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97th GENERAL ASSEMBLY
REGULAR SESSION
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131st Legislative Day

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PRESIDING OFFICER: (SENATOR HARMON)

The regular Session of the 97th General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the galleries please rise? The invocation today will be given by the Reverend Walt DeMoss, from St. Paul Lutheran Church in Oswego, Illinois.

THE REVEREND WALT DeMOSS:

(Prayer by the Reverend Walt DeMoss)

PRESIDING OFFICER: (SENATOR HARMON)

Please remain standing for the Pledge of Allegiance. Senator Jacobs, would you lead us this morning?

SENATOR JACOBS:

(Pledge of Allegiance, led by Senator Jacobs)

PRESIDING OFFICER: (SENATOR HARMON)

Mr. Secretary, Reading and Approval of the Journal.

SECRETARY ANDERSON:

Senate Journal of Tuesday, November 27th, 2012.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hunter, for what purpose do you rise?

SENATOR HUNTER:

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

PRESIDING OFFICER: (SENATOR HARMON)

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, Reading and Approval of the Journal.

SECRETARY ANDERSON:

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Senate Journals of May 30th and 31st and June 18th, 2012.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hunter.

SENATOR HUNTER:

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

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator Hunter. Senator Hunter moves to approve the Journals just read by the Secretary. There being no objection, so ordered. Mr. Secretary, Resolutions.

SECRETARY ANDERSON:

Senate Resolution 992, offered by Senator Link and all Members.

Senate Resolution 993, offered by Senator Link and all Members.

Senate Resolution 994, offered by Senator Link and all Members.

Senate Resolution 995, offered by Senator Link and all Members.

Senate Resolution 996, offered by Senator Link and all Members.

Senate Resolution 997, offered by Senator Link and all Members.

Senate Resolution 998, offered by Senator Link and all Members.

They're all death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Resolutions Consent Calendar. Ladies and Gentlemen of the

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Senate, Blueroomstream and ABC-7 Chicago are both seeking leave to videotape the proceedings. Seeing no objection, leave is granted. Senator Schoenberg, for what purpose do you rise?

SENATOR SCHOENBERG:

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

PRESIDING OFFICER: (SENATOR HARMON)

Please state your point, Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As part of my post-election "don't let the door hit you on the way out tour", I've invited some dear family members of mine to come see what it is I do and have been doing these past twenty-two years and to give them a taste of it one last time. I'm proud to say, Mr. President, Ladies and Gentlemen of the Senate, that I'm joined today by the members of the Schoenberg family who do not live in Evanston: my niece, Talia, who's a fifth grader at the Solomon Schechter School; my nephews, Avi, who's a second grader, and Eitan, who's a third grader; and my brother, Jonathan, and his wife, Ahoova Schoenberg. Please give them all a warm Senate greeting. Thank you very much.

PRESIDING OFFICER: (SENATOR HARMON)

Welcome to the Illinois State Senate. Senator Lauzen, for what purpose do you rise?

SENATOR LAUZEN:

Thank you very much, Mr. President. Point of personal privilege and an introduction.

PRESIDING OFFICER: (SENATOR HARMON)

Please state your point, Senator.

SENATOR LAUZEN:

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I would like to introduce to the State Senate Bob and Rita Parise, from Hampshire, Illinois, and their granddaughter, who's serving as Page for a Day, Isabella. And they're here from Hampshire, Illinois. So, if you'd welcome them, I'd appreciate it.

PRESIDING OFFICER: (SENATOR HARMON)

Ladies and Gentlemen, welcome to the Senate. Please rise to be welcomed. Senator Althoff, for what purpose do you rise?

SENATOR ALTHOFF:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Please state your point, Senator.

SENATOR ALTHOFF:

Thank you very much. I, too, have a guest with me today that's serving here on the Senate Floor. Her name is Molly Haleblan. She is a DePaul University graduate. She studied sociology, marketing and communications, and she also travels as a consultant for Chi Omega Fraternity. And she -- also her dad is not only my friend, but a very dear and school -- early school childhood friend of Senator Schmidt's. So, might we welcome Molly to the Senate Floor?

PRESIDING OFFICER: (SENATOR HARMON)

Molly, welcome to the Illinois State Senate. Senator Sandack, for what purpose do you rise?

SENATOR SANDACK:

Good morning, Mr. President. Also, I have a point of personal privilege, please.

PRESIDING OFFICER: (SENATOR HARMON)

Please state your point, Senator.

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SENATOR SANDACK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I, too, have a Page for the Day. And similar, it's -- it's not always Evanston Day in this august Chamber; it's sometimes Downers Grove Day. And to my left is the handsome, smart and talented - wave, Matthew - Matthew Perry. Matthew is a sixth grader at Hillcrest School in Downers Grove. In addition to being smart and handsome, he also plays basketball. His family is here: Rob, Maureen, and his brother, Ryan. I'm hoping we'll give 'em a nice warm welcome to the -- the Senate.

PRESIDING OFFICER: (SENATOR HARMON)

Matthew and your family, welcome to the Illinois State Senate. Senator Trotter, for what purpose do you rise?

SENATOR TROTTER:

Good morning, Mr. President. On a purpose of an announcement.

PRESIDING OFFICER: (SENATOR HARMON)

Please state your announcement, Senator.

SENATOR TROTTER:

Yes, Mr. President and Members of the Senate, immediately upon recess, the Senate Democrat Majority will be meeting in the Senate President's Office for approximately one-half an hour.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Trotter moves that the Senate recess for the purpose of a half-hour Senate Democratic Caucus. Seeing no objection, the motion is granted. The Senate now stands in recess to the call of the Chair. After the Senate Democratic Caucus, the Senate will reconvene for the purpose of Floor action. The Senate stands in recess to the call of the Chair.

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(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR HARMON)

The Senate will come to order. WICS Television requests permission to videotape the proceedings. Seeing no objection, permission is granted. Senator Steans, for what purpose do you seek recognition?

SENATOR STEANS:

Point -- point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Please state your point, Senator.

SENATOR STEANS:

Thanks. I just want to draw everyone's attention to the fact that it's National Runaway Prevention Month and National Homeless Youth Awareness Month. You -- the Governor had issued a proclamation on November 8th recognizing this issue. For everyone in the Chamber's knowledge, there's about twenty-five thousand unaccompanied homeless youth under twenty-one years of age in Illinois. And unfortunately, about a third of runaway youth are recruited for purposes of sexual exploitation and sex trafficking. You may have gotten a little green lightbulb button distributed in your offices. You may want to just wear those in remembrance and recognition to ourselves and others that we should all be concerned about youth homelessness. Thanks.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator Steans. The Senate will stand at ease for a few moments to allow the Committee on Assignments to meet.

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Will all members of the Committee on Assignments please report to the President's Anteroom immediately? The Senate will stand at ease. (at ease)

PRESIDING OFFICER: (SENATOR CROTTY)

Will all members of the Committee for {sic} (on) Assignments please come to the President's Anteroom immediately? (at ease) Senator Harmon in the Chair.

PRESIDING OFFICER: (SENATOR HARMON)

Senate will come to order. WHOI-TV requests permission to videotape the proceedings. Seeing no objection, leave is granted. Mr. Secretary, Committee Reports.

SECRETARY ANDERSON:

Senator Harmon, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to Executive Committee - Committee Amendment 1 to House Bill 5151; refer to Insurance Committee - Committee Amendment 1 to House Bill 2065; re-refer from Executive Committee to Assignments Committee - Floor Amendment 2 to Senate Bill 282; re-refer from Local Government Committee to Assignments Committee - Floor Amendment 1 to Senate Bill -- 1076, Floor Amendment 2 to Senate Bill 1076 and Floor Amendment 1 to Senate Bill 2722; Be Approved for Consideration - Senate Bill 1566.

Senator Harmon, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to Executive Committee - Floor Amendment 1 to Senate Bill 1076, Floor Amendment 2 to Senate Bill 1076, Floor Amendment 1 to Senate Bill 2722; Be Approved for Consideration - Floor Amendment 2 to Senate Bill 282, Motion to Concur on House Amendment 2 to Senate Bill 1566 and Floor Amendment 2 to House

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Bill 1957.

Signed, Senator Don Harmon, Chairman.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Mr. Secretary. Senator Althoff, for what purpose do you rise?

SENATOR ALTHOFF:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR HARMON)

Please state your point, Senator.

SENATOR ALTHOFF:

Thank you, Mr. President. Might -- might I really have everyone's attention in the room? I think that there's no doubt that the people we count on in this Chamber, our support staff, are incredibly important to all of us. So in that frame of reference, I would like to acknowledge that we have two very important birthdays today. We have Greg Kenworth and we have Patty Schuh who are celebrating their birthdays.

PRESIDING OFFICER: (SENATOR HARMON)

Happy birthday to Greg and to Patty. Ladies and Gentlemen of the Senate, I'd like to take this opportunity to announce a committee meeting. The Executive Committee will meet today in Room 212 at 1 p.m. The Executive Committee will meet this afternoon at 1 p.m. in Room 212. Ladies and Gentlemen of the Senate, on your printed Calendar, on page 2, on the Order of Senate Bills 2nd Reading, Senate Bill 1540. Senate Bill 2936. Senator Martinez, do you wish to proceed? Mr. Secretary, please read the bill. No. Senate Bill 2936.

SECRETARY ANDERSON:

Senate Bill 2936.

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(Secretary reads title of bill)

2nd Reading of the bill. Committee on Licensed Activities adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR HARMON)

Have there been any Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HARMON)

3rd Reading. Still on the Order of Senate Bills 2nd Reading, we skipped over Senate Bill 1540. Senator Martinez, you wish to advance that as well? Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 1540.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HARMON)

Have there been any Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

3rd Reading. Ladies and Gentlemen of the Senate, Senate Supplemental Calendar No. 1 has been printed and distributed to the Members' desks. We're going to turn to that order of business. At the top of the Calendar is Secretary's Desk, Concurrences on Senate Bills. First up is Senator Hutchinson's

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motion to concur in the amendment to Senate Bill 1566. Senator Hutchinson, you wish to proceed? 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 1566.

Signed, Senator Toi Hutchinson.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hutchinson.

SENATOR HUTCHINSON:

Thank you, Mr. President and Members of the Senate. I bring to you today Senate Bill 1566. Floor Amendment No. 2 deletes all and becomes the bill. Amends the Department of Natural Resources Act by allowing IDNR to charge a number of fees for services that they provide. Senate Bill 1566 is estimated to generate thirty-two million in new revenue for the Department. The bill contains language that states that the revenues generated by Senate Bill 1566 cannot be swept. This is a critical sustainability package for IDNR. It was previously House Bill 4193. We had enough to pass this bill in the regular Session on the last night of Session, and I would appreciate all Aye votes. And I'm happy to answer any questions.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Any discussion? Seeing none, as the bill has an immediate effective date, it's the ruling of the Chair that pursuant to Section 10 of Article IV of the Illinois Constitution, the passage of this measure will require a three-fifths majority. The question is, shall the Senate concur in House Amendments {sic} No. 2 to Senate Bill 1566. All those in

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favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 39 voting Aye, 11 voting No, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment No. 2 to Senate Bill 1566, and the bill is declared passed. On page 1 of -- Senate.. Ladies and Gentlemen of the Senate, on the first page of Senate Supplemental Calendar No. 1, on the Order of Motions in Writing to Restore Item Reductions on -- for Senate Bills, is a series of -- of motions. This is final action. Senator Forby, do you wish to proceed on Senate Bill 2474? Senator Forby, for what purpose do you rise?

SENATOR FORBY:

Mr. President, I move to suspend the rules to considerate {sic} the motions to restore the line items in Senate Bill 2474 reducing {sic} by the Governor that I filed with the Secretary on one roll call vote without a division.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Forby moves to suspend the rules in order to consider motions to restore reduced line items in Senate Bill 2474 on one roll call without division. All in favor, say Aye. Opposed, Nay. In the opinion of the Chair, the Ayes have it and the rules are suspended, and the motions restore -- to restore reduced items will be voted on on one roll call. Mr. Secretary, please read the combined motions.

SECRETARY ANDERSON:

I move that the item on page 21, line 22, of Senate Bill 2474 be restored, notwithstanding the item reduction of the Governor.

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Signed by Senator Forby.

I move that the item on page 36, line 7, of Senate Bill 2474 be restored, notwithstanding the item reduction of the Governor.

Signed by Senator Forby.

I move that the item on page 62, line 2, of Senate Bill 2474 be restored, notwithstanding the item reduction of the Governor.

Signed by Senator Forby.

I move that the item on page 62, line 4, of Senate Bill 2474 be restored, notwithstanding the item reduction of the Governor.

Signed by Senator Forby.

I move that the item on page 62, line 6, of Senate Bill 2474 be restored, notwithstanding the item reduction of the Governor.

Signed by Senator Forby.

I move that the item on page 62, line 7, of Senate Bill 2474 be restored, notwithstanding the item reduction of the Governor.

Signed by Senator Forby.

I move the item on page 62, line 8, of Senate Bill 2474 be restored, notwithstanding the item reduction of the Governor.

Signed by Senator Forby.

I move that the item on page 62, line 10, of Senate Bill 2474 be restored, notwithstanding the item reduction of the Governor.

Signed by Senator Forby.

I move that the item on page 62, line 11, of Senate Bill

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2474 be restored, notwithstanding the item reduction of the Governor.

Signed by Senator Forby.

I move that the item on page 62, line 12, of Senate Bill 2474 be restored, notwithstanding the item reduction of the Governor.

Signed by Senator Forby.

I move that the item on page 62, line 13, of Senate Bill 2474 be restored, notwithstanding the item reduction of the Governor.

Signed by Senator Forby.

I move that the item on page 62, line 14, of Senate Bill 2474 be restored, notwithstanding the item reduction of the Governor.

Signed by Senator Forby.

I move that the item on page 62, line 15, of Senate Bill 2474 be restored, notwithstanding the item reduction of the Governor.

Signed by Senator Forby.

I move that the item on page 63, line 9, of Senate Bill 2474 be restored, notwithstanding the item reduction of the Governor.

Signed by Senator Forby.

I move the item on page 63, line 11, of Senate Bill 2474 be restored, notwithstanding the item reduction of the Governor.

Signed by Senator Forby.

I move that the item on page 63, line 13, of Senate Bill 2474 be restored, notwithstanding the item reduction of the Governor.

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Signed by Senator Forby.

I move that the item on page 63, line 14, of Senate Bill 2474 be restored, notwithstanding the item reduction of the Governor.

Signed by Senator Forby.

I move that the item on page 63, line 15, of Senate Bill 2474 be restored, notwithstanding the item reduction of the Governor.

Signed by Senator Forby.

I move that the item on page 63, line 17, of Senate Bill 2474 be restored, notwithstanding the item reduction of the Governor.

Signed by Senator Forby.

I move that the item on page 63, line 18, of Senate Bill 2474 be restored, notwithstanding the item reduction of the Governor.

Signed by Senator Forby.

I move the item on page 63, line 19, of Senate Bill 2474 be restored, notwithstanding the item reduction of the Governor.

Signed by Senator Forby.

I move that the item on page 63, line 21, of Senate Bill 2474 be restored, notwithstanding the item reduction of the Governor.

Signed by Senator Forby.

I move that the item on page 63, line 22, of Senate Bill 2474 be restored, notwithstanding the item reduction of the Governor.

Signed by Senator Forby.

PRESIDING OFFICER: (SENATOR HARMON)

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Senator Forby, to explain your motions.

SENATOR FORBY:

Thank you, Mr. President. Why we're here today is to talk about Dwight, Tamms, Joliet and Murphysboro. Back in May, we put money to restore these facilities back in and the Governor took the money out of it. So, as we talk today, these facilities are open and they're running today and they're going to need this money down the road. So that's what this is all about today, is put this money back here so we can keep these facilities open. So, we voted on it once. I'm just asking you to vote on it again to put this money back in to restore these facilities.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Is there any discussion? Senator Annazette Collins, for what purpose do you seek recognition?

SENATOR A. COLLINS:

Thank you, Mr. President. I was just -- wanted to ask a question. Is this the facilities closure bill?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Forby indicates that he will yield. Senator Collins, could you please restate your question?

SENATOR A. COLLINS:

No. I was just making sure, because I was off the Floor and I wanted to make sure that it was the right bill. Do you know who supports these facility closures?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Forby.

SENATOR FORBY:

I -- I think there's a lot of people in the State of

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Illinois support these closures, because right now our prison situation in the State of Illinois, we're capable of thirty-three thousand people and we got forty-nine thousand people now in prison. So, if you close these facilities, where you going to put these people? And you're talking about being overcrowded anyway. So, that -- that gives -- is dangerous to the people that operates 'em. So that's why these -- one of the reasons these prisons needs to stay open.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Collins.

SENATOR A. COLLINS:

There are over sixty-four organizations who support the closures of -- the closing of Tamms, and some of the juvenile facilities as well. And some of 'em are the ACLU - the American Civil Liberties Union, the 8th Day Center for Justice, Access Living of Metropolitan (Chicago), and the list goes on and on and on. It's sixty-four different organizations that support the closing of Tamms. Just so you all will know. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Senator Hunter, for what purpose do you seek recognition?

SENATOR HUNTER:

Question for the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Sponsor indicates that he will yield. Senator Hunter.

SENATOR HUNTER:

Senator Forby, how many people are in these facilities?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Forby.

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SENATOR FORBY:

You know, I don't have the number right on hand, but as -- Tamms, it -- it -- the last I heard on it, it had like three hundred people in it.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hunter.

SENATOR HUNTER:

According to my records, Murphysboro has -- it's -- it's completely empty, Joliet has only -- has a little over one hundred and fifty youth, Tamms has slightly over two hundred inmates, and Dwight has a little over one thousand inmates. So I was just wondering, Senator, can these inmates be transferred to other facilities if it's closed?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Forby.

SENATOR FORBY:

Yes. I guess you could say there'd be facilities, but I don't know where you're going to put 'em at, because the other facilities are already crowded anyway. So you're going to have to go in there and you're going to have to remodel, you're going to have to expand, you're going to have to do something with these people, because you're going to double up on beds and some of these people don't need to be in a -- a -- jail cell with two people in a room. So I just think it's going to be a big issue. That's kind of what we asked the Governor before, when he started closing these places, to give us a plan. When you're going to close one of these places, what's it going to cost, the actual cost? What's it going to save? What you're going to have to do when you go to another prison? And that's the issue

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we're having here today. That's why this -- they're in court today over this.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hunter.

SENATOR HUNTER:

One more question, Mr. President. So, you -- Senator Forby, you -- you indicated that you've asked the Governor. Have you gotten any kind of response back from the Governor yet?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Forby.

SENATOR FORBY:

Well, I've asked the Governor -- talked to him, as we've talked in here before, about a plan and the actual money that was saved. We do not know what the savings is going to be on this and I don't agree with what the Governor's saying it is -- going to say on this, because it costs a lot of money. It's -- it's going to lose a lot of money.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR LUECHTEFELD:

Thank you, Mr. President. Just to comment on this issue. You know, many of these facilities, as Senator Forby said, are -- were -- are simply overcrowded, especially in the corrections system. I think what the Governor did was many times not well thought through. And -- and more than -- more than a lot of that it has to do with the economy of the -- of the areas in which those facilities are being closed. So I think, you know, we -- we had the support in the -- in the budget on this issue.

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Hopefully, we can get quite a bit of support on -- on this side of the aisle to keep that -- to put that funding back into the budget. Again, I -- I think it makes sense. You know, when you talk about some of those facilities that do not have a lot of -- of people in them right now, many of them the Governor has attempted to -- to do that by taking them out and putting them in facilities that are overcrowded. So, hopefully, we can get support on both sides of the aisle. Right now, again, I hope this side of the aisle will -- will really support this particular proposal of -- of Senator Forby. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Just a bit of housekeeping, FOX 32 News Chicago requests permission to videotape the proceedings. Seeing no objection, leave is granted. Senator Forby, do you wish to close?

SENATOR FORBY:

Thank you. I just ask for an Aye vote. And down the road, on these facilities and stuff like that, I just wish we had a plan when somebody decided to close something and actually show us the dollar amount, what it's going to save or cost us. So I just ask you for an Aye vote on this bill.

PRESIDING OFFICER: (SENATOR HARMON)

The question is, shall the items on page 21, line 22; page 36, line 7; page 62, line 2; page 62, line 4; page 62, line 6; page 62, line 7; page 62, line 8; page 62, line 10; page 62, line 11; page 62, line 12; page 62, line 13; page 62, line 14; page 62, line 15; page 63, line 9; page 63, line 11; page 63, line 13; page 63, line 14; page 63, line 15; page 63, line 17; page 63, line 18; page 63, line 19; page 63, line 21; and page

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63, line 22 of Senate Bill 2474 be restored, notwithstanding the item reductions of the Governor. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 35 voting Aye, 16 voting No, none voting Present. The items of Senate Bill -- Senate Bill 2474 just read, having received the required constitutional majority, are declared restored, notwithstanding the item reductions of the Governor. On page 5 of your printed Calendar, on the Order of Motions in Writing to Override Total Vetoes of the Governor, is Senator Duffy's motion to override the veto on Senate Bill 2945. Senator Duffy, do you wish to proceed? Oh! Senator Duffy, I'm sorry. I promised Senator Muñoz an opportunity to make an introduction. Can you hold for a moment? Senator Muñoz, I apologize. I know you wish to make an introduction.

SENATOR MUÑOZ:

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

PRESIDING OFFICER: (SENATOR HARMON)

Please state your point, Senator.

SENATOR MUÑOZ:

Mr. President and Ladies and Gentlemen of the Senate, I have two guests here with me from my district. They're my neighbors. They live literally a couple blocks from my house. Virginia Grosh, who is very involved in our community. Also with us is Deacon Dismas Fernandez from our parish, Blessed Sacrament. They are here today with a number of other people from the neighborhood. They're here on the driver's license bill. If we can welcome them to the Senate, I would greatly

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appreciate it.

PRESIDING OFFICER: (SENATOR HARMON)

Let's welcome Senator Muñoz's guests to the Senate. Welcome. Senator Murphy, do you have an introduction as well, while we're on this order?

SENATOR MURPHY:

Indeed I do, sir.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Murphy.

SENATOR MURPHY:

I'd like to introduce my Page for today, RJ Webster, a twelve-year-old sixth grader, here with his grandparents, Susan and Rudy Nelson. And he is in sixth grade at Lincoln Prairie Elementary. Plays on their basketball team. Is a history buff and was paying close attention to our most recent election. So I'd like the Senate to give RJ Webster a good warm welcome.

PRESIDING OFFICER: (SENATOR HARMON)

RJ, welcome to the State Senate. Let's now turn back to the Order of Motions in Writing to Override Total Vetoes. Senator Duffy, you ready to proceed? Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move that Senate Bill 2945 do pass, the veto of the Governor to the contrary notwithstanding.

Signed by Senator Duffy.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Duffy.

SENATOR DUFFY:

Thank you, Mr. President, Ladies and Gentlemen of the

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Senate. I -- I appreciate your support. You know, there's been a little bit of misinformation about this bill. So just to give a little of a quick background on the bill, this bill, Senate Bill 2945, I worked very closely with Senator Delgado and the Public Health Committee on this bill. I appreciate all the time and effort that Senator Delgado, Senator Hunter, and others did to help me with this bill. We revised the original bill several times and brought it back to committee so that it met the parameters that the committee laid out to us. This bill then went and passed here in the Senate 50 to 1, and then it went on to pass in the House. Nothing has changed in this bill. This bill still allows Cancer Treatment Centers, whose sole business purpose is to treat patients who have a cancerous condition, the flexibility to consider tobacco use in the hiring process. The Governor did voice some concerns about this bill after it passed the House and the Senate, so I communicated with the Governor's Office and definitely said I'm willing to -- to work on any changes that the Governor is interested in, as long as that fits into the core mission of the bill. The Governor expressed an opinion that the AFL-CIO was not comfortable with the bill. I set together a meeting. We had a phone conference with the vice chairman and the CEO and the President of Cancer Treatment Centers of America, along with the Governor's staff, the AFL-CIO, and we discussed their concerns. I -- I thought we addressed them all, but I guess we didn't. The -- the -- the conference call went well, but the -- the Governor did go ahead and -- and veto that bill. Again, this bill hasn't changed. The American Cancer Society and the Illinois Lung Association currently have this same ability, because it's a part of their

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core mission to fight cancer. I would continue to appreciate your support. And I look forward to answering any questions that you may have.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator Duffy. Ladies and Gentlemen, this is final action on Senator Duffy's motion, if you could please give the speakers your attention. Senator Schoenberg, for what purpose do you rise?

SENATOR SCHOENBERG:

To the motion.

PRESIDING OFFICER: (SENATOR HARMON)

To the motion, Senator.

SENATOR SCHOENBERG:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, I rise in opposition to the gentleman's motion, and I'll briefly lay out the reasons why. It's much, much more than technical nuance as to why this bill should not become law. This is narrowly tailored special legislation that's written to benefit a private corporate entity. To draw the parallel that the American Cancer Society or the American Lung Association have a similar relationship, those are not-for-profits. The reason why the American Civil Liberties Union and the reason why the Illinois AFL-CIO and all their many affiliates are against this is because employees run a severe risk of having their liberties compromised, because their use of a lawful product, while it may not be supported by a private employer, nonetheless I -- I don't -- nonetheless could impact their employment status, could even result in their termination. I don't think that we should be writing into law legislation that exclusively

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benefits one corporate entity. And I don't think that we ought to be doing it, more importantly, in a way that takes away people's rights and liberties. I've always supported tougher anti-smoking measures. I've always -- I was always supportive of the smoking ban. But this is really -- reaches -- I think this really creates a slippery slope as to how private employers can punish their employees for lawful behavior. Mr. President and Ladies and Gentlemen of the Senate, there's one other thing about this that troubles me quite a bit, and that is that there's a -- there's a very serious appearance of pay-to-play in this legislation, because it's so narrowly tailored to one single private corporate entity. Now I know that from time to time corporate entities come to the General Assembly and ask us to treat their circumstances differently. But I think it's a big difference between having, say, the global leader of the commodities markets or an international retailer, or some other entity like Caterpillar, which provides tremendous benefit to the State, as opposed to having a narrowly written special legislation for one corporate entity, the cash-and-carry treatment centers of America. And for those reasons, Mr. President, Ladies and Gentlemen of the Senate, I urge you all to oppose the gentleman's motion. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Cultra, for what purpose do you seek recognition?

SENATOR CULTRA:

To the motion.

PRESIDING OFFICER: (SENATOR HARMON)

To the motion, Senator.

SENATOR CULTRA:

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My esteemed colleague and I don't agree on very much, but on this one, I have to say he's exactly correct. You know, why should a legal product that is available anywhere determine whether you can be employed or not. I mean, I -- I think the smokers of this State have taken it on the chin enough now already. You know, there's -- you can't smoke in buildings, you can't smoke in restaurants, and now we're going to not employ them simply because they smoke. You know, I can't believe this bill has even made it this far. And I'm thankful the Governor has vetoed it and I would ask everyone here to help and maintain the Governor's veto. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR HUNTER:

Question for the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Sponsor indicates that he'll yield. Senator Hunter.

SENATOR HUNTER:

Senator Duffy, I have a series of questions, because I believe that I was given incorrect information when I initially supported this legislation. So I'd like for you to clarify as much as you can. Does this legislation only apply to new employees?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Duffy.

SENATOR DUFFY:

Yes. This legislation is only for new employees going forward.

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PRESIDING OFFICER: (SENATOR HARMON)

Senator Hunter.

SENATOR HUNTER:

Does it state that in the bill?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Duffy.

SENATOR DUFFY:

Yes, it is.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hunter.

SENATOR HUNTER:

...not -- I've not seen that -- that language in the bill, and so I'd like to see it. I have some other questions. What will be the process in implementing this legislation? Has -- has that been thought through yet?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Duffy.

SENATOR DUFFY:

I'm sorry. Can you restate that?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hunter.

SENATOR HUNTER:

What is the process in implementing this legislation? Had you thought that through yet?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Duffy.

SENATOR DUFFY:

Sure. The -- again, this bill is for all companies in the State of Illinois whose sole business purpose is to treat

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patients who have a cancerous condition. It is true that there's one private hospital right now, the Cancer Treatment Centers of America, that this applies to. This wouldn't apply to any other companies. The process would be for all new employees to -- to take a test, and it would be a saliva and a blood test, to -- to see if they've used tobacco products. If they have used tobacco products, nobody is going to be fired. People all -- are all offered treatment options, and people also do have the opportunity to take another test, to retest, if they feel that there are inaccurate results. And I think maybe one of the things that we should keep in mind also, besides that, you know, like we said, the American Cancer Society and the Illinois Lung Association do this now because their sole purpose is to cure cancer, also this is a part of Cancer Treatment Centers of America's mission. Cancer Treatment Centers of America has been growing rapidly over the years and they would like to continue to expand in Illinois now if they stick to their mission. And also, Cancer Treatment Center really cares about their employees. And that's why they've been doing so well. Matter of fact, they care so much about their employees that they were just ranked, a few weeks ago, the top eight company. So the -- the eighth top company to work at in Illinois, rated by the employees of those companies. So, the company -- the employees at Cancer Treatment Center of America knows how much they want to continue to work with them. And they do have those options.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hunter.

SENATOR HUNTER:

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Senator Duffy, you indicated that blood and saliva tests would be administered. Is this on a voluntary basis, or is it mandatory, or how does that work? Because how can -- well, how would that work?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Duffy.

SENATOR DUFFY:

This bill would -- this statute would allow, during the interview process, for the employer to ask the potential employee -- it's not an employee yet, if they smoke. If they do smoke, then they would have the ability to take that test, a blood or a -- a saliva test, which are -- even the ones offered over the counter are ninety-five percent accurate.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hunter.

SENATOR HUNTER:

Senator Duffy, how would you administer off-duty employees, you know, if they're smoking? How -- how do you do that? You -- you see, where I'm getting at is, I -- I agree with my colleagues; I truly now believe that this is a violation of a current or a new employee's constitutional right. I -- I really honestly believe that and I can no longer support this piece of legislation and I will be voting against this legislation. I do believe that it is totally against the constitutional right of an individual. And I'm sorry, but I just can't -- I can no longer support this legislation.

PRESIDING OFFICER: (SENATOR HARMON)

Senator -- Senator Duffy.

SENATOR DUFFY:

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I -- I appreciate that, Senator, and I appreciate your hard work with the -- helping me with the original bill. Again, nothing has changed in the bill at all since the original bill has come out. Senate Bill 2945 does amend the Right to Privacy in the Workplace Act, which allows these centers to do this, to look at tobacco use when they're hiring individuals. Currently, right now, there are twenty-two other states that are already doing this. This doesn't impact other non-profit hospitals. It only specifies tobacco use. It doesn't specify anything else. And I think that's very important, because starting in 2014, one of the main areas an insurance company can rate an individual on is smoking - is whether they -- not they use tobacco products. Whether it be Obamacare or other health care plans, you can be rated on whether you use tobacco products or not. And if you do use tobacco products, your premiums do go up. So I think this is an important piece of legislation, especially for a company whose sole purpose is to cure cancer, not cause cancer. And, any people - and they've been doing this for years - anyone who goes to work at Cancer Treatment Centers of America, they sign on to the mission statement before they come on to the company. They -- they vow to not use products that they know are cancer causing products. So this isn't a surprise to anybody. There currently are six percent of the workforce at Cancer Treatment Centers of America that do smoke and that are currently on a program to help them quit, and nobody has been fired.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hunter.

SENATOR HUNTER:

Senator Duffy, were you able to find the Section and line

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item in the bill that indicates this language? Can you find it, and if so, can you read it to me, please?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Duffy.

SENATOR DUFFY:

Which language? I'm sorry. There were a few questions. Which language are you referring to?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hunter.

SENATOR HUNTER:

The grandfathering language, Senator, for existing employees.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Duffy.

SENATOR DUFFY:

Senator, the -- the -- language specifically talking about the grandfather clause or -- or what you were asking earlier about grandfathering, that isn't in the bill, but they already are on -- already testified in committee, saying that they would do that. If that would make you feel more comfortable or if that's the problem here, then I'll be more than happy to -- to sponsor a trailer bill. Would -- definitely would put that in the -- the bill in the future.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hunter.

SENATOR HUNTER:

Senator Duffy, what I would feel more comfortable with is that you pull this legislation out of the record and not call it and do it the right time {sic} next year. I think that would be

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the most appropriate thing to do at this particular time. I know you've worked very hard and spent a lot of time on this legislation, but this is a very important matter and I -- I think it's really important that we do it right. I really do. So I would suggest that you pull this piece of legislation out of the record and -- and I'll be willing to work with you in getting it right if you're willing to do so next year. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Duffy. Senator Garrett, for what purpose do you seek recognition?

SENATOR GARRETT:

Yes, to the bill -- or the override. I sit on the Public Health Committee where we actually discussed this and I had many reservations about it then. But I was one of fifty-nine that voted for it. However, after talking to people and understanding the impact of this, it is very clear to me that this is an invasion of privacy of the highest degree. It is "Big Brother". We are -- we are saying to people around the State -- throughout the State that we are going to have a two-tiered system. We are going to be able to go into people's private lives and use that information to determine how they're treated at the -- in the workplace. It is totally unacceptable - totally unacceptable. And it is as close to any kind of "Big Brother" legislation I've ever seen. I agree with my colleague, Senator Schoenberg, that this should be stopped now and we should all vote No.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Senator Raoul, for what purpose do you

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seek recognition?

SENATOR RAOUL:

I just have a -- probably just a couple of questions of the sponsor.

PRESIDING OFFICER: (SENATOR HARMON)

Sponsor indicates that he will yield. Senator Raoul.

SENATOR RAOUL:

I'm -- I'm -- I'm a little -- I'm -- I'm -- I'm -- I'm a little ignorant of the Right to Privacy in the Workplace Act. Is there something in that Act right now that prohibits employers from -- first, I should ask, I mean, are these employees contract employees or are -- or are they just at-will employees?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Duffy.

SENATOR DUFFY:

At-will employees.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Raoul.

SENATOR RAOUL:

And -- and so, customarily with at-will employees, you know, you can -- you can fire a at-will employee if they have a red tie on, or black socks on, or if they smoke. So, I guess, my question, is there -- is there something in the privacy -- Right to Privacy (in the) Workplace Act that protects against such employment action?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Duffy.

SENATOR DUFFY:

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Yes, there is. And that's why this bill would amend that to make an exclusion for tobacco products.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Raoul.

SENATOR RAOUL:

And I'm sorry, and I -- this is an honest question 'cause I haven't read -- read the Act. What -- what is the nature of that provision that protects folks who smoke from just being treated as an at-will employee?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Duffy.

SENATOR DUFFY:

Do you want me to read the clause to you? I'd be -- yeah, basically the clause says -- it says "it should be unlawful for an employer to refuse to hire or to discharge any individual, or otherwise disadvantage any individual, with respect to compensation, terms, conditions or privileges of employment because the individual uses lawful products". So this would -- this would revise that for cancerous conditions and tobacco products for them.

PRESIDING OFFICER: (SENATOR HARMON)

Any further questions, Senator Raoul? Senator Emil Jones, for what purpose do you rise?

SENATOR E. JONES:

Question to the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Sponsor indicates that he will yield.

SENATOR E. JONES:

Senator Duffy, does this include chewing tobacco as well?

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PRESIDING OFFICER: (SENATOR HARMON)

Senator Duffy.

SENATOR DUFFY:

This includes all tobacco products. Yes.

PRESIDING OFFICER: (SENATOR HARMON)

Senator -- Senator Schoenberg, your name was used in debate. Are you seeking recognition for a second time?

SENATOR SCHOENBERG:

I am, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

For what purpose do you rise?

SENATOR SCHOENBERG:

Mr. President, Ladies and Gentlemen of the Senate, as the debate has continued, I have to say that this issue -- this issue is really gnawing at me - I thought that Senator Hunter, in particular, hit the nail on the head and it was just brushed aside; it was just dismissed - that something that's so fundamental as a -- as an employee's liberties can just get swept under the rug because one corporate entity wants to compromise people's rights and liberties, something that we all get sent here to protect. So why is it so important that we compromise people's rights and liberties? Well, maybe we should look at the campaign finance records for the "cash and carry" center -- treatment centers of America. How they have showered tens of thousands of dollars not just on the sponsor, but all throughout the State to one particular party, because they need to have their special break that, by the way, takes away their employees' rights and liberties. I won't bore you with all the details from the State Board of Elections website. I happen to

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think that my constitutional rights and the constitutional rights of everybody I represent means something, whether I agree with them or not. And certainly, the right to privacy, to have someone's privacy protected, whether it's in their bedroom or in the workplace, that's something that we all get sent here to protect. So why are we compromising people's rights? We're compromising people's rights because the "cash and carry" treatment centers of America have engaged in a pay-to-play, where they've generously showered tens of thousands of dollars all around certain parts of the State in order to take away people's rights who we don't know and people's rights who we do know. That's why we have to say no. I can't tell you how many times I have listened to the moralizing about why are the Democrats engaging in certain behavior. And then to act as if we're totally immune from it on the other side - what hypocrisy. I can't listen to it anymore. And that's what has bothered me throughout this entire debate. The documentation is there. The Cancer Treatment Centers of America have showered tens of thousands of dollars, liberally sprinkled - it's the only thing liberal that they've done - in order to get their special legislation, that's narrowly tailored, to help them take away the rights to privacy of their employees now and in the future. What a great country. Vote against the gentleman's motion.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator Schoenberg. Senator Silverstein, for what purpose do you rise?

SENATOR SILVERSTEIN:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR HARMON)

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Sponsor indicates that he'll yield.

SENATOR SILVERSTEIN:

A couple questions. Who will be conducting these tests?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Duffy.

SENATOR DUFFY:

The employer, CTCA.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Silverstein.

SENATOR SILVERSTEIN:

How -- how will the testing be administered?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Duffy.

SENATOR DUFFY:

You know, I don't know the specifics, but right now they offer over-the-counter tests for -- for blood and saliva, and I'm sure it'll be very similar to those.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Silverstein.

SENATOR SILVERSTEIN:

How will the test samples be collected?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Duffy.

SENATOR DUFFY:

I'm not a doctor, but Cancer Treatment Centers of America is full of doctors. I'm sure they'll follow all the guidelines for these testing procedures.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Silverstein.

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SENATOR SILVERSTEIN:

Is there a -- is there a chain of supervision in place for this, and how will it be supervised?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Duffy.

SENATOR DUFFY:

You know, again, these are all specific internal policies for the employer that they would have once these tests are implemented and if this law passes. I think we're kind of putting the cart before the horse there, but hopefully we'll get to that and...

PRESIDING OFFICER: (SENATOR HARMON)

Senator -- our last speaker seeking recognition is Senator Frerichs. Senator Frerichs, for what purpose do you rise?

SENATOR FRERICHS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR HARMON)

Sponsor indicates that he'll yield. Senator Frerichs.

SENATOR FRERICHS:

So, I'm a little confused. I thought I heard earlier this legislation only applies to new employees, but then I thought I heard later maybe it might apply to old employees and it's not in the bill. Could you clarify that for me so I can understand?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Duffy.

SENATOR DUFFY:

Well, let me clarify for you. Maybe that -- that was confusing, 'cause I -- I -- I don't remember saying that either, but it'll be -- this bill has -- all new employees will be

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tested, and then current employees that are there now will -- if they smoke, they'll be tested, but everyone has the ability to stay. Nobody will be fired and they can all join a program to help them quit. Does that answer your question?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Frerichs.

SENATOR FRERICHS:

I'm -- I'm not sure that answered my question, because I think I also heard you say that you're willing to change the legislation later, and if -- if it's -- if it, in fact, doesn't affect current employees, then why would we need to change it?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Duffy.

SENATOR DUFFY:

Again, it's very clear. I'll say this again, this is -- this is for companies whose sole mission is to cure cancerous conditions. It's the mission of Cancer Treatment Centers of America to cure those cancerous conditions. So, this is for all employees moving forward. But obviously, since there's employees in the company right now - there's actually six percent - who smoke, then they also have the ability to be tested. Now, like we said, when employees go to Cancer Treatment Centers of America and apply for a job, they currently sign on and agree with this mission statement currently.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Frerichs.

SENATOR FRERICHS:

You -- you have mentioned that there -- this applies to all companies that deal with cancer treatment, yet I think probably

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fifteen, twenty or thirty times in the course of this debate, I've heard you refer to them as Cancer Treatment Centers of America. Are there multiple companies named Cancer Treatment Centers of America that this applies to, or just -- or is it just one company?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Duffy.

SENATOR DUFFY:

That -- that's a good question. Thank you. This applies, and -- and like we said, to any company whose sole business purpose is to treat patients who have a cancerous condition. But the only private company right now who does that in the State of Illinois is Cancer Treatment Centers of America. And that's why I think that you've heard me and other people on that side of the aisle bring up Cancer Treatment Centers of America.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Frerichs.

SENATOR FRERICHS:

So we're picking one company here. One company is going to win from this legislation and the others will lose. So we're -- is it safe to say we're picking winners and losers with this legislation?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Duffy.

SENATOR DUFFY:

Well, that's interesting. It depends on how you look at that. First off, Cancer Treatment Centers of America has been a very successful company, employing people in the State of Illinois and growing rapidly. This includes all companies whose

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sole purpose is to cure cancer. So, as we discussed, already not-for-profits like American Cancer Society and the Illinois Lung Association currently follow these guidelines. Now, I've heard many comments over on the other side of the aisle saying this is an invasion of privacy. It's interesting how non-profits can do this now and they -- they are doing it now, but yet profit -- companies for-profit aren't allowed to do that because somehow that's unconstitutional. Well, you know, in your theory or in your premise, if it was unconstitutional for for-profits, shouldn't it be unconstitutional for non-for-profits? If a company's sole purpose is to cure cancer and their mission every day is to cure cancer, then that's -- and that's the mission that the people that want to work at that company sign on to in their employee statements when they come on to the company, then that's what they should be allowed to do, is carry out their mission and their standards. Otherwise, you're going to have people that are coming to this cancer center for chemotherapy, who themselves have smoked and have lung cancer, and they're going to be being treated by employees who smell like smoke, who are smoking outside the facility when they come in, and -- and have a -- a domino effect and an impact on them. But besides that, they're not going to be fulfilling the sole mission of the cancer center.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Frerichs.

SENATOR FRERICHS:

I just have one more question. Is smoking a legally protected activity in the State of Illinois?

PRESIDING OFFICER: (SENATOR HARMON)

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Senator Duffy.

SENATOR DUFFY:

Yes. Smoking is legal. And like we said, smoking is one of the only areas that all -- starting in 2014, that insurance companies are going to be able to rate individuals on.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Frerichs.

SENATOR FRERICHS:

To the bill: Smoking is currently a legally protected activity in the State of Illinois. And I would think that if -- if the sponsor's goal was to stop this, that the proper bill going forward would be to ban -- make tobacco illegal in the State of Illinois, rather than just picking one company who gets to pick and choose their employees. And that's why I would encourage people -- that this is a question about individual rights. I think this is an improper discussion right now. Want to encourage people to vote No on this bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Frerichs had been the last speaker seeking recognition. Senator Syverson, you've lit -- thank you. Senator Duffy, do you wish to close?

SENATOR DUFFY:

Yes, Mr. President. Thank you very much. I appreciate the lively debate here. As we stated before, every Member on that side of the aisle supported this bill in the past -- previously. As some questions were raised, you know, it is illegal to smoke in restaurants and other facilities in the State of Illinois right now. And if it was illegal -- or, people have the option not to have smokers in restaurants and other areas, wouldn't you

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think that people would also have that ability if you were a company whose sole purpose is to cure cancer? This isn't just picking one random company. This is picking a company whose sole purpose is to cure cancer and is the destination for cancer patients from around the Midwest. It's one of the top places where people come if they have a cancerous condition to cure their cancer. They can't smoke in the restaurant next door, but they can smoke at that cancer facility. You know -- so I think those are -- are situations that we have to look at. Cancer Treatment Centers of America has received a -- a lot -- a lot of bad, you know, talk today by some -- some people who spoke earlier. Cancer Treatment Centers of America has been growing and expanding rapidly. They recently received the Illinois Healthiest Employer award. And like I said, a couple months ago, they were ranked -- ranked eighth as a top company to work in the State of Illinois - ranked by their employees. So, you know, I -- I appreciate your support in the past and I'd appreciate your support now to override this veto.

PRESIDING OFFICER: (SENATOR HARMON)

The question is, shall Senate Bill 2945 pass, notwithstanding the veto of the Governor. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 24 voting Aye, 31 voting No, none voting Present. House Bill -- the motion fails. Senator Hunter, for what purpose do you rise?

SENATOR HUNTER:

Mr. President, I mistakenly hit the wrong button for Senate Bill 2474. I meant to say No.

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PRESIDING OFFICER: (SENATOR HARMON)

The record will reflect your intention. Senator Sullivan, for what purpose do you rise?

SENATOR SULLIVAN:

Thank you, Mr. President. For an announcement.

PRESIDING OFFICER: (SENATOR HARMON)

Please state your announcement, Senator Sullivan.

SENATOR SULLIVAN:

Actually, a point of personal privilege, I should say. I have some students here from Monmouth -- from Monmouth College. They are the Parties and Elections class and also the Politics and Government in the Midwest class. They're up on the GOP side. And the gentleman on the very end is not a student there. I think that's our own Senator LaHood. But they -- I'd like to introduce 'em. As I announce your names, if you would stand up. Emily Holt, Evan Davis, Elisha French, Emily Ordaz, Jazmin Perez, Rebecca Isaacs, Jeremy Eagle, Morgan Hubbard, Justin {sic} (Justine) Szymkowiak, Asya McGinnis, Matt Borzillo, and Joel Burger. And their -- their teacher is Robin Johnson. He's here with 'em today as well. Would everybody give them a warm welcome to Springfield here today?

PRESIDING OFFICER: (SENATOR HARMON)

Even we Knox College graduates can welcome our friends from Monmouth, Senator Sullivan. Welcome to the Senate. Senator McCann, for what purpose do you rise?

SENATOR McCANN:

A point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Please state your point.

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SENATOR McCANN:

Mr. President, I would like to introduce my Page for today, Mr. Eli Ten Eyck. Eli is a thirteen-year-old seventh grader at Pikeland Community School in Pittsfield, where he plays baseball and basketball. I was asking him what he wanted to do with the rest of his life and he said he would like to pursue a -- a role in government, specifically Congress. I'm really glad that the Constitution says that you have to be twenty-one to run for the General Assembly, because I might be losing this seat even sooner than -- than anyone would like, other than you, perhaps, Mr. President. Eli just won his own election yesterday. He is secretary at Pikeland Community School in the -- in student government. And he would, again, like to pursue that role in government. And his parents, Pastor Michael and Renita Ten Eyck, are joining us here in the President's Gallery. And I'd like you to join me in offering them a warm Springfield welcome. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

Eli, welcome to Springfield. Your campaign committee's been formed as you stand here. Senator Tom Johnson, for what purpose do you rise?

SENATOR T. JOHNSON:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR HARMON)

Please state your point, Senator.

SENATOR T. JOHNSON:

I'd like the Chamber to welcome two distinguished guests of mine today, who came all the way from the Commonwealth of Virginia last night: my two oldest grandkids, Ever -- Ever and

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Owen. And they're here from Virginia. Here to spend a couple days with me to find out what their Gramps really does for a living. And so just give them a warm welcome, and my wife Virginia is here today.

PRESIDING OFFICER: (SENATOR HARMON)

Welcome -- welcome to the Illinois State Senate. Senator Hutchinson, for what purpose do you rise?

SENATOR HUTCHINSON:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Please state your point, Senator.

SENATOR HUTCHINSON:

Ladies and Gentlemen of the Senate, I have some guests here with me too. They're also up in the President's Gallery. I have district staff and interns. And I just wanted to say, I couldn't do what I do in my district without really, really good people around me, and I love them all dearly and I wanted them to stand up so you could know who they are. They're Lynette Allen, Jackie Parker, Jessie Martin and Rachel Phelps, from both Kankakee and Chicago Heights district staff.

PRESIDING OFFICER: (SENATOR HARMON)

If our guests in the gallery will please rise? Thanks for making Senator Hutchinson look good. Ladies and Gentlemen, on your printed Calendars, on page 3, on the Order of House Bills 3rd Reading, is House Bill 1957. President Cullerton, do you wish to proceed? President Cullerton seeks leave to return House Bill 1957 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 1957. Mr. Secretary, are there any Floor amendments

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approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 1, offered by Senator Martinez.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Martinez.

SENATOR MARTINEZ:

Amendment No. 1 becomes the bill and I'll be happy to debate that on 3rd Reading.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Martinez moves for the adoption of Floor Amendment No. 1 to -- to House Bill 1957. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Have there been any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 2, offered by Senator Martinez.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Martinez.

SENATOR MARTINEZ:

Thank you. It amends the bill. The -- and I will be happy to debate that also on 3rd Reading.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Senator Martinez has moved for the adoption of Floor Amendment No. 2 to Senate Bill -- or, to House Bill 1957. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Have there been any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported, Mr. President.

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PRESIDING OFFICER: (SENATOR HARMON)

3rd Reading. We're going to continue on the Order of 3rd Reading. The sponsorship of House Bill 1957 has been changed from Senator Cullerton to Senator Martinez. Senator Martinez, do you wish to proceed? Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 1957.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President and Members of the Senate. As amended, it allows CPS to delay publishing notice of proposed school actions to be taken at the end of the current school year until March 31st, 2013. The bill also extends the deadline for CPS to submit a preliminary ten-year educational facility's master plan and to -- and to approve a final plan. This is a result of the Chicago Board of Education to make reasonable efforts to protect social services and not exceed class size established under CPS policy and -- of any receiving school when implementing a school action. It also requires CPS to -- to publish guidelines for school actions by October 1st of each year instead of November the 1st. That -- yesterday, in committee, I had said that we were going to wait until the bill was negotiated to continue negotiating in the House. It has -- this is the language now that has been negotiated and agreed on by -- by Representative Soto, CPS, the -- the school board, and also all the parties that have been involved. We have a task

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force that has worked on this bill for the past almost two years, as far as -- not this bill, but worked on -- on -- on a plan, the master plan. We're working on a master plan. We're working on, on ways of making sure that CPS does the right thing when it comes to our students. We have a new CEO that just came on board at CPS. This bill will give her -- allow her the time for her to look at a holistic plan for the school to ensure that children who are going to be -- if there's any school closures, when that list comes out, that there's wrap-around services for them, that we make sure that there is -- the parents and the notification, as far as community involvement, also takes place. So this is just some of the things that the task force have been working on. And it was negotiated with CPS yesterday into the late hours, and right now, this is the agreement that has been -- that has come forward from that negotiation. So I ask for -- for an Aye vote on this bill.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR LIGHTFORD:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR HARMON)

To the bill, Senator.

SENATOR LIGHTFORD:

Ladies and Gentlemen of the Senate, I'd like to take the opportunity to thank Senator Martinez for working on this initiative since 2009. Unfortunately, the Chicago Public Schools administrators had not taken this initiative serious enough. We have school closures after school closures after

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school closures over the years, in many communities where they're African-American and Latino communities. These are the same areas where the classes are overcrowded. There is no social services. There's no truancy. Reforms after reforms have constantly been implemented, like Renaissance 2010, that failed our children and failed our communities miserably, created a -- high crime and violence amongst our youth. So it's really important that we take this opportunity to say that we cannot continue to allow Chicago Public Schools to make drastic changes without consulting the community, without consulting the parents and the children that are affected. So, again, I want to thank Senator Martinez for being patient with the administration and allowing the new administration, Barbara Bennett and Andrea Zopp, for coming down and testifying in committee. I asked a number of questions to feel comfortable with this initiative. I still feel that there is some room here, where a lot of tweaking should have been done. I also feel that it's -- the time frame that they have put in place may be far-reaching. But they seem to feel that they could get it done. I'm -- I'm calling on all of us to hold them accountable to that. Even if you're not a Senator directly over the Chicago Public School System, it still affects us all. So I would cautiously vote Aye, but making sure that we're aware of what we're actually giving the new administration an opportunity to do and hold them accountable to work with the community, to work with the teachers, the administration, the faculty, to bring us all together to give a better opportunity for our children.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator Lightford. Senator Luechtefeld, for

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what purpose do you rise?

SENATOR LUECHTEFELD:

Thank you, Mr. President. Question -- question of the sponsor.

PRESIDING OFFICER: (SENATOR HARMON)

Sponsor indicates that she will yield. Senator Luechtefeld.

SENATOR LUECHTEFELD:

Senator, yesterday, in committee, you said that you would hold this bill. And I -- I take it that the -- the amendment that you're adding takes care of -- of what you -- what you wanted to do with regard to holding the bill. Is that right?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Martinez.

SENATOR MARTINEZ:

That is correct, Senator. We worked into the late hours of last night. Senator -- I mean, Representative Soto, CPS, they continued to work on -- on language that would make everyone comfortable. We know there's still a lot of work ahead, but this is -- just sets the groundwork on allowing the new CEO a little bit of time to really look at the -- you know, the bigger picture and see how we can best deal with school closures and making sure that the right action and -- has the least effect on students, which we -- we know probably it will not, but somewhere we want to make -- we wanted to make ensure that there was protection for the students and making sure that the community's input was also -- is also part of this.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Luechtefeld.

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SENATOR LUECHTEFELD:

A -- a comment to the bill. First of all, I -- I think we have to be careful about getting involved with - the Legislature - in -- in a process in which, hopefully, the Chicago Public Schools need to work out on their own. In this particular case, you know, you have a new CEO, who, I think, really needs to certainly get her feet on the ground and probably does need some time. Now, the opposition to this particular bill felt that when the decision was made to close schools that that was really not enough time for schools to get that done. And -- and I do think they had a point with regard to that. But I think this really kind of is the best we can do. And -- and -- and I will support the bill. And, anyway, thank you.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR SANDOVAL:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

To the bill, Senator.

SENATOR SANDOVAL:

I stand in support, reluctantly, of House Bill 1957 that Senator Martinez and a number of other of my colleagues have worked a lot of effort the last couple days. I want to go on record today 'cause I am really concerned with what's going on over at the Chicago Public Schools. You know, it has been -- it has been trial after trial after trial in trying to get things right over at the Chicago Public Schools. And we come and we hear story after story after story about our children who are --

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are not necessarily being placed first, rather than, sometimes, some of the bureaucracies that exist at the Chicago Public Schools. I'm really looking forward to the report of the -- of the closure of these schools, because I am concerned and like to see that -- that the cost benefit, the savings to the taxpayers, really goes back into the classrooms for the children of the Chicago Public Schools. It -- I -- I have the -- the -- the sense that the savings will not go into the classroom, it will not go into trying to build more schools, provide greater programs, but it will be spent on more bureaucracy. I've spent the last six months visiting all the schools in my -- my new district. And as I traversed the southwest side of Chicago, near Midway Airport on the southwest side, it -- it, once again, reminds me of the failure that the Chicago Public Schools has provided our communities, the Latino community particularly, on the southwest side of Chicago. Today, many children in Mexico have a better education than the children on the southwest side of Chicago. In Mexico -- in small rural parts of Mexico, children have a school to go to. On the southwest side of Chicago, that's not necessarily the case. Chicago Public Schools has been ill-prepared -- has been ill-prepared, have not done sufficient planning for the future and for the growth of the Latino community, in particular, on the southwest side of Chicago. Today on the southwest side of Chicago, like, for example, at Hancock Elementary -- High School on 55th and Pulaski, we have classrooms on the balconies of gymnasiums, where children spend all day learning; we have children who are -- their cafeteria is a hallway in other schools on the southwest side of Chicago. There's one other teacher -- one

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other principal that showed me -- who asked me if I wanted to visit the library and I said, "Sure, principal." And the principal brought out a cart full of books where the children of this elementary go to the library. I can tell you story after story of practically just about -- of every school on the southwest side of Chicago that is challenged. The guarantee that there is a school, a classroom, in the neighborhood where every child lives is a pipe dream for many children on the southwest side of Chicago. I look forward to this report and I look forward to sitting down with the Chicago Public Schools to ensuring that the guarantee that every child has a neighborhood and a -- has a classroom and a school in his neighborhood to attend becomes a reality, because today it is not. And so, you know, again, I'd like to go on record -- Senator Martinez, I'd like to go on record to ask you to ensure that the cost savings to the taxpayers that eventually will be realized by closing some of these schools does not end up, you know, over in the downtown CPS bureaucracy, wasted.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hunter, for what purpose are you seeking recognition?

SENATOR HUNTER:

Question for the sponsor.

PRESIDING OFFICER: (SENATOR HARMON)

Sponsor indicates that she will yield.

SENATOR HUNTER:

Senator Martinez, with the changes that has occurred in terms of the delay, does that mean that the school closings will be delayed, or are they going to continue as scheduled?

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PRESIDING OFFICER: (SENATOR HARMON)

Senator Martinez.

SENATOR MARTINEZ:

The -- the closures are going to continue as scheduled, except that it's -- instead of having given -- giving us this list now, December 1st, it's going to be given to us March 31st, maybe, hopefully, a little bit sooner. Doesn't mean -- this is not -- this is not stopping the closures. What this is doing is actually allowing the new established commission, that I actually sit on, to talk about utilization. Right now, we have over a hundred and forty or fifty schools that are underutilized. We have - I think Senator Sandoval said it best - we have a lot of overcrowding in some of the areas. So there is definitely -- we know -- I think this General Assembly and many people know that there is definitely a problem. There's been a problem for quite a long time. Now, six -- two years ago, we passed Bill 630, which established a lot of guidelines and criteria regarding the closure of schools. This now is just a way -- we have a new CEO, which I feel that should be allowed the time to start looking at the bigger picture on how this commission can come back with a report about school closures, at least the utilization portion of it, which does not include high schools, does not include -- it's not academic or performance; it's in schools - elementary - as -- as far as underutilization is concerned. That report will be part of what's been given to her so she can make a determination on the school closures. Are there going to be school closures? Yes, there are. We are just making sure, together with this bill, that we give her the time. But more important, there's school protection put in place to

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make sure that students are protected in these changes, that the community input that both the commission and the task force will still continue to have is -- is -- you know, is very evident, but more importantly is that the task force that I also sit on that was established from this General Assembly continues to work with this new CEO and CPS on ensuring on how these school closures take place and where they take place. But more importantly, there's input -- that there's much more input than there was in the past that did not exist. So I really am -- am hopeful that we are ensuring that as these school closures continue too because of underutilization, that it does -- that -- that it has the less impact that we're hoping will have on the community. But more importantly is, we have to allow for this CEO and for the facilities management plan that we are working at in the task force to continue to work to make sure that there's a ten -- a five-year plan and a ten-year plan put in place to ensure that there is, you know, that everyone affected have an input and a say-so to this process.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hunter.

SENATOR HUNTER:

Thank you, Mr. President. Senator Martinez, thank you for all that information. As you know, over the past several years, I've had a tremendous amount of schools closing in my district. Many of my schools in my district on -- on the south side of -- of my district has been very low-performing schools for whatever reason. I've had the opportunity and the pleasure of meeting the -- the new superintendent. I think that she has wonderful ideals. I look forward to working with her to help address some

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of the issues that affect our -- our public school system. And I was also impressed that she appointed you to sit on -- on -- on the committee. And -- and I know that you are going to look -- look out for the best interests of our kids which are present there. I'm just sick and tired of us pouring money into a school system that is underperforming and is mistreating its -- its teachers. You know, now is the time for us to start moving forward, to get -- stop leaving the community out when it's time to make very important decisions as it relates to school closings and -- and policies and procedures that are going to affect the parents and the students. And so, I -- I am very reluctant in supporting this legislation, but I am going to support this legislation. And I just look forward to working with you and the new superintendent as we move forward. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator Hunter. Senator Martinez, do you wish to close? ..Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President. And -- and I want to thank all my colleagues who spoke in favor of this. I, too, am reluctant. And I got to tell you, because as someone that has sat on the task force that worked on Senate Bill 630 that had to do with the closures, I, too, am a little reluctant, but I'm also hopeful and -- hopeful, but I'm also -- but I'm also very encouraged by the fact that we have a new -- a new CEO, that I think she gets it. I think she really is embracing what's going on. She comes from Cleveland and she worked in the poorest district there. She's a -- I think, a woman that has a very big

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-- big plans for our -- for our schools - better quality education. She wants to deal with the academics. She wants to deal with the performance. Right now, the utilization issue is a big issue. Neighborhoods have changed. I, too, am very much, you know, going to sit there and I'm going to make sure that if I am sitting on a commission - an independent commission - that I am independent as far as thinking -- my thinking and how I have felt about the task force that I feel has not been given a real true roleplay in this -- in this whole issue. So I really, too, just want to ask for a favorable vote on this -- on this piece of legislation, which I think is the step in the right direction in ensuring that maybe, maybe, CPS will finally get it right and start working with the Legislature, start working with the communities, start working with the teachers in ensuring quality education for our children. So, I would like to see all green lights. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

As this bill has an immediate effective date, it's the ruling of the Chair that pursuant to Section 10 of Article IV of the Illinois Constitution, passage of this measure will require a three-fifths majority. The question is, shall House Bill 1957 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting No, none voting Present. House Bill 1957, having received the required constitutional majority, is declared passed. On page 2 of your printed Calendars, turning to the Order of Senate Bills 3rd Reading, is Senate Bill 282. Senator Cullerton seeks leave of

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the Body to return Senate Bill 282 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 282. Mr. Secretary, have there been any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 1, offered by President Cullerton.

PRESIDING OFFICER: (SENATOR HARMON)

President Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President. This Amendment No. 1 becomes the bill. I would move for its adoption and debate it on 3rd Reading. I'm sorry. Amendment No. 1 has been adopted? Is this...

PRESIDING OFFICER: (SENATOR HARMON)

Amendment No. 1 is pending before the Body.

SENATOR CULLERTON:

Okay, fine. I'd like to move to adopt Senate Amendment No. 1. It becomes the bill. I'd like to debate that on 3rd Reading.

PRESIDING OFFICER: (SENATOR HARMON)

President Cullerton moves for the adoption of Floor Amendment No. 1 to Senate Bill 282. All in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Have there been any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 2, offered by President Cullerton.

PRESIDING OFFICER: (SENATOR HARMON)

President Cullerton.

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SENATOR CULLERTON:

Yes, thank you, Mr. President. Senate Amendment No. 2 is more technical in nature. It does remove the effective -- immediate effective date and adds a provision that states nothing in the bill requires the disclosure of information that is confidential and cannot be disclosed under the federal law. Move for its adoption.

PRESIDING OFFICER: (SENATOR HARMON)

President Cullerton moves for the adoption of Floor Amendment No. 2 to Senate Bill 282. All in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Have there been any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HARMON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 282. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 282.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

President Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This bill creates the Illinois Corporate Tax Disclosure and Responsibility Act. It would require publicly traded corporations and their subsidiaries to disclose certain tax information to the

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Secretary of State if they do business within the State. The information would be available to the public two years after the end of the tax year. So, for tax year 2012, the information would not be released until the beginning of 2015. The information that a corporation would be required to disclose would include the base income of the corporation, the corporation's apportionment factor, total taxable income of the corporation, income tax before credits, income tax after credits, replacement tax credits -- replacement tax before credits, replacement tax after credits, and the tax credits that the company claimed and the value of each. These are all taken off of the Illinois income tax return. Be happy to answer any questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR MURPHY:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Sponsor indicates that he will yield. Senator Murphy.

SENATOR MURPHY:

Mr. President, why -- why do you want to do this?

PRESIDING OFFICER: (SENATOR HARMON)

President Cullerton.

SENATOR CULLERTON:

I think it would be very helpful in looking at our corporate tax structure in Illinois. I've been very open to reforming it. And the problem we've had in evaluating the pleas from individual corporations, like Sears or CME, is that we

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really don't know how much money they pay or don't pay in tax. So I think that -- this is something that the State of Wisconsin has, a form of it. It would be -- it's drafted in such a way, by deferring the information for two years, to protect the corporations in a fair way, I think. We did pass this bill out of committee some months ago and, at the time, I asked for any input. It is a Senate bill, so I'm not sending a "take it or leave it" proposition over to the House if we pass it. But I think it's a matter of transparency that would inform us in our efforts to kind of rethink the way we tax our corporations. They are a smaller part of the -- of the pie of the income that we get from the State since the income tax was first instituted. And it's a little over two billion dollars. And I think we should be open-minded in how we want to raise that money in a fair way. But we can't do it unless we know how much people are paying.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Murphy.

SENATOR MURPHY:

Mr. President, the -- I've got the Taxpayers' Federation of Illinois policy statement here and they make a statement therein that says, "If the underlying purpose of these efforts is to evaluate the merit of tax provisions or to ensure equal treatment of taxpayers, and to improve public confidence in the State's taxing system - these goals can be met through less invasive means." Your reason that you just stated sounds pretty similar to what they indicated and I'm wondering if you've had any conversations or negotiations with that particular group or the business groups regarding a way to achieve your goal through

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less invasive means.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Cullerton.

SENATOR CULLERTON:

Well, I haven't had those discussions, but I'd be happy to. You know, I put the bill out there; we went to Executive. It passed out months ago. It's been posted and I'm very open to any suggestions. This is a pretty straightforward bill. It -- it's not something that requires a lot of effort to disclose. In other words, it's right off of the income tax. If there's some reason that I'm not aware of that this hurts our businesses in Illinois, makes it less business-friendly, that's not -- certainly not my goal. It's meant to just give us more information so we can draft a more -- quite frankly, more pro-business tax structure. So, I'm open to any suggestions that that organization would have. But I think what we have here is pretty straightforward. And, again, it's a Senate bill. If it passes over to the House, I will talk to -- Representative Currie, who's the sponsor, about any suggestions. You know, sometimes people's willingness to negotiate increases after it passes one Chamber, and if that's the case here, I'd be more than happy to sit down with 'em as soon as possible.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Murphy.

SENATOR MURPHY:

The -- well, I mean, that's encouraging, because the reaction from the business community has been -- has been, as I'm sure you're aware, pretty reflexively negative. And I -- I think part of it stems from the fact that - and -- and if you

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could answer this for me - I don't believe that any other state's law has all of the components that are in this. There's a piece from this state. There's a piece from that state. But I think we would be alone in doing all of this to the extent contemplated in Senate Bill 282. Isn't that true?

PRESIDING OFFICER: (SENATOR HARMON)

President Cullerton.

SENATOR CULLERTON:

Well, to answer your question, it probably is the most comprehensive. I do know in the State of Wisconsin you can -- they will disclose the amount of income tax, franchise tax, gift tax paid by a -- a corporation or an individual. I don't know if it's as extensive as -- as we've requested. Again, I'm -- if -- if there's some reason why some of these things that we're asking to be disclosed should not be and there's a rational basis for that, I could take it out. It's just that I think in evaluating the -- whether or not the EDGE tax credit is working, to figure out whether or not our -- our tax structure that we've fashioned over the years so that it's a single factor, whether that's working, whether the corporate tax rate is too high and we can lower it to get a broader base, whether we should do what they do in Texas, where they don't have a corporate income tax, but it's the equivalent of the bad word here, but it's equivalent of like a small gross receipts tax - I'm open to that. I just don't -- I just -- this is just a starting point to see if we can find out how much people are paying now. Now I know that this rhetoric about, you know, two-thirds of the corporations are paying nothing, that's a little deceptive. I understand that. That's why I want to limit it to the publicly

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traded companies, so we have a clear line and -- as to who we are asking this information for. But I -- the motivation here is to not -- it's not a "gotcha" to the business community. It's actually something that helps us have a -- a better tax structure.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Murphy.

SENATOR MURPHY:

Appreciate the -- the -- the change in tone here from the press conference where this was laid out, where I think the pie chart maybe suggested that -- the type of rhetoric you just denounced here. So I think that's a positive step. We have a significant problem here in this State with our jobs climate and the image in the business community. And we continue to be a good solid point in unemployment rate above the national average, and have consistently been so for an extended period of time. And I can appreciate that it is not your intention to have anti-business legislation, but there are things that pass here sometimes that the intention and the outcome don't necessarily match. And I appreciate the sensitivity on your part and willingness to negotiate. I think that we have an opportunity going forward to say that Illinois is going to go in a different direction, but I do think you need to be sensitive to the privacy of these businesses, because there is the opportunity for the twisting and the demagoguery of particular facts for particular companies within the context of what are very confusing corporate tax laws, both federally and at the State level. And if we're already seeing that sort of demagoguery, putting this information out in the manner that

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you're proposing here has the potential to make that even worse and distort this process rather than improve it. So, I hope you will continue in the vein you're here in today so that we can actually have something that makes some sense. But the idea that we're going to take private taxpayer information in this manner, I think, at its core, sends the wrong message. And I find it a little bit ironic that in the same afternoon when we had the level of histrionics that we had over the six percent smokers at one company, we're not all that put off by releasing the private information of large taxpayers who actually put our people to work in this State. I appreciate you're willing to move off of this to some extent or negotiate. I'd rather the bill get pulled. But please be sensitive going forward to the impact this has on the people we represent's ability to work.

PRESIDING OFFICER: (SENATOR HARMON)

The only speaker seeking recognition is Senator Lauzen. For what purpose do you rise?

SENATOR LAUZEN:

Couple of questions on the bill and then to the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Sponsor indicates that he will yield for questions. Senator Lauzen.

SENATOR LAUZEN:

Thank you. Mr. President, you know, as I listen to the questions and the answers on this tax policy, I wonder, if it's helpful for the tax structure to get this information out so that, naturally, we can pull together policy, why is it that personal services corporations, like law firms, like accounting firms, are taken out of the bill and exempted? If

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that's...(microphone cutoff)...thing that's going on here, why are some folks exempted?

PRESIDING OFFICER: (SENATOR HARMON)

President Cullerton.

SENATOR CULLERTON:

I think your question then is why just publicly traded companies versus privately owned companies. And I think the -- the reason is we just want to get a snapshot of the larger companies in Illinois, how they're doing. There's different disclosure requirements for those companies. They have to disclose information to the SEC. Their shareholders are given disclosure, whereas the private companies don't have that. So, it's just a policy decision. We could debate whether or not it should be extended to privately held companies. It's just a -- a bright line that we decided to put into the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Lauzen.

SENATOR LAUZEN:

Well, I would hope that as we go through the process in the next General Assembly, or as -- as folks who are here go through that process, that the few large -- the majority of the taxes naturally are paid by a whole bunch of folks. Who would be possibly the next people who are going to be asked how we can just create a policy? If it's true that the purpose of this is to set tax policy, I would hope that it'd be more comprehensive information gathered in that process. The second question that I have is, are there any real barriers to companies that employ people in Illinois from just moving more and more operations out of this State? One afternoon a couple of weeks ago, within the

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space of two hours, I had two company owners in Batavia, Illinois, tell me that they are moving three companies, one to Tennessee, two to Texas, and just moving out. So, I would ask you, don't companies have choices? If they perceive the action here as punitive and violations of just accepted business practice, don't they have choices of other states where they can go and do business?

PRESIDING OFFICER: (SENATOR HARMON)

President Cullerton.

SENATOR CULLERTON:

Yes. I would agree with you and the previous speaker that we do have a problem with our reputation and that's why I'm more than happy to say, on the Floor here with this bill, this is not -- not meant to make us more business unfriendly. We have a lot of reasons why companies should be here. We do have a great State and we have a lot of companies that are flourishing here. So this should not be taken as a -- a anti-business measure. This is a measure which will hopefully give us enough information to see how we could possibly rewrite our tax policy. In some cases, lower rates, a -- make a tax perhaps be broader based, which is called a tax reform in most people's minds. That's my goal here. And so, if -- if anybody takes it the wrong way, I'll make it clear. It's designed to make it easier for us to become informed as to how our tax policy is working and whether or not we should adopt a different policy.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. To the bill: What political

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leaders say in this Chamber is well-intentioned, you know, as far as, you know, why -- how people should interpret our actions. But, frankly, I have been listening to what -- business owners, who have to pay taxes, and as I sit down and listen -- since I was fifteen years old, listening to what people say, not -- outside of this ornate Chamber. The reasons why people make the decisions they -- they do about whether they're going to employ or not employ are vastly different. This is an anti-business, an anti-employment law. This is perceived by people who I listen to in my professional life as punitive. I think that, you know, going to the -- the -- you know, legislation that requires public disclosure of information that's included in tax returns filed with the Illinois Department of Revenue undermines the traditional notion of taxpayer privacy and business confidentiality in Illinois. And there are other states that are alternatives for employers to go to. That's why the Taxpayers' Federation of Illinois opposes legislation, because it -- it hinders one of the key premise of voluntary compliance of the tax system. In 2000 -- in the year 2000, congressional Joint Committee on Taxation conducted a major study. They came to a conclusion. And a just real quick observation: Taxpayers have a justifiable expectation of privacy in the extensive information they furnish to the IRS - and, by extension, to the Department of Revenue here in Illinois - under the penalty of fine or imprisonment. Our tax system is based on voluntary compliance. Many observers believe that the degree of voluntary compliance is directly affected by the degree of confidentiality given the information that's provided to the IRS and to the Illinois Department of Revenue. If

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returns and return information are publicly available, it will invite a variety of intrusions into taxpayer privacy. Business competitors will be able to use the information to gain economic advantage. A lack of confidentiality could also facilitate the use of return information for political gain. These -- these -- in Illinois, our tax laws obviously are complicated. The returns are complicated, particular -- particularly for large publicly traded companies, and access to information from these companies' returns will not improve the public perception of our State's taxes and the information will be confusing and potentially misleading that no amount of additional disclosure can adequately explain to the public tax law. The bottom line on this is no matter what we say in this Chamber, each of us who would consider voting Yes on this bill, I can assure you that the people who are paying taxes and financing all of our government spending interpret this as punitive. I ask you to please vote No.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Righter, are you seeking recognition?

SENATOR RIGHTER:

I am, Mr. President. Will the sponsor yield, please?

PRESIDING OFFICER: (SENATOR HARMON)

Sponsor indicates he will yield.

SENATOR RIGHTER:

Thank you. Mr. President, your bill would require the publicly traded companies to post this information on a website. Now, it's my understanding that the Department of Revenue itself, pursuant to federal law, is not allowed to do that itself. Correct?

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PRESIDING OFFICER: (SENATOR HARMON)

President Cullerton.

SENATOR CULLERTON:

Yes. We adopted Amendment No. 2 at the request of the Department of Revenue, which was to make sure that we are not violative of federal law. The way the bill is set up, the Secretary of State's Office would release the information two years after the -- the filing has been made.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Righter.

SENATOR RIGHTER:

Amendment 2 makes clear that you're not violating the letter of the law, but there's a good argument to be made that you're still violating the spirit of federal law, because the spirit of federal law has to do with taxpayer confidentiality. That's why federal law says the Illinois Department of Revenue won't disclose taxpayer information. You're going to get that done; you're just going to do it in a way that -- that -- that circumvents -- I don't -- circumvents, evades, goes around, whatever word you want -- you want to use, federal law. I mean, is that -- is that -- is that fair? Or would you disagree that that's what the spirit of federal law is?

PRESIDING OFFICER: (SENATOR HARMON)

President Cullerton.

SENATOR CULLERTON:

Well, we are only talking about State income tax information, not federal information, number one. And number two, I'd -- I'd have to do a little research and check with the State of Wisconsin, where they've had this law for some time,

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including individuals. So -- and I would just tell you that the amendment that we adopted was done at the request of the Department of Revenue, who indicated that they wanted to comply with the federal law. So -- and that we are complying. The stated purpose of the -- of the bill is to get this information. I'm not -- I'm not -- I'm making that very clear. And I would further reiterate the fact that I'm very open to having discussions with the business community, so that they know my true intentions here, and open to any suggestions, since this is a Senate bill and can be amended over in the House. I'd be happy to engage in those discussions.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Righter.

SENATOR RIGHTER:

Thank you. I'm glad you raised Wisconsin, Mr. President. I've done a little research and, in fact, a bill like what you have up on the board here actually is not the law in Wisconsin. It was tried in Wisconsin and failed five years ago. What they actually have in Wisconsin is an individual can receive some information if he or she agrees to sign a confidentiality statement. Now, I mean, would you agree that there's a substantial difference between an individual getting some information, pursuant to signing a lengthy confidentiality statement, as opposed to forcing a publicly traded company to post that information on a website?

PRESIDING OFFICER: (SENATOR HARMON)

President Cullerton.

SENATOR CULLERTON:

Yes, there is a difference, and maybe that's something we

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can incorporate into our bill. Maybe we can have all fifty-nine Senators sign confidentiality statements, get all the public records from the publicly traded companies in Illinois and use that to inform ourselves when we want to fashion a reform of our -- of our -- of our Tax Code. I'm very open to those types of suggestions.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Righter.

SENATOR RIGHTER:

Not sure that's a great idea, but it is a better idea than -- than this bill. But I just want to make clear, this is -- this is not what Wisconsin has. It really doesn't resemble that closely what Wisconsin does. Last -- last point, Mr. President: Wouldn't it be -- couldn't you achieve the same policy goals that you're stating here by simply asking the Department of Revenue to provide us the information that you've listed in the bill in the aggregate for corporations in Illinois? Why not do that and not force this information to go out on a website and, quite frankly, create something of a -- of a stir, much like the press conference that this bill was announced at not long ago?

PRESIDING OFFICER: (SENATOR HARMON)

President Cullerton.

SENATOR CULLERTON:

Well, when you think about it, Senator, to respond, we have had a number of special pieces of legislation that we've passed in the last four years, when companies have come in and they've asked for particular breaks, right? In the case of CME, they were saying that they were -- they voluntarily said that they're the largest taxpayer in Illinois. We -- we fashioned a

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response. In the case of Sears, they -- we said we'll give you tax credits to stay. They said, well, we don't want tax credits; we don't pay any taxes. They -- they voluntarily said that. But we've had deals for Navistar, for Continental Tire, for the car manufacturers. So I don't think that getting this information in the aggregate would -- would be helpful. So I -- I just think it would be much easier for us to make those case-by-case decisions in terms of keeping businesses here or encouraging businesses to come, as we did in the case of Navistar, if we had information. We had to rely upon the -- their -- their company's word when they made those pitches to us. So that's -- that's the motivation behind the bill and I think it -- again, I'm very open to any ways it can be modified so as to avoid any adverse business climate results. But that's -- that's what my motivation is, to help us draft legislation and make these tax decisions.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. And -- and -- and I do recall those bills. That's not really what's before us. And that -- that really wasn't the subject of my question. The question was, could we not get the same information and make the same evaluation that you say is the goal of this bill by simply asking the Department of Revenue -- requiring the Department of Revenue to provide us those numbers in the aggregate? It's still going -- it would still demonstrate for you the income that's being reported, the net operating loss that's being reported, gross revenue, and those same issues. All of that

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would be given to you and anyone else who wants it without violating the taxpayer privacy protections that are in place now. So you're asking for suggestions. That's my suggestion. Why not do that?

PRESIDING OFFICER: (SENATOR HARMON)

President Cullerton.

SENATOR CULLERTON:

Well, if that's a question, I would just say I don't believe we can do it. We can't respond to an individual company's request for relief if we don't know what that individual company's deal is in terms of their taxes. I don't think the aggregate helps.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Righter.

SENATOR RIGHTER:

But you don't have that individual information now, and you and most other Senators did respond to it by passing that legislation. I mean, so, obviously, we were able to do it without that information. So, going back again, what's lacking in the information that you would get, if given the information in the aggregate, that would not be provided that if it's on -- on a website or individual websites? Obviously, responding to individual company's concerns can't be the reason, because we responded to the individual company's -- concerns by passing that legislation. So if that's not it, what's the barrier?

PRESIDING OFFICER: (SENATOR HARMON)

President Cullerton.

SENATOR CULLERTON:

Your Honor, can I say "asked and answered" at some point?

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I'm not trying to evade the question. I -- I get your point. I think I disagree with you. So...

PRESIDING OFFICER: (SENATOR HARMON)

Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR HARMON)

To the bill, Senator.

SENATOR RIGHTER:

Thank you. Thank you, Mr. President, and thank you, Mr. President, for your answers. Ladies and Gentlemen, I don't know how many of you were at the press conference at which this bill was rolled out. The tone that is being used today is significantly different than what we saw at that press conference. This General Assembly and previous General Assemblies have made decisions, policy decisions, for years on what the Tax Code should look like and what the effect it would be on the private sector, large and small, without violating the spirit of federal law and laying private information from taxpayers out on websites. With all due respect, that may be the intention now, but the simple fact is, if we want to make changes in what our Tax Code looks like with regards to corporations or individuals or anybody else, we have sufficient information to do that and we can do that without forcing these companies to do something that federal law prohibits the Department of Revenue from doing. I would urge a No vote. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

President Cullerton, do you wish to close?

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SENATOR CULLERTON:

Yes, thank you very much. The -- the folks that came to the press conference may have had different motivations than I have. I -- I agree, though, that -- that this is a concept of transparency that ought to be implemented. We -- I want to convey that I'm very interested in becoming -- or, continuing to be a competitive business climate. We have a tax rate right now for our corporations which is seven percent, not counting the corporate income tax -- not counting the -- the replacement tax for personal property. So we have seven percent. Wisconsin is 7.9 percent. Indiana is eight and a half percent. Missouri is lower than ours; it's six and a quarter. Iowa has a graduated; it goes up to twelve percent. And Kentucky is lower than us; it's six percent. Michigan's only 4.9 percent. Minnesota's higher, 9.8 percent. I think we should be debating these -- tax policy in a bipartisan fashion right now. That -- that's what I think we should do for -- to make Illinois a better place for businesses to flourish. That's my goal. And I think this is a -- a good start. Again, I'm very open to suggestions. There's been some good debate here raised. I had not heard from any of these business communities the whole summer. And so I'm indicating I'd like to pass this bill to the House and I'd like to start those negotiations, if they are willing to do so. I please ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HARMON)

The question is, shall Senate Bill 282 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 30

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voting Aye, 27 voting No, none voting Present. Senate Bill 282, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, on page 5 of your printed Calendar, on the Order of Specific Recommendations for Change to Senate Bills, is Senate Bill 681. Senator Luechtefeld, do you wish to proceed with your motion? Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move that -- that Senate Bill 681 do pass, notwithstanding the specific recommendations of the Governor.

Signed by Senator Luechtefeld.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Luechtefeld, on your motion.

SENATOR LUECHTEFELD:

Thank you, Mr. President, Members of the Senate. Last spring, many of you remember that we passed a bill that really was not controversial, dealing with the sale of ammunition in this State. Because of a quirk in the law, you can buy ammunition through the mail if you have a FOID card from other states, but you cannot buy it from a retailer here in this State. That had support of both sides of -- of this Body, and also the same is true over in the House. As most of you know, the Governor took the bill and changed it amendatorily to become an assault weapons ban. You know, that -- that's an issue, I think, that if you're going to do that -- if the Governor wants to do that, then he probably needs to find someone who introduces that bill and we have a discussion about that bill. I would like to - and hopefully get support enough to - override that. I think I've -- I've even read in -- in different places

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that both the Speaker and the President have -- believe that this may be -- have gone too far and be unconstitutional, what the Governor did. Hopefully, I can get enough support to override this, get a noncontroversial bill passed, and then if the Governor wants to do something with the assault weapons, that's certainly up to him. So, I would be willing to answer any questions and hopefully I can get your support to get this done.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 681 pass, notwithstanding the specific recommendations of the Governor. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 voting Aye, 4 voting No, none voting Present. Senate Bill 681, having received the required three-fifths constitutional majority, is declared passed, notwithstanding the specific recommendations of the Governor. Senator Clayborne, for what purpose do you rise?

SENATOR CLAYBORNE:

On a point of personal privilege.

PRESIDING OFFICER: (SENATOR HARMON)

Please state your point, Senator.

SENATOR CLAYBORNE:

I meant to vote Yes on that override on Senate Bill 681. I -- I voted the wrong switch. I wanted to vote to override.

PRESIDING OFFICER: (SENATOR HARMON)

The record will reflect your intention, Senator Clayborne. Senator Emil Jones, for what purpose do you rise?

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SENATOR E. JONES:

I'd like to be recorded as a Yes as well, Mr. President, on the previous bill.

PRESIDING OFFICER: (SENATOR HARMON)

Record will reflect your intention to have voted Yes, Senator Jones. Senator Hunter, for what purpose do you seek recognition? To fulfill our responsibilities under Article V, Section 9 of the Constitution, we will now proceed to the Order of Advise and Consent. Senator Muñoz.

SENATOR MUÑOZ:

Thank you, Mr. President. I move that the Senate resolve itself into Executive Session for the purpose of acting on appointments set forth in Appointment Messages 125, 126, 151, 152, 153, 365 and 385.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Muñoz moves that the Senate resolve itself into Executive Session for the purpose of acting on the Appointment Messages just read. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the motion carries. The Senate is resolved into Executive Session. Mr. Secretary, Motions in Writing - Appointment Messages.

SECRETARY ANDERSON:

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

PRESIDING OFFICER: (SENATOR HARMON)

Mr. Secretary, please print the motions on the Calendar. On page 5 of our printed Calendar is the Order of Executive Appointments - Appointment Messages. Mr. Secretary, Executive Appointments - Appointment Message 125.

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SECRETARY ANDERSON:

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

PRESIDING OFFICER: (SENATOR HARMON)

Senator Muñoz. Oop! I apologize, Senator. Mr. Secretary, please continue that motion.

SECRETARY ANDERSON:

To be a Member of the Illinois Educational Labor Relations Board: Gilbert F. O'Brien, Jr.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, I move that the Senate advise and consent to the appointment just read.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR BIVINS:

To the appointment, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Appointment -- to the appointment, Senator.

SENATOR BIVINS:

Thank you, Mr. President. On the Executive Appointments Committee, we have many people that come before us that we have concerns whether or not they comply with the State statutes and they meet the requirements. While we have no personal objection to Mr. O'Brien, to his character, integrity or anything of that nature, the statute requires that we have so many partisans,

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Democrat to Republican, and we believe that this violates that statute, that it overloads the commission. So I would encourage a No vote.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Is there any further discussion? The question is, does the Senate advise and consent to the appointment from the Appointment Message just read. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 36 voting Aye, 15 voting No, 1 voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the appointment just read. Mr. Secretary, Appointment Message 126.

SECRETARY ANDERSON:

Mr. President, the Committee on Executive Appointments reported without recommendation to the following salaried appointment:

To be a Member of the Illinois Educational Labor -- Labor Relations Board: Michael Smith.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, I move that the Senate advise and consent to the appointment just read.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR BIVINS:

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To the appointment, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

To the appointment.

SENATOR BIVINS:

Thank you, Mr. President. Again, we have the same issue here, requirements of State law. To be on the Illinois Educational Labor Relations Board, you have to have by statute a minimum requirement of five years of direct experience in labor and employment relations. Mr. Smith has admitted publicly, in an article in the Peoria Journal Star, that he does not have that experience. Again, this is not a -- a question of his character or integrity; this is strictly to comply with statutes and we believe he does not comply. I would encourage a No vote.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any further discussion? Senator LaHood, for what purpose do you seek recognition?

SENATOR LaHOOD:

Mr. President, question of the sponsor -- or of the -- the -- of the Chairman, please.

PRESIDING OFFICER: (SENATOR HARMON)

Bear with us for just one minute, Senator LaHood. Chairman indicates he will yield for a question. Senator LaHood.

SENATOR LaHOOD:

Mr. Chairman, question. I notice that this came out of committee without a recommendation. I was just -- could -- ask the Chairman what the reason for that was.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Muñoz.

SENATOR MUÑOZ:

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The individual could not show up before committee, as requested, because he was sick. So, therefore, under our new rule that we did, we're sending them to the Floor. Some of these appointments would have lapsed as of tomorrow and it's not fair to the Body; they should be given a up or down vote. Therefore, we just moved it to the Senate Floor so we can vote on it.

PRESIDING OFFICER: (SENATOR HARMON)

Senator LaHood.

SENATOR LaHOOD:

...Senator Muñoz. The other question, I know Senator Bivins just referenced, and -- and in the Peoria Journal Star, my home newspaper, they -- they've mentioned that Mr. Smith does not meet the requirement of five years of experience in -- with labor and employment relations. Do you have a response on that? Do you agree with that, Senator Muñoz?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Muñoz.

SENATOR MUÑOZ:

Yes, Senator...

PRESIDING OFFICER: (SENATOR HARMON)

Senator Muñoz.

SENATOR MUÑOZ:

The sponsor of Mr. Smith, Senator Koehler, wants to answer the question, since he was sponsor for him.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Koehler, for what purpose do you rise?

SENATOR KOEHLER:

Yes, to the question at hand. Yes, I'll answer that.

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Apparently, and I talked with Mike Smith yesterday, that this was an issue that came before the board and the Auditor General weighed in on it and they determined that because of his experience - I just spilled water all over myself - because of his experience in the House -- and I'll read this from -- email he sent. Said, "During my sixteen-year tenure, I served as a member of the Elementary and Secondary Education Committee, including serving as Chairman for the last four years. It is fair to say that all major legislation affecting education and educational labor relations during that time became before this committee. And, in fact, I often served as chief sponsor of much of that legislation," in -- "particularly in later years", and that it was determined that the -- the Auditor General had no issue with -- with his qualifications. I will tell you as well that in this note to me, Mike Smith apologized for not being able -- able to -- to be here. He has an ulcerated leg and leg swelling caused by lymphedema. It's a condition that is improving, but he was not able to travel at that time.

PRESIDING OFFICER: (SENATOR HARMON)

Senator LaHood, did you have a follow-up question or...

SENATOR LaHOOD:

Yeah. Senator Koehler, I guess along those lines, so that letter that -- that I haven't seen, but is -- did that waive that requirement of the five years? I'm just curious on that. Or did they say that he did meet the requirement?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Koehler.

SENATOR KOEHLER:

Again, what I have is hearsay information from Mike Smith

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himself. And he said that -- that according to the investigation of the Auditor General, that it did meet the requirement based on comparable service. That's -- that's all I can tell you. It's hearsay.

PRESIDING OFFICER: (SENATOR HARMON)

Any further discussion? Senator LaHood, you'd like to speak to the appointment?

SENATOR LaHOOD:

To the appointment, Mr. President. I know it's been referenced earlier, the Peoria Journal Star has weighed in on this a couple different occasions, but in a article dated June 6, 2011, when the Governor put this nominee forward, Mr. Smith acknowledged that he does not meet the qualifications for this board governing public school teachers' collective bargaining. And in addition to that acknowledgement, we have heard nothing else, either in committee or here today, that says he meets that requirement. To my knowledge, he has no experience as a teacher or a professor in the classroom. He's never been an administrator of any educational institution of any kind, has not published anything on this subject matter. And I would like to also read from the Peoria Journal Star editorial, which, by the way, has endorsed Mr. Smith in his prior elections and has been supportive of him. And in terms of this nomination that was put forth, again, this is from June 9th of 2011 and it's titled "Smith nomination shines light on Illinois bureaucracy". And reading a portion of that, it says "The members of the education {sic} labor board aren't what you'd call typical citizens. One is married to a State Senator. One is an ex-Springfield lobbyist. One is an ex-legislative staffer. One is

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an ex-gubernatorial aide. Four are 'political donors'. And now another would be a former legislator whom the Governor calls 'a friend of mine for quite some time.'" And is not qualified. "Springfield has long been a place where there has been way too much of the {sic} scratch my back, I'll scratch yours, it's not what you know but whom you know. Suppose that's politics everywhere, but Illinois does seem to suffer from a more acute case than most." And I stand here today to oppose this appointment, and for what's been mentioned here earlier, the fact that, self-admittedly, he does not meet the requirement here. There's been no information put forth that this particular individual is qualified. The Journal Star has editorialized against this, I think for good reason. And I would ask for a No vote on this appointment.

PRESIDING OFFICER: (SENATOR HARMON)

Further discussion? Senator Koehler, before Senator Muñoz yielded to you, you were seeking recognition. For what purpose do you rise?

SENATOR KOEHLER:

Just to speak to the motion.

PRESIDING OFFICER: (SENATOR HARMON)

To the appointment, Senator.

SENATOR KOEHLER:

To the appointment. I think that's a bit unfair. I mean, what we're talking about here is one individual, not a whole group and not an editorial board's opinion of -- of what happens. We're talking about Mike Smith. We're talking about is he qualified or not to be on this board? He told me himself directly yesterday that this was an issue that came up before

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the Auditor General and that it was resolved, that his comparable experience qualifies him to sit on this board. That's what I'm telling you from -- from his, you know, mouth to my ears. I've known Mike for -- for quite a while. I think that he's, you know, very serious, very hardworking individual, and it's a Governor's appointment. I support it because I think that Mike has done a good job and will do a good job. But let's not get a whole lot of other issues involved in here. We're talking about one individual, Mike Smith. Is he qualified or not to sit on this board? And I would say, yes, he is.

PRESIDING OFFICER: (SENATOR HARMON)

Any further discussion? The question is, shall the Senate advise and consent to the appointment from the Appointment Message just read. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 33 voting Aye, 21 voting No, none voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the Appointment Message just read. Senator Luechtefeld, for what purpose do you rise?

SENATOR LUECHTEFELD:

Thank you, Mr. President. On a previous appointment, Gilbert O'Brien, I did push my button, but it didn't certainly show on the board. Would like to be -- would like to be recorded as an Aye on that appointment.

PRESIDING OFFICER: (SENATOR HARMON)

The record will reflect your intention to have voted Aye, Senator. Thank you. With leave of the Body, please turn to

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page 6 of the regular Calendar for Appointment Message 153. Mr. Secretary, Appointment Message 153.

SECRETARY ANDERSON:

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

To be Chair of the Illinois Sports Facilities Authority:
Emil Jones, Jr.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, I move that the Senate advise and consent to the appointment just read.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Seeing none, the question is, shall -- does the Senate advise and consent to the appointment from the Appointment Message just read. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 46 voting Aye, 1 voting No, none voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the Appointment Message just read. With leave of the Body, we'll return to our regular order. Mr. Secretary, Appointment Message 151.

SECRETARY ANDERSON:

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

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To be a Member of the Illinois Sports Facilities Authority:
Dennis J. Gannon.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, I move that the Senate advise and consent to the appointment just read.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Seeing none, the question is, does the Senate advise and consent to the appointment from the Appointment Message just read. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 48 voting Aye, none voting No, 1 voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the appointment just read. Mr. Secretary, Appointment Message 152.

SECRETARY ANDERSON:

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

To be a Member of the Illinois Sports Facilities Authority:
Elzie L. Higginbottom.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, I move that the Senate advise and consent to the appointment just read.

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PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Any discussion? Seeing none, the question is, does the Senate advise and consent to the appointment from the Appointment Message just read. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 46 voting Aye, 1 voting No, 2 voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the appointment just read. Mr. Secretary, Appointment Message 365.

SECRETARY ANDERSON:

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

To be a Member of the Illinois DREAM Fund Commission:
Rigoberto Padilla.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, I move that the Senate advise and consent to the appointment just read.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Seeing none, the question is, does the Senate advise and -- Senator Bivins, you're seeking recognition. Senator Bivins, for what purpose do you rise?

SENATOR BIVINS:

To the appointment, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

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To the appointment, Senator.

SENATOR BIVINS:

Thank you, Mr. President. Just as a point of information, there were some concerns with this -- raised with this appointee -- appointee early on, several months ago when he came before us. And those concerns had to deal with, number one, his legal status in the -- in the country and, number two, whether a non-citizen could serve on a board or commission. Both those questions were resolved in committee. He does have a legal status in the country. And the Governor's counsel and our counsel both agree that a non-citizen -- there's no -- no -- nothing in the statute to prevent that, so the Governor can make that appointment.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you for those clarifications, Senator. The question is, does the Senate advise and consent to the appointment from the Appointment Message just read. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 43 voting Aye, none voting No, none voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the appointment just read. Mr. Secretary, Appointment Message 383.

SECRETARY ANDERSON:

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

To be Director of the Illinois Department of Agriculture:

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Robert F. Flider.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, I move that the Senate advise and consent to the appointment just read.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR HARMON)

To the Message, Senator.

SENATOR RIGHTER:

Thank you. Ladies and Gentlemen of the Chamber, we have gone through a number of gubernatorial appointments here that have, in one degree or another, I think it's fair to say, have been flawed, at least by the measure of a handful of people in this Chamber. This one stands out. Now, anyone who's been here for more than a term, more than a year, in fact, has noticed the increasing number of people back home - and I don't care whether you're in Chicago or you're downstate, where you're at - the increasing number of people in this State who look at the Capitol Building with disgust. They look at the Capitol Building and they say, you know what, that building, more and more, is filled with people who are taking care of each other and taking care of themselves. Now, let's talk about the appointment for the Director of Agriculture. Now, I know Bob Flider. He used to serve in the Illinois House of

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Representatives when I was there and after I got elected to the Senate. He used to work for my hometown newspaper. He's a nice guy. He might be one of the nicest guys who ever worked in the Capitol complex - but that's not the issue before us. The issue before us is whether or not you believe that Director Flider was the right choice, the best choice, to lead the Department of Agriculture, and whether the circumstances of his appointment reflect well on you and I. Representative Flider's last election campaign was in 2010. And in 2010, Representative Flider campaigned hard against a major tax increase and he campaigned hard against civil unions; then, after losing in November, came back to this building and voted for a major tax increase and voted for civil unions. Now, it doesn't matter whether you were for the tax increase or you were against the tax increase, and it doesn't matter whether you were for civil unions or against civil unions. That's not the issue here. The issue here is that he campaigned ardently in one way and then, when he came back here, he voted opposite of that and then suddenly was tapped to be appointed to a job that probably pays him thirty or forty thousand dollars more a year. Now, of former Representative Flider and Director Flider's many accomplishments in his previous life, work in the agriculture sector is not among them - is not among them - except that he was a Member of the General Assembly. So, in that regard, we're all qualified to be the Director of Agriculture, and I think that at least most of us would say, "I'm not really qualified to do that job". You know, I listened with great interest to some soaring oratory just an hour or two ago - you know there's that old saying that what goes around comes around, but usually what

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goes around doesn't come around quite this quickly - but we heard soaring oratory from the other side of the aisle about pay-to-play and helping people out when they were doing things for you. Boy, this has that problem written all over it. So I will be deeply interested to see if those same individuals can summon even a fraction of that righteous indignation this time and say, you know what, this looks bad for everybody in this State, Republican and Democrats. I would urge a No vote. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR FRERICHS:

To the motion.

PRESIDING OFFICER: (SENATOR HARMON)

To the appointment, Senator.

SENATOR FRERICHS:

To the appointment. Thank you very much. I understand the Director may not have had a lot of hands-on experience with agriculture when he was first appointed to this job, but he's been serving in this position for the last several months. And what we've seen, he's partnered with the agriculture industry. He's received the support of the Illinois Farm Bureau. He's received the support of agribusinesses in this State. I think he's demonstrated over the last several months that he's capable for this job and has done a commendable job and is worthy of -- of appointment. I would encourage confirmation.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Any further discussion? The question

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is, does the Senate advise and consent to the appointment from the Appointment Message just read. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 33 voting Aye, 16 voting No, none voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the appointment just read. Senator Muñoz.

SENATOR MUÑOZ:

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

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR KOTOWSKI:

Thank you, Mr. President. I want to be recorded as -- as voting Yes on the previous appointment.

PRESIDING OFFICER: (SENATOR HARMON)

The record will reflect your intention to have voted Aye. Ladies and Gentlemen of the Senate, I'd like to make several announcements of importance to your schedules for the remainder of the day and for tomorrow. Tomorrow morning, we have committees meeting. The Executive Committee will meet in Room 212 at 9:30 a.m. The Revenue Committee will -- will meet in Room 400 at 9:30 a.m. And the Licensed Activity {sic} Committee will meet in Room 409 at 9:30 a.m. The Insurance Committee will

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also meet tomorrow, in Room 400 at 9 a.m. The Insurance Committee will meet tomorrow in Room 400 at 9 a.m. For the remainder of the day, we have concluded our Floor action for today. Immediately upon recess, the Senate Executive Committee will meet in Room 212. After the committee has met, the Senate will return to receive committee reports and other paperwork, but we do not contemplate any further Floor action today. The Senate stands in recess to the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SECRETARY ANDERSON:

Senator Harmon, Chairperson of the Committee on Executive, reports Senate Bill 3925 Do Pass, as Amended; House Bills 3816, 4866, 5151 Do Pass, as Amended; Senate Resolution 821 Be Adopted, as Amended; Senate Amendments 1 and 2 to Senate Bill 1076, Senate Amendment 1 to Senate Bill 2722, Senate Amendment 4 to House Bill 506, Senate Amendment 3 to House Bill 2083 and Senate Amendment 3 to House Bill 4666 recommended Do Adopt.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Mr. Secretary, Resolutions.

SECRETARY ANDERSON:

Senate Resolution 999, offered by Senator McCann and all Members.

Senate -- Senate Resolution 1000, offered by Senator McCann and all Members.

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Senate Resolution 1001, offered by Senator McCann and all Members.

Senate Resolution 1002, offered by Senator McCann and all Members.

Senate Resolution 1003, offered by Senator Brady and all Members.

Senate Resolution 1005, offered by Senator McCarter and all Members.

Senate Resolution 1006, offered by Senator Koehler and all Members.

Senate Resolution 1007, offered by President Cullerton, Leader Radogno and all Members.

They are all death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Resolutions Consent Calendar.

SECRETARY ANDERSON:

Senate Resolution 1004, offered by Senator John Jones and all Members.

And Senate Joint Resolution 80, offered by Senator Sullivan.

They are both substantive.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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 547.

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(Secretary reads title of bill)

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 and 2 to Senate Bill 547.

We have received like Messages on Senate Bill 551, with House Amendment 1; Senate Bill 678, with House Amendment 3; Senate Bill 2915, with House Amendment 1; Senate Bill 3237, with House -- House Amendments 2 and 3 {sic}; Senate Bill 3245, with House Amendments 2 and 3; Senate Bill 3338, with House Amendment 1; and Senate Bill 3430, with House Amendments 1 and 2. Passed the House, as amended, November 28th, 2012. Timothy D. Mapes, Clerk of the House.

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

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to concur with the Senate in the adoption of their amendment to a bill of the following title, to wit:

House Bill 5547.

(Secretary reads title of bill)

Which amendment is as follows:

Senate Amendment 1 to House Bill 5547.

Non-concurred in by the House, November 28th, 2012. Timothy D. Mapes, Clerk of the House.

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:

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House Joint Resolution 45.

Offered by President Cullerton, and adopted by the House, November 28th, 2012.

We have received like Messages on House Joint Resolution 101, offered by Senator Link, and House Joint Resolution 102, offered by Senator Lightford. Timothy D. Mapes, Clerk of the House.

They are substantive, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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? 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 Executive Committee - Motion to Concur on House Amendment 1 and 2 to Senate Bill 547, Floor Amendment 2 to Senate Bill 957, Floor Amendment 3 to Senate Bill 957, Floor Amendment 3 to Senate Bill 1076, Motion to Concur on House Amendment 1 to Senate Bill 3338, and House Joint Resolution 45; Be Approved for Consideration - Senate Joint Resolution 80.

Signed, Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, just as a reminder, the following committees will be meeting to take up committee or Floor amendments tomorrow morning: Executive will meet in Room 212 at 9:30 a.m.; Revenue will meet in Room 400 at 9:30 a.m.; Licensed

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Activities will meet in Room 409 at 9:30 a.m.; Insurance will meet in Room 400 at 9 a.m. Again, Exec, Room 212, 9:30; Revenue, Room 400 at 9:30; Licensed Activities, Room 409 at 9:30; and Insurance in Room 400 at 9 a.m. There being no further business to come before the Senate, the Senate stands adjourned until the hour of 10:30 a.m. on the 29th day of November, 2012. The Senate stands adjourned.