee. One dollar, when it's fully actualized, will raise eleven million dollars and it's bondable up to ninety million dollars. And it's supposed to go directly to the -- the park roads construction fund. The other dollar raises enough money to keep all of our parks open. Now the one thing I also want you to remember is that DNR is not just parks. The Supreme Court has determined that all the shoreline for Lake Michigan, from the southern most tip, all the way to Wisconsin, belongs to us to conserve, us to protect. We've got to do whatever it is we need to do to make sure that who we are as a State is something that we can still take pride in. It's -- this really is a sustainability package that was negotiated under, luckily, not duress - this is something where it doesn't usually happen this way. So I really would be happy to answer any questions and I'm really hoping for thirty-six, at least, green votes. Happy to take any questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Senator John O. Jones, for what purpose do you rise?

SENATOR J. JONES:

To the motion.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the motion, Senator Jones.

SENATOR J. JONES:

You know, there's probably not anybody in this Chamber, or this building really, being the Co-chairman of the Illinois

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Sportsmen's Caucus, that doesn't want to see DNR succeed. But as I look through this bill at all the fees that we've come up with, and we could probably write a book this -- this Session of all the fees and tax increases that we've done on the citizens of this State, but I'm just going to outline a few. The first one is the license plate fees. You know, license plate fees should be going for one thing, and I know we have roads in our parks, but license plate fees ought to be going to fix the roads and bridges throughout this State that are our highways, not our access roads in our parks. But what really upsets me more than anything is that there was an agreement in part of this bill. There is a whole bunch of large fees in here that an industry called the oil and gas industry agreed to. And I can tell you right now, folks, they're not very happy, because they agreed to that because they thought they were going to be doing a lot of business in the State of Illinois this year and the coming years and creating anywhere from ten to twenty thousand jobs in my district and Senator Forby's district. But that's been taken away today and in this week, because the bill that Senator Frerichs and I worked on for the last two years, the fracking bill, Speaker Madigan decided to hold it hostage and try to put a surtax on it - tried to tax an industry before we ever drill the first gas or oil well. Now, some people are saying, "Well, we killed that bill over there." No, you haven't. The bill has an amendment on it right now. It has a lot of fiscal notes on it over there. But it put a moratorium on drilling any gas or oil well that fracks in this State for the next two years. Senator Forby and I, both, have had at least five companies call today that were spending millions of dollars leasing properties

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in southern Illinois, in mine and his district, and they've said, "We're leaving the State of Illinois. We don't want to do business here if this is the way you're going to be treated." We agreed to fees to run an agency, to have inspectors to come out and inspect while we're doing those frack jobs, and to give us the permits that we needed to drill with. We agreed to that. Now they won't come up here and tell you tonight that, hey, we're going to back off that agreement on these fees, because they know they have to go to the agency and get permits for any other oil well that they drill that's not in the shale formation. Ladies and Gentlemen, there's a better way to do things than to do it at one o'clock in the morning on June the 1st, when nobody's watching, of passing all these fees to keep our parks open. I want to keep our parks open too. But I asked people around this building, starting Monday morning when I was driving to Springfield, for a little help over there in that other Chamber with that bill that would have created twenty thousand jobs, and they didn't want to help me, so I don't want to help them right now. At some other point in time, I may want to help 'em, but right now we're doing the wrong thing with all these fees that's being put on the citizens of this State. How much more do you think the citizens can bear in this State anyway? It's time to stop this nonsense of raising fees on everything that comes along. We'll write a book - it may be a thousand pages for this spring, the way we've done it. President Cullerton's standing there and we -- we did a fee on oil derricks out in the Gulf. And we told him, gasoline...

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Jones, your time's up. Please conclude your

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remarks. Senator Jones.

SENATOR J. JONES:

Thank you. And we told him if you do this, gas prices will go up, and they did, twenty-seven cents a gallon today. Folks, I'm asking you to vote No on this bill. Let's come back and do it right.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates she will yield, Senator Righter.

SENATOR RIGHTER:

Thank you. Senator Hutchinson, is the Secretary of State Jesse White opposed to this bill?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hutchinson.

SENATOR HUTCHINSON:

I believe it probably has something to do with the license plate fees.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

So, Secretary White is opposed to the bill, because he's concerned about pulling money away from license plates. Is that fair to say?

PRESIDING OFFICER: (SENATOR SULLIVAN)

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Senator Hutchinson.

SENATOR HUTCHINSON:

Asked and answered.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

To the motion, if I might, Mr. President. The atrocity of the -- of DNR budget going from a hundred million dollars down to forty-some million dollars, as was mentioned earlier by the sponsor, that's been a policy choice. Okay? That wasn't some irresistible, unchangeable movement that we are faced with so now we have to go and, once again, dig even deeper into people's pockets. That's the choice that you've made year after year after year. That's why we're in this position now. After this week, and particularly the last three days, with the laundry list of taxes and fees that have swept through this Body like a tidal wave, you are now, at about one o'clock in the morning, ready to do it again. Folks, at some point, the citizens of this State are going to say, "Enough, I pay taxes and I paid taxes for years for the State parks, and now suddenly, because you couldn't control spending in your Medicaid program or you kept dodging pension payments and so the payment grew, you couldn't cut spending, so now I've got to pay to get in the State parks." That's not right. At some point, you just have to say, "No, change your priorities, fund the parks." They are in horrible condition because you've drained money out of the Department of Natural Resources to pay for the upkeep. Change your policies. Quit pulling money out of there. Put the money back in there and take care of the parks. That's the answer

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here, not yet another fee increase. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR McCARTER:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates she will yield, Senator McCarter.

SENATOR McCARTER:

Senator, you mentioned that included in these parks are the beaches. What -- what new fees will there be for people to use the beaches?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hutchinson.

SENATOR HUTCHINSON:

One dollar.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCarter.

SENATOR McCARTER:

Is it one dollar or two dollars?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hutchinson.

SENATOR HUTCHINSON:

No, it's one dollar.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCarter.

SENATOR McCARTER:

I apologize, I -- I'm looking at the analysis and it says two dollars. So -- and that's going to raise two million

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dollars, I believe. Right?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hutchinson.

SENATOR HUTCHINSON:

Okay. We're going to look up the exact figure.

PRESIDING OFFICER: (SENATOR SULLIVAN)

While they're looking that up, Senator McCarter, do you have other questions? Senator McCarter.

SENATOR McCARTER:

Well, I -- I -- let -- let me just go to the bill, 'cause I know the answer to the question. The answer is two dollars to use the beaches. Okay? So, you know -- you know, maybe that's news, you know, even in Chicago, that you're going to have to pay two bucks to use the beach. The Secretary of State is opposed. We -- we got very little information in the committee, 'cause it was rushed through the committee. This was -- we waited till the last minute to do this. You know, you -- we talk about righting the wrong. You don't right the wrong by taxing people over thirty-two million dollars more in a year to use the parks. I mean, we're talking about families that aren't traveling places and instead -- and they're on tight budgets, so they go to our parks. I mean, you talk about putting a tax on those who can least afford it - that's exactly what we're doing tonight. You don't right the wrong by just adding more -- taxes and fees. You live within your means. You plan for the future. And that -- and the parks did not deteriorate on their own. We -- we failed to implement a discipline of spending in this State government, and apparently the only -- only solution you have is more taxes and fees. I urge a No vote.

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PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR LUECHTEFELD:

Thank you, Mr. President, Members of the Senate. A question of the sponsor.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates she will yield, Senator Luechtefeld.

SENATOR LUECHTEFELD:

Senator, there's no -- no question that over the last ten/twelve years, in particular, the Department of Natural Resources has really taken a beating, starting with, you know, for some reason, I think Governor Blagojevich really -- really didn't think that was that important and -- and -- and they weren't funded. But keep in mind, as Senator Righter said, Governor Blagojevich didn't do that by himself. I mean, he -- a budget was passed, which showed -- which actually showed us what the priorities were, and in particular, very few people on this side of the aisle voted for any of those budgets. One of the concerns that I have when we add fees to pay for something like -- like this, is that once we add those fees, it gives the people who make decisions on priorities - the Governor, the President of the Senate, the Speaker of the House - it gives them an excuse not to put money that they would normally have put in the budget. And so in the end, the Department really is no better off a lot of times than they would have been without that fee. Because I suspect, and we've seen it happen over and over in this government, when we develop a fee to pay for something in certain departments, less money is put into those

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departments by the people who make those decisions. It's a good excuse, you know, not to put money in. And that's one of the really big concerns that I have. Is it a concern of yours? Or can you...

PRESIDING OFFICER: (SENATOR SULLIVAN)

I'm sorry. We're you -- Senator Hutchinson.

SENATOR HUTCHINSON:

You know, there are a number of things that concern me. Number one, there is a increasing line of logic that goes to the fact that we should get everything we have as -- free. Now, I've been here four years, and ever since that I've been here, line items in the budget have continually been decreased for things that we say are priorities. I wish there was someplace we could find money from GRF to go into supporting our State parks, but there isn't. As a matter of fact, the budget that your side of the aisle wants to pass is significantly less than what it is we wanted to pass, which had not much in there for State parks. Now, a number of things were raised about, you know, what happens with money that goes into a specific fund to pay for certain things. We are one of only seven states that do not charge to use our parks. Now, I don't know how, you know, folks feel when they go into these State parks and they go to these beaches and we can't keep them clean; we can't keep nefarious people out at night; we can't -- we don't have the staffing levels to support what we need in this thing, or the acknowledgement of the fact that the State parks is -- that DNR is not just State parks, the fact that we're actually charged with conserving and protecting the shoreline of Lake Michigan. According to the Supreme Court, that's ours. So, as we go

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forward -- my children are eleven, thirteen and fifteen years old, and when I go into a State park, and I know that my license plate, the license plate on my car, admits me into one of our State parks, it's -- it is a price I pay to have something that I think we should be celebrating and protecting and conserving. Right now, they are in disrepair all across the State - all across the State. So we don't get money for law enforcement. We don't get money in the gaming bill for State parks. We don't get money for conservation. We're continually, you know, being -- when I sit in Ag, I don't know how many different times there are we talk about all the things we need to do for these very industries. So, every single one of these groups have been negotiating. They chose the fees. They dealt with the implementation of it. They decided this was the best way they can do it. It's negotiated by the people who would actually be paying for them. And, yes, I do think that paying for things that we consider are assets is something that's actually patriotic. Our State parks are an amazing asset that we are letting go to waste every single day we do nothing. Now, I wasn't here when Blagojevich was here. But I know the effect of when Blagojevich was here, and I know every single time you go into one of these State parks and you are lucky if you can find a toilet that flushes, we all ought to be ashamed of that, ashamed of that. If we are really going to be serious about protecting the things that actually make us who we are, we have to pay for it. We actually have to pay for it. This is something worth investing in. This department is not just State parks. It's not just parks and recs. It's not just, you know, when somebody wants to go hiking for a little -- you know, thing

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or here. People actually rely on this. Ninety thousand jobs and over thirty-two billion dollars in economic activity over this State is not something that you actually fly by the wayside and say, you know what, we just hope that the roads are going to last forever; we just hope that in the next twenty years these parks are still going to be here for us. So, yeah, I have some concerns. I have some concerns about what we're doing with the Department of Natural Resources. This is a critical bill, and I wish it could have been done differently. But I'll tell you this, I'm proud of the way it was done, 'cause every single person who was at the table - and contrary to a previous speaker - every single person who was at the table, nobody's pulled their support. And for us, all of us in this -- on this Floor right now, to see the level of support and the kinds of different industry that are together on this, the -- people that brought all of their issues to the table and negotiated and negotiated and negotiated and negotiated and negotiated to get to an agreed process, is something that we should be celebrating, because, Ladies and Gentlemen, it doesn't happen that often in this State.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Luechtefeld, your time has expired. No. No. But I think we'll reset the clock. Senator Luechtefeld.

SENATOR LUECHTEFELD:

That lady seemed sort of passionate about this. Did you know? You know, I -- I guess my question, again, goes back, and I -- I've seen it happen many times, where we will do something like this with a fee and then, in one or two or three years down the road, it begins to creep away. And I agree with you on the

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importance of the park and all that sort of thing. And I guess I would ask, do you have any assurance that that same thing isn't going to happen? You...

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hutchinson, for a short response.

SENATOR HUTCHINSON:

Yes.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR McCANN:

Will the sponsor yield, Mr. President?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates she will, Senator McCann.

SENATOR McCANN:

In this bill, there is a license plate fee of two dollars. Is that -- or, in this amendment, of two dollars.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hutchinson.

SENATOR HUTCHINSON:

The off-road vehicle two-dollar fee, yes.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCann.

SENATOR McCANN:

In addition to this license plate fee, how many other fees are within this bill?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hutchinson.

SENATOR HUTCHINSON:

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I believe there's eighteen.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCann.

SENATOR McCANN:

Eighteen additional? So -- is it a total of eighteen or a total of nineteen?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hutchinson.

SENATOR HUTCHINSON:

I believe the answer's eighteen total.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCann.

SENATOR McCANN:

Thank you for that answer. The -- the Secretary of State has slipped in in opposition to this bill, and so we obviously know that he's going to collect the one fee for the license plates, but how are we going to go about collecting all these other fees?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hutchinson.

SENATOR HUTCHINSON:

Point of sale.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCann.

SENATOR McCANN:

I don't believe I understand that answer, and I'm not sure you do either. But we'll -- we'll move forward. Is one of the fees contained within a fee -- an annual stamp for each off-road vehicle one might own?

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hutchinson.

SENATOR HUTCHINSON:

Yes.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCann.

SENATOR McCANN:

So, could you define an off-road vehicle for me, please?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hutchinson.

SENATOR HUTCHINSON:

No.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCann.

SENATOR McCANN:

I love your honesty, and many other things about the sponsor, I might add. Would it be safe to say that a -- a four-wheeler or a UTV, would those be classified as off-road vehicles?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hutchinson.

SENATOR HUTCHINSON:

Considering I don't work for the Secretary of State, nor do I work with classifications of different vehicle things or their license thing, I'm happy to accept your definition of what an off-road vehicle exactly is. However, I do know that the fees are going -- and they're supported by that wonderful group called ABATE, who we listen to -- many of us listen to as to fees that are related to what we do with those types of

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vehicles.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCann, your time's ended, but I'll give you a few minutes to close. Senator McCann. A few seconds to close.

SENATOR McCANN:

To the -- to the motion, Mr. President. I love my State park that's right by my House and I love all the State parks, and I really respect Director Miller and I want to do everything I can to make our State park system everything that it can be. But when we say that that line item has gone from a hundred million to forty million, and someone surfing the web tonight listening to this might say, "The people of Illinois need to step up to the plate and make sure those toilets flush", well, the people of Illinois have stepped up to the plate. I believe that the average working family really believed in their heart last year, when they had that seven-billion-dollar tax imposed upon them, new revenue being collected here in the State of Illinois, that that might be enough to keep the parks open. I would...

PRESIDING OFFICER: (SENATOR SULLIVAN)

Seeing no further discussion, Senator -- Senator Hutchinson, to close.

SENATOR HUTCHINSON:

Okay. I really thank you for the spirited debate. Thank you for indulging the fact that I do feel very strongly about this. Thank you, Representative Mautino, for all the work that you did. It's time for us to support the Department of Natural Resources to the level for which we can all be proud. And I would ask for an Aye vote.

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, the question is, shall -- shall the Senate concur in House Amendment 2 to Senate Bill 1566. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 33 voting Aye, 21 voting Nay, 1 voting Present. Having -- having failed to receive the required constitutional majority, the motion fails. Ladies and Gentlemen, if you'll turn to Supplemental Calendar No. 4, Supplemental Calendar No. 4, on the Order of Secretary's Desk, Resolutions. We'll get -- get it up on the board. We're going to start with Senate Resolution 752. Senator Kotowski, you will be first up. There it is up on the board. Mr. Secretary, please read the resolution.

SECRETARY ANDERSON:

Senate Resolution 752, offered by Senator Kotowski.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Kotowski.

SENATOR KOTOWSKI:

This is simply a resolution to -- to honor {sic} May 3rd as Polish Constitution Day. It's one of the second-oldest constitutions in Europe, focused on the right to vote, the right to hold elected office, and the right to hold property. I'd ask for support.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion? Seeing none, all those in favor will say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Next up on the Calendar is Senate

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Resolution 773. Senator Hunter. Mr. Secretary, read the resolution.

SECRETARY ANDERSON:

Senate Resolution 773, offered by Senator Hunter.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator -- or, Senator Hunter, rather.

SENATOR HUNTER:

Thank you, Mr. President. Senate Resolutions {sic} 773 designates the day of August 27, 2012 as Taiwan Relations Day in the State of Illinois in recognition of the twentieth anniversary of Illinois' sister -- sister statehood with the Republic of China and Taiwan. And I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion on the resolution? Seeing none, all those in favor will say Aye. Opposed, Nay. The Ayes have it, and the resolution's adopted. Next up, we have Senate Resolution 788. Senator Brady. Mr. Secretary, please read the resolution.

SECRETARY ANDERSON:

Senate Resolution 788, offered by Senator Brady.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Brady.

SENATOR BRADY:

Thank you, Mr. President. First of all, thank you for sending this resolution straight to the Floor and thank you for your sponsorship. This resolution is to ask the audit -- the Auditor General to do an audit of the Illinois Department of Transportation, in particularly the Road funds. As we all know, billions of dollars have been diverted from the Road funds over

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the last decade. There's been massive overcharging in both workers' compensation and health insurance. The breaking of the pledge under the Illinois Jobs Now! agreement not to divert for two straight -- but yet doing it for two straight years, the fact that we only have three hundred and fifty million dollars this year out of 2.8 billion for road projects, leaves us in a position where we need some answers to some questions. I ask for your support. I think we'll get some good answers that will help us bring more credibility back to the Illinois Department of Transportation and the Road Fund resources.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you, Senator Brady. Is there any discussion on the resolution? Seeing none, all -- as this resolution requires the expenditure of State funds, a roll call vote will be required. The question is, shall Senate Resolution 788 pass. All those in favor will say -- vote Aye. All those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 47 voting Aye, 3 voting Nay, 0 voting Present. Senate Resolution 788, having received the required constitutional majority, is declared adopted. Senate Resolution 811. Senator Harmon. Mr. Secretary, please read the resolution.

SECRETARY ANDERSON:

Senate Resolution 811, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the

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Senate. House Joint {sic} Resolution 811 -- oh! This -- this celebrates the Employer Support for {sic} (of) the Guard and Reserve, celebrating their fortieth anniversary, and designates June 22nd as their day.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion? Seeing none, all those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment {sic} is adopted. House Joint -- excuse me. House -- yes, House -- Senator Sandack, for what purpose do you rise?

SENATOR SANDACK:

Really quick point of personal privilege, please.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your point.

SENATOR SANDACK:

It's important. It's our colleague Kirk Dillard's birthday today. It's...

PRESIDING OFFICER: (SENATOR SULLIVAN)

Happy birthday, Senator Dillard. Happy birthday. Up on the board, Ladies and Gentlemen -- Senator Crotty, for what purpose do you rise?

SENATOR CROTTY:

Well, I'd like to also join in wishing you a happy birthday, but for real, for real, so is Mattie Hunter's. The two of you have the same birthday. So, happy birthday.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hunter, happy birthday to you. Ladies and Gentlemen, House Joint Resolution 79. Senator Emil Jones. Mr. Secretary, please read the resolution.

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House Joint Resolution 79, offered by Senator -- Emil Jones.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Jones.

SENATOR E. JONES:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Joint Resolution 79 creates the Area Career and Technical Education and Vocational Center {sic} (Centers) Task Force.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion? Seeing none, as this resolution requires the expenditure of State funds, a roll call vote will be required. The question is, shall House Joint Resolution 79 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 52 voting Aye, 0 voting Nay, 0 voting Present. House Joint Resolution 79, having received the required constitutional majority, is declared adopted. House Joint Resolution 88. Senator McCann. Mr. Secretary, read the resolution.

SECRETARY ANDERSON:

House Joint Resolution 88, offered by Senator McCann.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator McCann.

SENATOR McCANN:

Thank you, Mr. President. First, I want to say thank you for sending this straight to the Floor. I appreciate it. And the family of the hero that we hopefully are about to honor

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greatly appreciates it. House Joint Resolution 88 honors one of our State's military heroes. Russell E. Dunham was born in 1920 in East Carondelet and raised on a farm near Fosterburg. He had eight brothers and five sisters. He enlisted in the Army when he was twenty years old and achieved the rank of Technical Sergeant and platoon leader with the 30th Infantry, 3rd Infantry Division, seeing combat in North Africa, Sicily, Italy, and France. On January 8th, 1945, Sergeant Dunham's unit was pinned down between artillery fire and enemy machine gun nests near Kaisersberg, France. He single-handedly -- he single-handedly neutralized the machine gun emplacements using only his carbine and hand grenades and was wounded by enemy fire in the process. Sergeant Dunham was awarded the Medal of Honor - that's the Medal of Honor, not too many folks get that, for those of you who aren't listening - in 1945 for conspicuous gallantry at risk of life above and beyond the call of duty. He was also awarded the Silver Star, the Bronze Star, the Purple Heart, and the Cross of War for heroism from the President of France. After his service, Mr. Dunham returned to west central Illinois, where he continued to serve his fellow soldiers by working as a benefits counselor with the Veterans Administration in St. Louis for thirty-two years. He also honored his fellow infantrymen by getting a monument erected at Jefferson Barracks National Cemetery to honor those who served with the 3rd Infantry Division. Mr. Dunham passed away in 2009 in Godfrey at the age of eighty-nine, a true American hero. To honor Russell Dunham's distinguished life and valiant military service, we are humbly requesting that the stretch of U.S. 67 beginning at the Jersey County line and traveling south to Illinois 255, and continuing

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onto Illinois 255, once completed, between Mileposts 16 and 21 be designated as the "Russell E. Dunham Memorial Highway". On behalf of his family, we say thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR HAINE:

Just to support this distinguished Senator's resolution, Mr. President. Mr. Dunham was a resident of the Alton area for many, many years. His family resided in Godfrey. He resided in -- in Roxana. And I want to amplify what Senator McCann said, that in this snow-covered area - and it's good for us to remember this - late at night, a few days after the holiday we just celebrated - this man was a Sergeant in the United States Army and he was sweeping across Europe with the United States Army attempting to snuff out the continuing murderers of the Nazi regime - wearing a white camouflage mattress cover, he ran up a snow-covered hill and was shot in the back trying to take out a machine gun emplacement. His white clothing became soaked with blood, making him a target. He -- coming under machine gun fire from sixty-five yards to his front, while grenades exploded ten yards from his position, he hit the ground and crawled forward at fifteen yards' range, and he jumped to his feet, staggered a few paces and toward the timbered machine gun emplacement, killed the crew with hand grenades. An enemy rifleman fired at point blank range, but missed him. After killing the rifleman, Sergeant Dunham drove others from their foxholes with grenades and carbine fire. He killed nine Germans, wounding seven, and captured another two, firing a

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hundred and seventy-five rounds of carbine ammunition, using eleven grenades. Despite being wounded, he spearheaded a spectacular and successful diversionary attack. This is from the citation from the United States Government when he was awarded the Congressional Medal of Honor. He is typical of the people we have serving in the United States Armed Forces. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any further discussion? Ladies and Gentlemen, as this resolution requires the expenditure of State funds, a roll call vote will be required. The question is, shall House Joint Resolution 88 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 54 voting Aye, 0 voting Nay, 0 voting Present. House Joint Resolution 88, having received the required constitutional majority, is declared adopted. And our last resolution, House Joint Resolution 93. Senator Harmon. Mr. Secretary, please read the resolution.

SECRETARY ANDERSON:

House Joint Resolution 93, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Joint Resolution 93 sets forth the brief explanation of the proposed Constitutional Amendment 49, the higher vote threshold for pension enhancements. I'm not aware

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of any opposition. I'd ask for your Aye votes.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion? Is there any discussion? Seeing none, all those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment -- or the -- oh, is it? Excuse me, just one second, Ladies and Gentlemen. As this resolution requires the expenditure of State funds, a roll call vote will be required. The question is, should -- shall House Joint Resolution 93 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 51 voting Aye, 0 voting Nay, 1 voting Present. House Joint Resolution 93, having received the required constitutional majority, is declared passed. President Cullerton, for what purpose do you rise?

SENATOR CULLERTON:

Yes, thank you, Mr. President. Just wanted to thank everybody for their hard work. I know it's 1:30 in the morning. So I wanted to apologize for the late hour, but we had to get a lot of work done. Passed the budget. Thank you for your hard work. And Senator Radogno and I will let you know when we have to come back. But enjoy your summer. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

We will now proceed to the Order of Resolutions Consent Calendar. With leave of the Body, all those resolutions read in today will be added to the Consent Calendar. Mr. Secretary, have there been any objections filed to any resolution on the Consent Calendar?

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No objections filed, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion? If not, the question is, shall the resolutions on the Consent Calendar be adopted. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the motion carries. And the resolutions are adopted. Mr. Secretary, Messages from the House.

SECRETARY ANDERSON:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Joint Resolution 94.

(Secretary reads HJR No. 94)

Adopted by the House, May 31st, 2012. Timothy D. Mapes, Clerk of the House.

PRESIDING OFFICER: (SENATOR SULLIVAN)

On the Order of Resolutions is -- on the Order of Resolutions is House Joint Resolution 94. Mr. Secretary, read the resolution.

SECRETARY ANDERSON:

House Joint Resolution 94, offered by Senator Crotty.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator -- Senator Crotty moves to suspend the rules for the purpose of the immediate consideration and adoption of House Joint Resolution 94. Those in favor will say Aye. Opposed, Nay. The Ayes have it, and the rules are suspended. Senator Crotty moves for the adoption of House Joint Resolution 94. All

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those in favor will say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Ladies and Gentlemen, there being no further business to come before the Senate, pursuant to the -- adjournment resolution, the Senate stands adjourned until the hour of 12 o'clock on the 27th day of November, 2012, subject to the call of the President. The Senate stands adjourned.