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PRESIDING OFFICER: (SENATOR CLAYBORNE)

Regular Session of the 96th General Assembly will please come to order. Will the Members please be at their desk? Will our guests in the galleries please rise? The invocation today will be given by Pastor Jerry Wood of the First Congregational Church of Bunker Hill, Illinois.

PASTOR JERRY WOOD:

(Prayer by Pastor Jerry Wood)

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Pledge of Allegiance, by Senator Maloney.

SENATOR MALONEY:

(Pledge of Allegiance, led by Senator Maloney)

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Madam Secretary, Reading and Approval of the Journal.

SECRETARY ROCK:

Senate Journal of Friday, May 29th, 2009.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Hunter.

SENATOR HUNTER:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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

SECRETARY ROCK:

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

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

House Joint Resolution 14.

Offered by Senator Jacobs, and adopted by the House, May 28th, 2009. Mark Mahoney, Clerk of the House.

It is substantive, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

All Members at the sound of my voice, would you please come to the Senate Floor? Please come to the Senate Floor. We're going to the -- page 58, Order of House Bills 2nd Readings. House Bill 271. A.J. Wilhelmi. A.J. Wilhelmi. Out of the record. House Bill 798. Senator Syverson. Out of the record. House Bill 917. Senator Willie Delgado. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 917.

(Secretary reads title of bill)

2nd..

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Out of the record. Out of the record. House Bill 2652. Senator Muñoz. Senator Muñoz. Out of the record. House Bill 4122. Senator Holmes. Out of the record. House Bill 4124. Senator Delgado. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 4124.

(Secretary reads title of bill)

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

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reported.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

3rd Reading. Andrew Tanielian with ABC NewsChannel 20 seeks leave to videotape. Seeing no objection, leave is granted. Madam Secretary -- I mean, we're going to the Order on page 55, House Bills 3rd Reading. House Bill 1597. Senator Forby. Out of the record. House Bill 2129. Senator Sullivan. Out of the record. House Bill 2132. Senator Sullivan. Out of the record. House Bill 2145. Senator Trotter. Senator Trotter. Out of the record. House Bill 2194. Senator Trotter. Senator Trotter. Out of the record. House Bill 2206. Senator Trotter. Senator Trotter. Out of the record. House Bill 2239. President Cullerton. President Cullerton. Out of the record. Turning to top of page 56. House Bill 2240. President Cullerton. Out of the record. House Bill 2270. Senator Trotter. Out of the record. House Bill 2314. Senator Trotter. Out of the record. House Bill 2325. Senator Garrett. Senator Garrett. 2325. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 2325.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Garrett, to explain the bill.

SENATOR GARRETT:

Good morning, Mr. President, and thank you for allowing me to be one of the first to present this morning. Floor Amendment No. 3 to House Bill 2325 provides that within ten days after an employee is terminated, an employee must be presented with a

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notice of continuation of insurance coverage. In -- however, until January 1, 2010, if the employee contacts the insurer regarding the notice of -- not being sent, the insurer must provide an explanation of the employee's continuation rights. This also removes insurers from the requirement in which they had to notify an employee of their continuation rights within thirty days. This has to do with the stimulus package from the administration in Washington, D.C., extending COBRA.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. Excuse me. I'd like to thank the Senator for her work on this and working with all the parties to reach this agreement. This is a -- a good bill and would urge its passage. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Seeing no further discussion, the question is, shall House Bill 2325 pass. All those in favor will -- 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. There are 55 voting Yea, 1 voting Nay, none voting Present. House Bill 2325, having received the required constitutional majority, is declared passed. Senator Steans, on House Bill 2343. Out of the record. Senator Crotty, on House Bill 2376. Out of the record. Senator Trotter, on House Bill 2414. Out of the record. Senator Crotty, on House Bill 2424. Out of the record. Senator Trotter, on House Bill 2469. Out of the record. Senator Harmon, on House Bill 2494. Out of the record. Turning to the top of page 57. Senator Trotter, on

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House Bill 2640. Out of the record. Senator Harmon, on House Bill 2643. Out of the record. Senator Demuzio, on House Bill 3245. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 3245.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Demuzio, to explain the bill.

SENATOR DEMUZIO:

Thank you, Mr. President, Members of the Senate. I believe there's a -- an amendment. Is that correct? Okay. Thank you. House Bill 3245 phases out the general State aid hold harmless beginning in the 2009-2010 school year. What we're asking for in this bill is that we not phase it out. And what we'll be doing is that we would then prorate it starting in 2008-2009, that we would then take eighty percent, sixty percent, forty percent, twenty percent each year and -- rather than to phase it out. Many of our school districts rely on the hold harmless formula and what we're asking for is that rather than to phase it out, that we prorate it out.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Senator Lauzen.

SENATOR LAUZEN:

A question for the sponsor.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates she will yield, Senator Lauzen.

SENATOR LAUZEN:

Morning, Senator. You mentioned that we're not phasing it

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out, we're prorating it out. That confused me. I assume that we're phasing it out, but just at a slower rate than the ISBE original proposal. Is that right?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator -- Senator Demuzio.

SENATOR DEMUZIO:

Yes. Senator, as we well know, that there was -- ISBE had a complete -- or a fifty-percent phase-out to eliminate it. If -- I'm sure if you -- as we looked at the districts here, what we're doing is putting it over a five-year period, phasing it out at a slower rate. Okay.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any further discussion? Seeing none, the question is, shall House Bill 3245 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 voting Yea, 1 voting Nay, none voting Present. House Bill 3245, having received the required constitutional majority, is declared passed. Senator Harmon, on House Bill 3606. Out of the record. Senator Harmon, on House Bill 3690. Out of the record. Senator Harmon, on House Bill 3718. Madam Secretary, please read the bill. Senator Harmon seeks leave of the Body to return... Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 3718.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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Senator Harmon, to explain the bill.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The bill, House Bill 3718, is an initiative of Will County and it provides some greater clarity for the circumstances under which a county board may grant variances for a -- for a -- a -- a cell tower. There were amendments that have passed through that had been filed in committee and one that was reported to the Floor on an unrelated topic dealing with the O'Hare Modernization Act and the Bensenville School Districts. That is a -- a -- an evolving product. And at this point, I'm going to hold those matters and move forward with the bill as it came over from the House. So I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Senator Lauzen.

SENATOR LAUZEN:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates he will yield, Senator Lauzen.

SENATOR LAUZEN:

You mentioned about that this is only applied to Will County. Is that -- did I understand that correctly or no?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. No, Senator, it does not apply only to Will County. It applies -- it amends the County Codes {sic} (Counties Code) and it just provides some greater clarity

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for the circumstances of -- of the -- the public hearings, some more detail and -- and additional requirements.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Lauzen.

SENATOR LAUZEN:

So, what I understand is that this applies to all counties as far as the towers.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon.

SENATOR HARMON:

Yes, Senator, it amends the County Codes {sic} and applies across the board. It's an initiative of Will County.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any further discussion? Seeing none, the question is, shall House Bill 3718 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. There are 54 voting Yea, none -- 1 voting Nay, none voting Present. House Bill 3718, having received the required constitutional majority, is declared passed. House Bill 3841. Senator Trotter. Out of the record. House Bill 3923. Senator Steans. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 3923.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Steans.

SENATOR STEANS:

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Yes. Thank you, Mr. President, Members of the Senate. This bill, House Bill 3923, does three primary things and it's been worked out very strongly with the insurance companies, the business groups and consumer advocates. And I also want to thank Senator Haine for his help in negotiating this bill. The three things it do {sic} is, first, it sets an external review process. When an insurance consumer's been denied a claim, there's now a place that they'll have to go to get their claim reviewed by an external review organization. Currently, only members in HMOs have this. This now extends it to people who are also in PPOs. The second thing it does is establishes a uniform application for small businesses and individuals who will be applying for insurance, so that there's one application that they'll be able to use so they can shop and compare what they're getting for their premiums. And third, it provides for greater transparency in information that's getting reported by the insurance companies to the Director of Insurance. It will be put online so consumers will get that. I highly encourage an Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

...bill, Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President, Ladies and Gentlemen of the Chamber. I simply rise in support of House Bill 3923. I know the sponsor has spent a lot of time and worked with a number of

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groups in order to get this bill in a position where it could receive a majority support here in this Chamber. I thank her for her work and urge an Aye vote as well. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Any further discussion? Seeing none, the question is, shall House Bill 3923 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. There are 54 voting Yea, 1 voting Nay, none voting Present. House Bill 3923, having received the required constitutional majority, is declared passed. House Bill... Senator Althoff, for what purpose do you seek recognition?

SENATOR ALTHOFF:

I'm sorry. Thank you, Mr. President. Although the board recorded an Aye vote on 3923, I would like the record to reflect that I was a No.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The record will so reflect, Senator Althoff. House Bill 3986. Senator Harmon. Madam Secretary, please read the bill. Oh, I'm sorry. Senator Harmon leeks -- Senator Harmon seeks leave of the Body to return House Bill 3986 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 3986. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon, to explain the -- the Floor amendment.

SENATOR HARMON:

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Thank you, Mr. President. I would like to table Floor Amendment No. 1 to House Bill 3986.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

We were told just -- just withdraw it. So you withdraw the... Senator Harmon withdraws Floor Amendment No. 2 -- 1. I'm sorry, Floor Amendment No. 1. Are there any further Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon, to explain Floor Amendment No. 2.

SENATOR HARMON:

Thank you, Mr. President. The underlying bill deals with the design-build procurement method for the Chicago Park District. The amendment clarifies that landscape architects are qualified to participate and adds an effective date. I'd move for its adoption and would like to debate the bill on 3rd Reading.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

3rd Reading. Now on the Order of 3rd Reading, Madam Secretary, read the bill.

SECRETARY ROCK:

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House Bill 3986.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon, to explain.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3986, as amended by Floor Amendment No. 2, amends the Chicago Park District Act to extend to the Park District the authority to use the design-build contracting method for its -- its projects. The -- the -- the model is the same as other agencies currently have under law. And we have dealt with the issue of the landscape architects being able to participate. Obviously, for parks, they would be a -- a -- a competitive player in that arena. The amendment that I withdrew was the controversial amendment that would have rewritten the way the Public Building Commission in Chicago does their design-build. I have withdrawn that. I hope that that has alleviated everyone's concerns with this bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Senator Lauzen.

SENATOR LAUZEN:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates he will yield, Senator Lauzen.

SENATOR LAUZEN:

Senator, what is the basic difference between the design-build and the typical procurement process? My guess is that there's more flexibility in the authority that's being given to

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the Chicago Park District. Would that be right? Or could you briefly explain that to us?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. In short, without design-build, the traditional model would be an entity retains an architect or an engineer to do the design work, produces its designs, and then bids out for the contracting, the construction of the project. The design-build procurement method allows one entity to perform all of those functions. They bid on -- simultaneously on the design work and the construction work and it provides a -- a greater degree of flexibility and cooperation throughout the process. The designer is the -- the -- the constructor and so they can anticipate those problems.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. So it's -- it's kind of like a vertical integration of the designing/building. It can be compacted together. It still is the lowest responsible bidder on the project, is that right?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon.

SENATOR HARMON:

Yes, that -- that -- that's our understanding, Senator, and I'm sorry if -- I'm just confirming with staff. But, yes, the same sort of parameters would apply.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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Senator Lauzen. Senator Risinger.

SENATOR RISINGER:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates he will yield, Senator Risinger.

SENATOR RISINGER:

Thank you, Senator Harmon, for withdrawing that other amendment. I had a little heartburn with it. But as I understand now, the discussion has taken place with the engineers and the architects and they're all in agreement, and there's no opponents to this bill. Is that correct?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon.

SENATOR HARMON:

Yes, Senator, that's my understanding and I hope that you will confirm it.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Risinger.

SENATOR RISINGER:

Yes, I will confirm it. I have talked to 'em and they -- and they expressed that to me. I also understand that all the parameters are in place. The same as we do with the Capital Development Board, only twenty-five percent of the projects can be used with design-build and -- and so forth. All the things that are in the Capital Development Board process is in this process.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon.

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SENATOR HARMON:

Thank -- thank you, Mr. President. Yes, that's my understanding as well, that we are using the same model. The discussion in committee about the amendment which would have -- would have expanded the model for the Public Building Commission is off the table.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Risinger.

SENATOR RISINGER:

I think this is a good bill. And I urge an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Thank you, Senator Risinger. Senator Dahl.

SENATOR DAHL:

Thank you, Mr. President. To the bill: I want to thank Senator Harmon for all the work he did on this and for bringing this to Local Government Committee. Tabling Floor Amendment 1 makes it a good bill. It passed unanimously out of committee. And I encourage an Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Thank you, Senator Dahl. Can we hold the noise down a little bit? Seeing no further discussion, the question is, shall House Bill 3986 pass. All those in favor, vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There are 57 voting Yea, none voting Nay, none voting Present. House Bill 3986, having received the required constitutional majority, is declared passed. Senator Harmon, on House Bill 3987. Madam -- Senator Harmon seeks leave of the

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Body to return House Bill 3987 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 3987. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon, to explain Floor Amendment No. 1.

SENATOR HARMON:

Thank you, Mr. President. I'm on a roll here. I'd like to withdraw Floor Amendment No. 1.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Floor Amendment No. 1 has been withdrawn. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon, to explain Floor Amendment No. 2.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Floor Amendment No. 2 becomes the bill and it reenacts the -- the key provisions of the bill itself, which creates the energy efficient residential building standard for Illinois and adds us to the list of states that does this. The amendment is intended to mitigate the -- the concerns of the Illinois Municipal League. And while they have still filed in opposition to the bill, I -- I don't believe that they have worked very hard to contact -- to -- to -- they've indicated very clearly

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that this is not an optimal outcome, but I hope that the amendment has served to mitigate their concerns.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, all those in favor will vote -- will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. 3rd Reading. Now on the Order of 3rd Reading, Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 3987.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon, to explain the bill.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3987, as amended, provides for the adoption of an energy efficient residential building code. It is a product of a delicate and balanced negotiation with the environmental advocates and the homebuilders. As I indicated in adopting the amendment, the Municipal League remains opposed. But with the amendments, I think we have gone to a -- a long degree to mitigate those concerns. I'd be happy to entertain questions and I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Senator Risinger.

SENATOR RISINGER:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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Sponsor indicates he will yield.

SENATOR RISINGER:

Does this -- does this bill affect those that have an energy code in place now, Senator Harmon?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. With the amendment, it accommodates those communities that have adopted the -- a standard to date. And it -- it protects that -- that right. As the -- as the tide may rise, they will -- they will be -- they will need to catch up. But it does address the concerns of those municipalities that have already adopted a -- a standard today.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Risinger.

SENATOR RISINGER:

As -- as I understand it, Senator Harmon, one of the concerns that was discussed was that some communities had a standard that was higher than what this standard is and -- and there was a concern that they would have to lower their standard. Does this bill address that?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon.

SENATOR HARMON:

Thank you, Senator. That's correct. If their standard is above the statewide standard that we're -- we've adopted, they will not be forced to come down. If at some point the statewide standard laps them and goes above it, they will be pulled up

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with that. But for the moment, they -- they may maintain their building codes.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Risinger.

SENATOR RISINGER:

Yeah, to the bill: Just want to make sure that everybody is aware on this side of the aisle that Senator Harmon has worked on this bill, has made it better. The Municipal League is still concerned about setting those standards. Just want to make you aware of that issue.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President, Members of the Senate. A question of the sponsor.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates he will yield, Senator Luechtefeld.

SENATOR LUECHTEFELD:

I don't -- I don't know, are -- are -- are there communities out there who may have standards already who are lower than the State standard?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon.

SENATOR HARMON:

Yes -- yes, Senator, there are and they're going to..

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Then they would be forced now to raise their standard. Is

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that correct, Senator?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon.

SENATOR HARMON:

I'm sorry, Mr. President. Senator, could you repeat your question? I want to make sure I heard it clearly.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Would they then be forced at this time to raise their standard to meet the State level?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon.

SENATOR HARMON:

Yes, even with the amendment, they -- they -- the State standard becomes the minimum.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Luechtefeld, you finished? Okay. Seeing no further discussion, the question is, shall House Bill 3987 pass. All those in favor, vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There are 48 voting Yea, 8 voting Nay, 1 voting Present. House Bill 3987, having received the required constitutional majority, is declared passed. Turning to the top of page 58. House Bill 4046. Seems like it's your morning, Senator Harmon. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 4046.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon, to explain the bill.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 4046 amends the Property Tax Code in -- with respect to the exemption for leaseback property and qualified leased property. Under the current law, the City of Chicago, only, has the authority to maintain the tax-exempt status of certain public assets if -- as part of a lease/leaseback transaction or with respect to certain defined facilities, mainly parking garages, waste recycling facilities, and airports - the ability to maintain the tax-exempt status should it be operated by a private operator. This would extend that authority to home rule communities contiguous to a municipality. It's an initiative of my hometown of Oak Park that would like to be able to use this authority with respect to some parking garages in the Village. So I'd ask for your Aye votes.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Senator Dillard.

SENATOR DILLARD:

Thank you. Like any of you, Senator Harmon, I will always help you help your district. Is this really limited to Oak Park, or just how -- how broad is this legislation?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. It is -- it is limited to

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municipalities with home rule powers contiguous to a municipality with a population of over five hundred thousand inhabitants. So it -- it's a limited universe. Oak Park would be included, as would Evanston and -- and a few others, I believe. But it's a gradual expansion of the existing power given to the largest home rule municipality.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Dillard.

SENATOR DILLARD:

Thank you. I'm -- I'm -- I'm going to support this, Don. For those of us on our side of the aisle, there is a list of the municipalities. Most of 'em are in Cook County and they -- they don't affect our side or our -- our communities. So -- but take a look at the list if you're out there. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates he will yield, Senator Righter.

SENATOR RIGHTER:

Senator Harmon, is there some effect on the Motor Fuel Tax Fund by this legislation?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon.

SENATOR HARMON:

Not that I'm aware of yet, but I expect you'll tell me if you think differently.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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Senator Righter.

SENATOR RIGHTER:

Let me ask a different question - I don't know the answer, Senator - it -- was there an effect, to your knowledge, on the Motor Fuel Tax Fund on the underlying bill that came over from the House perhaps, that is now no longer part of House Bill 4046?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon.

SENATOR HARMON:

Thank you, Senator. That's entirely possible, Senator, but this again -- the amendment that was adopted in committee replaces everything in the original bill and is limited to the amendment of the exemption for leaseback property in the Property Tax Code.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator -- okay, you're finished. Seeing no further discussion, the question is, shall House Bill 4046 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. There are 55 voting Yea, none voting Nay, none voting Present. House Bill 4046, having received the required constitutional majority, is declared passed. Senator Lauzen, for what purpose do you seek recognition?

SENATOR LAUZEN:

Thank you, Mr. President. Just to adjust the record or point of personal privilege. I need to adjust one of the votes that...

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PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point.

SENATOR LAUZEN:

On House Bill 3923, as amended, I did not vote. My intention if I had vote -- voted would have been to vote No. And so I'd like the record to reflect my intention to vote No.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The record will so reflect, Senator Lauzen. Turning -- I mean, Senator Harmon, on House Bill 4088. Senator Harmon seeks leave of the Body to return House Bill 4088 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 4088. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon, to explain the Floor Amendment No. 1.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Floor Amendment No. 1 to House Bill 4088 becomes the bill and creates the Illinois Accurate Government Records Act. I'd move for its adoption and be happy to discuss the bill, as amended, on 3rd Reading.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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

SECRETARY ROCK:

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Floor Amendment 2, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon, to explain Floor Amendment No. 2.

SENATOR HARMON:

Thank you, Mr. President. Floor Amendment 2 adds some additional safeguards and I believe eliminates any opposition to the bill. I move for its adoption.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? All those in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

3rd Reading. On the Order of 3rd Reading now, Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 4088.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon, to explain the bill.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 4088 creates the Illinois Accurate Government Records Act. In very short order, what this does is it says, if a government is going to keep files on its residents, its citizens, if it's going to track information about us personally, we should have access to those files. We

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should have the ability to review them. We should have the ability to ask for corrections if we believe there's something materially false. We should be able to supplement that file with our own statement to contradict something that we believe to be untrue. We have, through the process of the amendments, dealt with the concerns raised by the various government entities that I think would be impacted. We have done our best to limit the scope and streamline the process so that the burden on government is not undue. But, again, in -- in -- at the very bottom, it's really a question of whether we, as citizens, have the right to see what information government collects about us and to correct those records when we think that they're false. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none -- no, I'm kidding. Senator Duffy.

SENATOR DUFFY:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

To the bill.

SENATOR DUFFY:

I want to thank Senator Harmon for working with me on this. In committee, I did request a fiscal note to find out how much this would cost. And there is no possible way to receive a fiscal note on that. And -- and Senator Harmon worked with me every step of the way on that. And I appreciate that. I just want to make note that this will have a -- a -- a large fiscal impact, because no matter how you do this, if you implement this across all different IT platforms, it's going to have to be

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interpreted in a language that every governmental body can understand. So that will have a cost and -- and that'll take some training and will take some time. I know the City of Chicago was opposed to it and now they're not opposed to it. So I -- I rise in support of this bill, but I just want to make a note that there will be a large cost to this. But I support the idea of transparency. Thank you very much.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Thank you. Senator Rutherford.

SENATOR RUTHERFORD:

Mr. President, thank you. May I ask the sponsor a question?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates he will yield, Senator Rutherford.

SENATOR RUTHERFORD:

Thank you, Mr. President. Senator Harmon, would you give me actually two -- two real examples that could be a -- a case like this? I mean, what kind of an agency would have what kind of information and what kind of a question could a -- a citizen have? Give me a couple of examples of that. And, number two, on the question, is there a -- a phase-in period for the governmental entities to implement this?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon.

SENATOR HARMON:

Thank you, Senator, for your question. And -- and this actually also -- I can respond to the -- the statement made by the previous speaker as well. We've gone to great lengths to -- to reduce the -- the burden on governments -- but it would apply

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to any government that collects information about its -- about its citizens. So it's -- whether it's your local municipality or an agency of the State, if I go to that governmental agency, I -- I can ask, "Can you tell me what systems you use to collect this information in?" We've scaled back dramatically the requirements. The -- the agencies that collect the information would have to tell you five things: about the -- the name and location of the system they use, the category of individuals on whom records are maintained, the routine use of those records, the title and business address of the agency official who's responsible for that system of records, and the categories of sources of records in that system. So, whether you're going to a State agency or to your village hall, you can say, "Can tell me what you collect?" And they would have a short statement that would then allow you to inquire. "May I see my file? I'd like to know what you've collected on me." The...

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Rutherford.

SENATOR RUTHERFORD:

Now you got me a little paranoid about what my government's collecting about me. Give me an example, if you don't mind, Senator Harmon. Are you -- is it the question of, do I have recycle coming to my house? So tell me that you -- my government knows I've got recycle picking it up. It's that I have a FOID Card, that my -- my State Police has a FOID Card. So, I mean, give me -- give me a -- give me a real life example of what you're trying to get at here. I mean, I understand the methodology and the information and disclosure. But -- and I -- I don't like the government getting a bunch of stuff on -- on

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all of us, so tell -- give me an example of what you're actually addressing. Is it because I got cats and I registered with the -- the local public health department? What is an example?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. I -- I believe you've given us all some examples. If I have cats that I've registered with my -- my local public health department or my local municipality, I could go in and say, "Do you have a record of me registering cats?" And I would get that file and I would say, "No, I don't have four cats; I only have two cats and I'd like the record to reflect that."

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Rutherford.

SENATOR RUTHERFORD:

Senator Harmon, do you have cats?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon.

SENATOR HARMON:

I -- I have not seen any cats among the children. I'm not entirely sure that's accurate. I will check the file.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

To the bill.

SENATOR LAUZEN:

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I would like to thank Senator Harmon for his thorough work on helping to defend all of our civil -- civil liberties. Any government agency that is concerned about the cost of compliance with the law that you're bringing forward, can just reduce the amount of information that it keeps on its citizens. From the very beginning, again, our Constitution says that it's we the people, not we the government. We are a people that has a government, not a government that has a bunch of us people. So thank you very much, Senator Harmon.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Dale Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates he will yield.

SENATOR RIGHTER:

Senator Harmon, I want to talk about process rather than the -- as opposed to the -- what might be held in a government file somewhere. If -- if I discover that the local county clerk's office has information in a file about me that is not entirely accurate, walk through for me how I get that changed.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon.

SENATOR HARMON:

Thank you, Senator. Well, first, I can make a written request for an amendment to the personal record. And within thirty days after receiving that request, the agency must either make the -- the correction in accordance with my request or inform me of its decision -- and inform me of -- with the

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decision to do that. If the agency does -- chooses not to do that, the agency must allow me to request a review of such refusal by the head of the agency or the official specifically designated to do so, and, within thirty days, report back to me whether for good cause -- unless for good cause, they extend the review period. And if the reviewing agency decides not to change the personnel {sic} record in accordance with my request, then the agency must permit me to submit a brief statement setting forth the reasons for my disagreement with what's in my file. And it requires the agency to note any portion of the personnel {sic} record that's disputed.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

SENATOR RIGHTER:

What if I disagree with the government agency's decision to not allow a change in the actual document, as opposed to me filing a letter or a statement? Is there a way for me to appeal that administratively? Do I have to go to the circuit court and file a lawsuit against the agency? How would that work?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon.

SENATOR HARMON:

Thank you, Senator. Again, to reiterate, if I file a request and the agency says we disagree with your request, we're not going to change the records and -- the agency has to inform me of that decision. I may appeal it administratively to the head of that agency, which may well also deny my request. If that request is denied, then I may, as, I think, my sole remedy, file my own statement disputing that portion of the record that

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I believe to be incorrect, in error or misleading.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Dale Righter.

SENATOR RIGHTER:

Thank you, Mr. President. So, is there a specific cause of action created under this legislation, Senator Harmon? Is -- is court -- I -- I guess, our thought generally is that court's always an option. But is there a specific cause of action outlined in House Bill 4088 if I'm not satisfied with what the agency's willing to do?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon.

SENATOR HARMON:

Thank you, Senator. Yes, you -- you may bring a civil action against an agency that fails to comply with any provision of the Act. In -- in this action in the court may -- order the agency to disclose, correct, or amend the record; issue an injunction to require some other agency action or to enjoin the agency from improper actions; and order the agency to pay the portion of the costs of maintaining the action - my costs - in any case in which I prevail. And if the court determines that the agency knowingly or intentionally violated the provisions of this Act, the agency shall be liable for actual damages not to exceed one thousand dollars and the costs of the action along with attorney's fees.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. So, Senator, I can sue them not

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only for their refusal to change the record, but also for their failure to appoint someone to handle these issues and for not developing a process. I can sue them for those matters as well, as I understand the way your bill is written. The question I would have, assuming that's correct, is can I sue a government agency under this bill for those items alone, for the failure to appoint someone as their -- their designated individual to handle these requests or not having a process? Can I go to court on just those issues?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon.

SENATOR HARMON:

I -- I believe that the -- the -- the civil right of action extends to any failure to comply with any provision of the Act. But I -- I think it would then be a question of standing.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Dale Righter.

SENATOR RIGHTER:

Thank you, Mr. President. A -- a question of standing. You're -- you're raising the possibility then that because I've not made a claim that the agency has a document that I believe is in some way in error, that the court might say you don't have to be -- you don't have standing to be in front of us. But the concern I have with that, Senator, is you're -- are you not by this -- this statute -- or the -- this bill, if it becomes law, specifically giving them standing by saying you can -- you can maintain a cause of action for those -- those items as well?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon.

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SENATOR HARMON:

Thank you, Mr. President. I -- I -- we are -- we are clearly debating this as -- as two lawyers and that's perfectly appropriate under the circumstances. I think, and, again, I would like to spend some more time looking at this to confirm it, but if I come to an agency and I say I would like to see my record and they say, "We don't got nobody who does that, go away", I would have standing. I don't know if I could, without requesting a record, say -- I have standing to say, you don't have the right people in place.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Dale Righter.

SENATOR RIGHTER:

Last question, Mr. President, and thank you for your indulgence and yours as well, Senator Harmon. I think Senator Duffy raised the issue of a requirement that, when necessary, the agency will provide some sort of translation into common terms of any machine-readable code or any code or abbreviation employed for internal agency use. Can you -- can you give me an example of -- of a situation that might fit within that requirement? And thank you, Mr. President, for your indulgence.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon.

SENATOR HARMON:

Thank -- thank you, Mr. President. And, certainly, Senator, I -- I could do that and this may also help with a question from one of the previous speakers about a concrete example. So, say for instance, that a -- a person with a disability who's entitled to a State benefit is falsely accused

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of faking their disability. That might be placed in their file even though their caseworker rejects the allegation and in the future that might cause them some problems. So if I'm a person with a disability and this accusation has been leveled against me, I should be able to go and ask that question, "What do you have in my file about this?" "Is it true that someone has said I'm faking my disability?" And if they were to give me the paperwork that has my name and address and then a series of codes for what kind of disability I have and whether a claim has been lodged - a C1, meaning there's a claim that you're faking your disability - I need to have that translated into something that's understandable.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Kwame Raoul.

SENATOR RAOUL:

Mr. President, I simply rise in strong support of this and I really appreciate the comments coming from the other side of the aisle, in particular, comments about unfunded mandates and protection of civil liberties. And I hope that later on today when we consider Senator Murphy's bill that we can talk about unfunded mandates of epic proportion and protecting our civil liberties with the same spirit that we've just done with this bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Thank you. Senator Haine, the man from Madison County.

SENATOR HAINE:

Would -- would the sponsor yield, Mr. President?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates he will yield, Senator Haine.

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SENATOR HAINE:

Senator Harmon, I'm intrigued by this bill. But I'm -- could -- would -- would you -- can you define again for me the -- the term "agency"? And I'm -- and here's what I'm asking you: Is this an agency that normally keeps personnel files? For example, a State's attorney's office.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Senator Haine, an "agency" means a State agency or a local agency, and a local agency would include a municipality, any unit of local government, school district, special purpose district, of -- the township, any elected board {sic} (officer) or board, bureau, commission, department, division, institution, or instrumentality thereof. Now, to anticipate your question, there are -- there are protections in here against revealing any information that might compromise, for instance, a criminal case.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine.

SENATOR HAINE:

So someone may show up of a day to the State's attorney's office or to the local building and zoning office or code enforcement office of a small town and say, "I want to know what's in my file." And then -- and then a agency must respond how?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon.

SENATOR HARMON:

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Well, it would require an agency, upon request from the individual, to allow the individual to review the personal records and to provide a copy within ten working days to the individual, unless the -- the record is exempted.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine.

SENATOR HAINE:

Well -- so the -- the code enforcement office, which has a file on Mr. X's continued violation of the zoning codes - trash and weeds and junk - can fulfill this by giving that person a file and then that person says, "Well, that's not correct. I -- I want that to be changed." Does that mean that there's litigation at -- at that point, or is this a matter of subjective response by the official being served?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon.

SENATOR HARMON:

Again, Senator, at first blush, it is a matter of subjective review. The -- the agency reviews the -- the statement by the individual and says, "No. In fact, this is a true and accurate reflection of the facts as we believe them; we are not going to alter the file at your request." But it then allows the individual to supplement the file with a short statement telling their side of the story. So that if down the road someone were to pull that file and say Mr. X had weeds to his knees, there would be a statement from Mr. X saying, no, I cut the grass or, no, that wasn't my house.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine.

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SENATOR HAINE:

Thank you, Mr. President. So -- so this opens the door then to people to -- to come in and argue with an agency that they're -- they have been adverse to or to come in and say to a State's attorney's office, "Hey, I want to see my file." "I was arrested and convicted four years ago and I want to see my file and I want to make sure that everything in there was accurate." And then the State's attorney's office has to respond. They have to assign a secretary, I guess, to go through all this, deal with this guy. The same with the building and zoning office. They have to stop what they're doing and deal with someone who's -- who has a history of bellyaching and complaining about code enforcement. I mean, I -- I -- I -- I guess I don't see why we are having this broad approach to what may be a narrow problem, the problem of someone with -- with bad information that may have caused them some harm, which is rectified by -- by -- by this. I -- I -- I also worry that this trumps the FOI. The Freedom of Information Act is not applicable, for example, to a State's attorney's office for obvious reasons. But this bill would trump that. I mean, I -- I -- I -- I don't see that a -- a county or a village in Illinois is equivalent to the NKVD or the Stasi or some other agency that is keeping records for the purposes of oppressing anyone. And I -- I -- and I'm surprised the Muni League isn't opposed to this. I'm -- I'm surprised that the State's attorneys are not opposed to this. So -- and I really -- to -- to the bill: I -- I'd be reluctant to vote for this and then next year get a phone call from one or another mayors or State's attorneys saying, "Hey, what -- what did you do -- do to me?"

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Opening up this can of worms with people showing up in my office demanding they see their file, they get to go through their file, they get to pick through it and say it wasn't junk and trash, it was just junk." I mean, I -- I really think there's a narrower way to do it, although I appreciate what -- what you're trying to do. I just think it's a -- it should be a narrower focus on it. Thank you, sir.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Senator Haine, that's a point very well taken. And I want to make sure I correct at least one of your concerns. It specifically prohibits an agency from granting access to personal records maintained by an agency, such as a State's attorney, that performs as its principal function any activity pertaining to the prevention, control or reduction of crime. It prevents the disclosure of any information that would lead to the reveal of the source of information to an agency that has a condition of confidentiality; consisting of testing or examination of materials or scoring keys used to -- to determine an -- individual's qualifications for public employment; investigative reports and materials related to civil or criminal actions or administrative proceedings against the individual, which may well include the -- the building and zoning issues; or required to be withheld from the individual by statute or judicial decision. So it is much more narrower than perhaps I presented or came across in the early rounds of questions, and I apologize. But I appreciate you raising those concerns. I

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think because we have dealt with them, that's the reason the Municipal League at this point is -- is neutral. I think we have crafted this in a much more narrow fashion than it was originally proposed.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Willie Delgado.

SENATOR DELGADO:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates he will yield, Senator.

SENATOR DELGADO:

Thank you. Senator Harmon, Section 25 of -- of the bill would limit when government agencies may disclose records that contain personal information. The third listed situation when government agencies may disclose personal records is, quote, "for a routine use". Section 5 {sic} (10) of the bill defines "routine use" as use of the record for a purpose that is compatible with the purpose for which it was collected. Could you give some examples of this quote "routine use" rule?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Pay no attention to the man behind the curtain. We had a little problem with our -- our paperwork here. Thank you, Senator Delgado, for your question for the purposes of legislative intent. One example of the "routine use" rule is when county clerks and other local election authorities collect voter registration information, including addresses and signatures. Today, these government

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bodies commonly disclose this information to candidates for the purpose of electioneering and to persons challenging ballot petitions for purposes of comparing signatures. These disclosures would fall within the "routine use" rule so the bill would allow the continuation of these disclosures. Another example, county assessors and county recorders collect information about residential real estate, such as purchase prices and tax assessments. Today, these government bodies commonly post this information on the Internet to allow the general public to quickly ascertain encumbrances on property or to easily compare tax assessments on comparable properties. Again, these disclosures would fall within the "routine use" rule. So the bill would allow the continuation of these disclosures. These are just two examples. Other activities may well fall under the "routine use" exemption.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Delgado.

SENATOR DELGADO:

Thank you, Mr. President. And also, for my great City of Chicago, Senator Harmon, again for legislative intent, Section 15 of the bill requires government agencies to disclose certain personal records subject to certain exemptions. How would this provision of the bill apply to the City of Chicago's independent police review authority?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Thank you, Senator, for your question. Section 15 (c)(1) of the bill exempts from disclosure

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certain records maintained by a government agency, such as the IPRA, whose principal function include any activities pertaining to the prevention, control, or reduction of crime. This exemption would limit the IPRA's duty to respond to disclosure requests under this bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Delgado.

SENATOR DELGADO:

Thank you, Mr. President. This will be my last question, once again for legislative intent. Senator Harmon, Section 15 of the bill requires government agencies to disclosure certain personal records subject to certain exemptions -- I'm sorry, let me start again. I want to make sure I didn't read this twice. Section 15 of the bill requires government agencies to disclose certain personal records subject to certain exemptions. How would this provision of the bill apply to vital records?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Thank you, Senator, for your question. The Vital Records Act requirements remain law. So, for example, the Vital Records Act prohibits the disclosure of social security numbers on birth certificates to third parties. Section 15 (c)(5) of this bill does not change this or other aspects of the Vital Records Act.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Delgado.

SENATOR DELGADO:

Thank you for those fine answers. Mr. President, I don't

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have any other questions. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Seeing no further discussion, the question is, shall House Bill 4088 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. There are 49 voting Yea, 5 voting Nay, 1 voting Present. House Bill 4088, having received the required constitutional majority, is declared passed. House Bill 4318. Senator Bond. Senator Bond. Out of the record. Turning to page... I'm sorry. Senator Lauzen, for what purpose do you seek recognition?

SENATOR LAUZEN:

Thank you. Just as it's Senator Harmon's morning, I -- I need to rise again to correct the record here on one of my votes. On House Bill 4088, my intention was to vote Yes, not No. I recorded a No vote. My intention was to vote Yes for...

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Lauzen, the record will so reflect. ...to page 53, top of the Order for House Bills 3rd Reading. House Bill 13. Senator Trotter. Out of the record. House Bill 83. Senator Schoenberg. Senator Schoenberg. Senator Schoenberg. 83. Out of the record. House Bill 84. Senator Schoenberg. Out of the record. House Bill 152. Senator Frerichs. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 152.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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Senator Frerichs, to explain the bill.

SENATOR FRERICHS:

Thank you very much, Mr. President. This amendment deletes all and becomes the bill. It provides that when a prescribing physician has indicated on a prescription "may not substitute", a health insurance policy or health care service plan may not require a pharmacist to interchange another immunosuppressant drug without notification and the documented consent of the prescribing physician and patient. This is a bill that we've been working on for quite some time. I worked very closely with Senator Haine and the Insurance Commission {sic}. We think we have agreement on this and would request a favorable vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates he will yield, Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Senator Frerichs, I was contacted about this bill early in the process, weeks ago. And early on there was significant opposition to this legislation. I mean, you're telling us that the bill has changed so that you believe that all of that opposition has been removed. And if it has, tell me specifically what the changes were to remove that opposition, if you would, please.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Frerichs.

SENATOR FRERICHS:

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Over the course of several meetings with all the interested parties who initially came to me as opposed to this bill, we've worked -- we've worked with them to remove their obstacles by basically scaling back the original scope of this. Senator Haine was also involved in these meetings and I think he has some questions for me this as -- about this as well.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine.

SENATOR HAINE:

Mr. President, would the sponsor yield for a series of questions that would establish legislative intent?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates he will yield, Senator Haine.

SENATOR HAINE:

Thank -- thank you, Mr. President. Senator Frerichs, immunosuppressant drugs are used by patients who receive transplanted organs or tissue. Is that correct?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Frerichs.

SENATOR FRERICHS:

That is -- that is correct. Immunosuppressive drugs - 'cause I know that there is a -- a difference between immunosuppressant and immunosuppressive drugs - are used by patients who receive transplanted organs or tissue.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine.

SENATOR HAINE:

My second question, the goal of immunosuppressive drugs is to prevent the patient's body from rejecting the transplanted

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organ or tissue. Is that correct?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Frerichs.

SENATOR FRERICHS:

That is correct.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine.

SENATOR HAINE:

Question number three, can immunosuppressive drugs be used on patients for reasons other than immunosuppressive therapy?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Frerichs.

SENATOR FRERICHS:

Yes, they may.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine.

SENATOR HAINE:

Question number four, House Bill 152 only pertains to immunosuppressive therapy and immunosuppressive drugs when they have been prescribed to a patient to prevent the rejection of a transplanted organ or tissue. Is that correct?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Frerichs.

SENATOR FRERICHS:

Yes, Senator, that is correct.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine.

SENATOR HAINE:

Question number five, if a patient is taking an

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immunosuppressive drug for a reason other than the rejection of an organ or tissue, does this legislation, House Bill 152, apply?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Frerichs.

SENATOR FRERICHS:

No, in that case, it would not apply.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine.

SENATOR HAINE:

Thank you, Mr. President. This is the last question. Does any provision contained within House Bill 152 affect coverage terms as contained within health insurance policies?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Frerichs.

SENATOR FRERICHS:

No, it does not affect terms as contained within health insurance policies.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine.

SENATOR HAINE:

Thank you -- thank you, Mr. President, Ladies and Gentlemen of the Senate. I'd recommend an Aye vote. And I thank Senator Frerichs and Representative Mendoza and all the participants in these lengthy discussions. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Dillard.

SENATOR DILLARD:

Thank you. I just, like Senator Haine, rise. My father

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had a kidney transplant within the last year and I've spent a lot of time with the proponents of this legislation. I commend Senator Frerichs for working this out. This is an important bill that is literally going to save lives. And I would urge an Aye vote. Thanks.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Kotowski.

SENATOR KOTOWSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise as well in strong support of this legislation. And I want to commend Senator Frerichs for his great work on this bill and -- and making it happen, making it a reality. As someone who has lived with epilepsy since I was thirteen and who was subjected to a -- a drug switch this year to a medication that would not, in my opinion, have been as successful in preventing seizures from occurring, I'm very supportive of this type of legislation. And I know it doesn't address my situation, but I think this legislation speaks to what we can do in the future. The fact remains, is that across the country right now and in our State, medications that are working for people are being switched without their consent. And it's very troubling and it's frightening. And so I commend you on your great work. I think this is a terrific job. And I urge a strong Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Frerichs, to close.

SENATOR FRERICHS:

I want to thank the speakers. And I would also request an Aye vote.

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PRESIDING OFFICER: (SENATOR CLAYBORNE)

Seeing no further discussion, the question is, shall House Bill 152 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. There are 57 voting Yea, none voting Nay, none voting Present. House Bill 152, having received the required constitutional majority, is declared passed. House Bill 174. Michael Bond. Michael Bond. Out of the record. House Bill 277. Senator Harmon. Senator Harmon. Out of the record. Turning to the top of page 54. House Bill 13 -- I mean, House Bill 313. Senator Trotter. Out of the record. House Bill 542. Senator Sullivan. Out of the record. House Bill 607. Senator Martinez. Out of the record. House Bill 609. Senator Trotter. Out of the record. House Bill 612. Senator Trotter. Out of the record. House Bill -- 656. Senator Noland. Senator Noland. Out of the record. House Bill 806. Senator Harmon. Senator Harmon. Out of the record. House Bill 821. Senator Cronin. Dan Cronin. Out of the record. House Bill 859. Senator Trotter. Out of the record. House Bill 962. Senator Sullivan. Out of the record. House Bill 991. Senator Trotter. Senator Trotter. House Bill -- out of the record. House Bill 1306. Senator Harmon. Out of the record. Turning to page 60 is -- on the Order of Concurrence is Senate Bill 80. Senator Link. Madam Secretary, read the motion.

SECRETARY ROCK:

I move to nonconcur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 80.

Signed by Senator Link.

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PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Link, to explain.

SENATOR LINK:

Thank you, Mr. President. I nonconcur with Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall the Senate nonconcur in House Amendments 1 and 2 to Senate Bill 80. All those in favor will say -- will say Aye. Opposed, Nay. The Ayes have it. The Senate does not concur in House Amendments 1 and 2 to Senate Bill 80. The Secretary will so inform the House. Senate Bill 314. Senator Martinez. Madam Secretary, read the bill -- read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 3 to Senate Bill 314.

Signed by Senator Martinez.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Martinez, to explain the motion.

SENATOR MARTINEZ:

Thank you. Senate Bill -- House Amendment No. 3 to Senate Bill 314, as passed by the Senate, has become the bill. It amends the Illinois Act on -- on Aging, the State Finance Act and the Older Adult Services Act to create the Long Term Care Ombudsman Fund -- the Long Term Care Ombudsman Fund and the Nursing Home Conversion Fund and the Nursing Home Conversion. It further allows the Department of Public Health to reduce or waive a penalty under the Nursing Home Care Act, provided that such actions will not threaten the -- the ability of the

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Department to meet the expenses mandated to be satisfied by the Long Term Care Monitor/Receiver Fund. Moreover, it gives also the Director of the Department of Public Health authority to relocate {sic} the amount of penalty assessed against a facility for licensure violation. It also mandates a nursing home to submit a written request for a penalty decrease in a manner which includes an accounting of all costs for goods and services purchased in correcting a violation. The amount by which a penalty is reduced may not be greater than the amount of the costs reported by the facility. And then, finally, adds an immediate effective date. And I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendments -- House Amendment No. 3 to Senate Bill 314. All those in favor, vote Aye. Opposed will vote 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 Yea, none voting Nay, none voting Present. House -- Senate Bill 314 having received the required constitutional majority, the Senate does concur in House Amendment No. 3 to Senate Bill 80 {sic}, and the bill is declared passed. Senator Cullerton. Senate Bill 367. Senator Cullerton. President Cullerton. Out of the record. Senate Bill 414. Senate Bill 807. Senator Hunter. Madam Secretary, read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment 1 to Senate Bill 807.

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Signed by Senator Hunter.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Hunter, to explain the motion.

SENATOR HUNTER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This new Amendment 1 to the bill creates a demonstration project for five years, and after the five-year period, becomes the permanent program. And I ask for a Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 807. 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. There are 56 voting Yea, none voting Nay, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 807, and the bill is declared passed. Top of page 61. We'll have leave to come back to Senate Bill 1140. Senate Bill 1298. Senator Link. Senator Link. Madam Secretary, read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1298.

Signed by Senator Link.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Link, to explain the motion.

SENATOR LINK:

Thank you, Mr. President. All this did was -- the

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amendment just took the Racing Board off of the bill, but we did that in another bill. I would ask that we concur with the motion.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Senator Dale Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor -- sponsor indicates he will yield, Senator Righter.

SENATOR RIGHTER:

Senator Link, I assume from your description of the amendment that was put on in the House that the underlying core of the bill with regards to allowing betting on horse racing by Internet or telephone is still part of Senate Bill 1298. That's correct?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Link.

SENATOR LINK:

Yes.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator -- oh, okay. Is there any further discussion? Seeing none, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1298. 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. There are 43 voting Yea, 11 voting Nay, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to

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Senate Bill 1298, and the bill is declared passed. Senate Bill -- I mean, Senate Bill 1333. Senator Cullerton. Senator Cullerton. Out of the record. Senate Bill 1357. Senator Risinger. Madam Secretary, read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1357.

Signed by Senator Risinger.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator -- Senator Risinger, to explain the motion.

SENATOR RISINGER:

Thank you, Mr. President. As you recall, this is the underground utilities - the one-call bill. And what this amendment does, it puts language in to -- says "cease excavation in the area of the damage when the damaged facility is a threat to life or property or...otherwise required by law." It also has language that says "At no time shall a person under this Act be required by a utility facility owner or operator to attempt to repair, clamp, or construct a damaged utility facility." I also, for the record, want to read in some legislative intent: The proposed replacement of the term "personal representative" with the terms "employee or agent" in the definition of "person" is intended to provide clarity for the ICC to enforce the provisions of the Act against the employer and not to provide a means to hold the individual performing the excavation accountable in lieu of the employer in those instances where the excavation was performed by an employee of a company responsible for the excavation. And the existing statute and the revisions now being proposed should not be construed in any manner to

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limit the provisions of the applicability of the Governmental Employees Tort Immunity Act.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1357. 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 Yea, none voting Nay, none voting Present. Having received the required constitutional majority, the Senate does hereby concur in House Amendment No. 1 to Senate Bill 1357, and the bill is declared passed. ...of page 62. Senator Sandoval, on Senate Bill 1434. Madam Secretary, read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1434.

Signed by Senator Sandoval.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Sandoval, to explain the motion.

SENATOR SANDOVAL:

Thank you, Mr. President, Members of the Senate. This concurrence motion is for a measure that has been agreed upon by all the involved parties. First, I want to thank my cosponsor, Senator Dale Risinger, for his work to help produce this agreed-upon bill. We've spent many hours, many meetings trying to get to this compromised bill. These -- with these two House amendments, Senate Bill 1434 provides that Illinois select road materials for pavement projects based on a life-cycle cost

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analysis that has been formed by real data to the extent that the State of Illinois has collected it and not by outdated data. This legislation is consistent with the life-cycle cost analysis laws in other states. All language requests by IDOT have been incorporated into this bill. And IDOT is officially neutral. The cement, concrete and asphalt industries, who supported my dear friend Dale Risinger, are now all in support of this legislation. There is no opposition. I'd like to relieve the balance of my time to my cosponsor, Senator Risinger, to talk about the technical merits of this agreed-upon bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Risinger.

SENATOR RISINGER:

Thank you, Mr. President. I think the sponsor explained that pretty well. This -- this comes about from a decision that the Department made with the industry to look at life-cycle costs some twenty-two years ago. They've been collecting data. The University of Illinois is going to massage that data and upgrade the policies. And we -- we brought everybody to the table. They all are in agreement of the language. And I think this is a good bill and urge an Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Senator Kwame Raoul.

SENATOR RAOUL:

I'm just a little bit confused here. The sponsor yielded time to the other Member -- are we in Congress now or are we in the Illinois State Senate?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

That's Marty Sandoval. Seeing no further discussion, the

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question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 1434. All those in favor will vote Aye. Opposed, Nay. The voting is... Have all voted who wish? Have all voted who wish? Have all voted who wish? There are -- take the record. There are 56 voting Yea, none voting Nay, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments 1 and 2 to Senate Bill 1434, and the bill is declared passed. Senator Trotter. Senate Bill 1448. Madam Secretary, read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1448.

Signed by Senator Trotter.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Trotter, to explain the motion.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. House Amendment No. 1 addresses the Public Utilities Act regarding enterprise loans. The amendment replaces all the language from the underlining {sic} bill and addresses an eligibility category which -- which states that if a business retains at least three hundred full-time jobs in the manufacturing sector in an Illinois area with at least nine percent unemployment and can certify the retention thereof on or before December 31st, 2013, this category would be available to businesses that apply to -- DCEO within ninety days after the effective date. It is a business that is relocating to my community, which has high unemployment. The Finkl plant is moving there. And I ask for its concurrence.

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PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Senator Risinger.

SENATOR RISINGER:

Yes, Mr. President, to the bill: We have lost a lot of manufacturing jobs. I think this is a good bill. I think it's -- it's a situation where we need to keep these jobs in Illinois. And I urge an Aye vote for this bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Seeing no further discussion, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1448. 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. There are 56 voting Yea, none voting Nay, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 1448, and the bill is declared passed. Senator McCarter, for what purpose do you seek recognition?

SENATOR McCARTER:

Yes, I'd like to please ask I be recognized as an Aye vote on Senate Bill 1434.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The record will so reflect, Senator McCarter.

SENATOR McCARTER:

Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senate Bill 1483. Senator Crotty. Senator Crotty. Out of the record. Senate Bill 1486. Senator Demuzio. Madam Secretary, read the motion.

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SECRETARY ROCK:

I move to concur with the House in their adoption of Amendment No. 1 to Senate Bill 1486.

Signed by Senator Demuzio.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator -- Senator Demuzio, to explain the motion.

SENATOR DEMUZIO:

Yes. Thank you, Mr. President. I wish to concur on House Amendment No. 1 that provides that four members of the physician assistant advisory committee shall constitute a quorum, instead of a majority, and a quorum is required to perform all the duties of that committee.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1486. 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. There are 56 voting Yea, 1 Nay, none voting Present. Having received the required constitutional majority, the Senate does hereby concur in House Amendment No. 1 to Senate Bill 1486, and the bill is declared passed. Senator Koehler. Senate Bill 1511. Madam Secretary, read the motion.

SECRETARY ROCK:

I move to concur with the House in their adoption of Amendment No. 1 to Senate Bill 1511.

Signed by Senator Koehler.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Koehler, to explain the motion.

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SENATOR KOTOWSKI:

Yes. Thank you, Mr. President, Members of the Senate. This -- the original bill basically allowed counties to issue occupancy permits. What this amendment does, and -- since the original bill said that there'd be no charge for that, the amendment makes it possible for a county that already has a fee to continue to impose that fee. And I'd ask for the Senate to concur on this.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall the -- shall the Senate concur in House Amendment No. 1 to Senate Bill 1511. 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. There are 56 voting Yea, none voting Nay, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 1511, and the bill is declared passed. Senator Maloney. Senate Bill 1556. Madam Secretary, read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1556.

Signed by Senator Maloney.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Maloney, to explain the motion.

SENATOR MALONEY:

Thank you, Mr. President. Way back in March, Senate Bill 1556 was designed to limit the liability of the IHSA in negligent and tort actions. There was some disagreements,

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specifically with the trial lawyers, so we shelled the bill, so we continued to work on it. It's one of those success stories. The amendment is the result of that work and an agreement between the IHSA and the trial lawyers. The bill now only applies to defamation cases instead of all tort negligent actions. It still does permit against -- suits against the IHSA where actual malice is shown. And the bill does not apply to any pending cases. This provision would apply to situations similar to one that arose in the past where a coach was fired. He sued the school district because he was fired. And -- because the school district had tort immunity, sued the IHSA, they remained in the lawsuit, even though the allegations were against the school district. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1556. All in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There are 56 -- 57 -- 57 voting Yea, none voting Nay, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 1556, and the bill is declared passed. Top of page 63. Senate Bill 1570. Senator Pankau. Madam Secretary, read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1570.

Signed by Senator Pankau.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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Senator -- Senator Pankau, to explain the motion.

SENATOR PANKAU:

Thank you, Mr. President. Senate Bill 1570 creates a revolving loan fund for schools and community colleges if they choose to look at wind and solar energy grants. It's a revolving loan fund, so the House amendment actually changes it from the Department of Commerce and Economic Opportunity to the Illinois Finance Authority. The Illinois Finance Authority also, right now, administers the Fire Truck Revolving Loan Fund. So it was a natural that it would switch from one department that basically issues grants to this department which now will be a revolving loan fund. I ask for your approval.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1570. 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. There are 56 voting Yea, none voting Nay, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 1570, and the bill is declared passed. Senator Jacobs. Senate Bill 1783. Madam Secretary, read the motion.

SECRETARY ROCK:

I move to nonconcur with the House in the adoption of their Amendments 1 and 3 to Senate Bill 1783.

Signed by Senator Jacobs.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Jacobs, to explain the motion.

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SENATOR JACOBS:

Sir, I just nonconcur with -- with the amendment.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall the Senate nonconcur in House Amendment No. 1 and 3 to Senate Bill 1783. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the Senate nonconcur -- the Senate does not concur in House Amendment No. 1 and No. 3 to Senate Bill 1783. The Secretary will -- will so inform the House. Senator Koehler. Senate Bill 1906. Madam Secretary, read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment 3 to Senate Bill 1906.

Signed by Senator Koehler.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Koehler, to explain the motion.

SENATOR KOEHLER:

Yes. Thank you, Mr. President, Members of the Senate. This is a very exciting bill and there's been a lot of work done on it to -- to get us this far. This amendment deletes the bill and replaces it with provisions that promote renewable energy sources. It increases the authorization for certain agricultural assistance from seventy-five million to two hundred and twenty-five million. The bill also extends the Illinois Finance Authority's bonding authority for clean coal projects and renewable energy projects to three billion dollars from -- from 2.7 billion. And it authorizes the Illinois Finance Authority to issue bonds for renewable energy projects, in

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addition to clean coal and energy project which it currently issues. Renewable energy projects include the projects, plants, transmission lines and equipment that are used to generate, store, and transfer electricity. The bill provides the bonding authority for clean coal and renewable energy projects is not limited by other bonding limitations in the Finance Authority Act. This amendment {sic}, as introduced, to give the Illinois Finance Authority the power to provide financing -- originally for financing for projects outside of the -- the State, but that has -- I believe not part of this at this point. So what this does is it really allows the State of Illinois to be very aggressive in getting new jobs into this State around the whole issue of -- of clean energy and renewable energy. And I'd ask for your concurrence on this. I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendment No. 3 to Senate Bill 1906. 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. There are 52 voting Yea, none voting Nay, none voting -- 1 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment No. 3 to Senate Bill 1906, and the bill is declared passed. With leave of the Body, we'll return to Senate Bill 1483. Madam Secretary, read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1, 2, 3 and 4 to Senate Bill -- 1483.

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Signed by Senator Crotty.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Crotty, to explain the motion.

SENATOR CROTTY:

Thank you very much. First of all, House Amendment No. 1 was gutted and replaced with the House Amendment No. 2, which will become the bill. The House Amendment - this is a test - the House Amendment No. 3 just had a technical change. And House Amendment 4 was just some agreed language with the hospitals. So, Amendment No. 2 now will become the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendments 1, 2, 3 and 4 to Senate Bill 1483. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There are 56 voting Yea, none voting Nay, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments 1, 2, 3 and 4 to Senate Bill 1483, and the bill is declared passed. Going back to bottom of page 63 to Senate Bill 1918. Senator Lightford. Senator Lightford. Out of the record. Turning to page 64. At the top of page 64 is Senate Bill 1919. Senator Garrett. Madam Secretary, read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment 1 and 2 to Senate Bill 1919.

Signed by Senator Garrett.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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Senator Garrett, to explain the motion.

SENATOR GARRETT:

Yes. Thank you, again, Mr. President. This motion makes it very clear that except for medications contained in intravenous fluids, syringes, a health care facility, which includes hospitals, nursing homes, residential health care facilities, home health care agencies, hospice programs, mental health facilities, and developmental disability facilities, or any employee, staff, contractor or any individual under the direction or jurisdiction of a health care facility is prohibited from discharging, disposing, flushing, pouring, or emptying any unused medication into a public waterway, collection system or a septic system.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 1919. 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. There are 54 voting Yea, none voting Nay, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments 1 and 2 to Senate Bill 1919, and the bill is declared passed. Senator Martinez. Senate Bill 1925. Madam Secretary, read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1925.

Signed by Senator Martinez.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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Senator Martinez, to explain the motion.

SENATOR MARTINEZ:

Thank you, Mr. President, Members of the Senate. House Amendment No. 1 becomes the bill. It extends the sunset provision for the Illinois Landscape Architect {sic} (Architecture) Act of 1989 and the Auction License Act by ten years. The -- this Act will sunset on January 1st, 2020. The amendment also updates provisions within the professions of landscape architecture and auction. This -- the amendment moves the landscape architect profession from a registered professional -- profession to a licensed profession, but the effect is really the same since it's primarily a title protection. Fines for unlicensed practice and violations of the Act are raised to ten thousand per violation. And I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. I was just wondering if Senator Sullivan will weigh in on this bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine.

SENATOR HAINE:

Thank you, Mr. President. Would the Senator yield for a few questions in order to establish legislative intent?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Yes, Senator "Intent" Bill Haine.

SENATOR HAINE:

Thank you, Mr. President. And, Senator Martinez, in a

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couple of places in the bill, the bill refers to "landscape architect design professional" as a new protected title. We presently have defined in other Acts the term "design professional" for referring to architects and engineers and firms that offer those services. This is not -- it is not the same thing -- landscape architect design professional is not the same thing as the previously referred to design professional, is it?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Martinez.

SENATOR MARTINEZ:

No, Senator Haine, that's different. We are not amending any current law regarding the registration of professional design firms like those referenced in your question. The intent is limited to creating a separate and distinct title for landscape architect design professionals to protect the ability to pursue or perform work currently done by a landscape architect. It does not let anyone new register as a firm or offer services that aren't licensed to engage in.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine.

SENATOR HAINE:

Thank you, Senator Martinez. My second question is, does this bill give the landscape architects a practice Act? In other words, could other landscaping occupations or professions be excluded from doing their present work if this bill becomes law?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Martinez.

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SENATOR MARTINEZ:

No, Senator Haine. Although there is a number of upgrades, this remains a title Act.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine.

SENATOR HAINE:

Thank you, Mr. President. And I congratulate the distinguished Chair of the Licensed Activities Committee on her work on this bill. And I would be recommending a Yes vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any further discussion? Seeing none, the question is shall the Senate concur in House Amendment No. 1 to Senate Bill 1925. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Yea, none voting Nay, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 1925, and the bill is declared passed. Senator -- Senator Dahl, for what purpose do you seek recognition?

SENATOR DAHL:

Thank you, Mr. President. Moment of a personal privilege, please.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point, Senator Dahl.

SENATOR DAHL:

Thank you. Ladies and Gentlemen of the Senate -- excuse me, I have here beside me today Carlos Ortega who has been a Page for two years here in the Senate for us. Carlos has been

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accepted for the summer internship with Congressman Schock in Washington, D.C. He's leaving on the 4th of June, I believe, and will be out there for -- for the summer. And his intention is to -- to be an intern for the summer with -- with the Congressman's office. He's also a -- within Senator Bomke's district. But Carlos went through the application process and the interview process and was accepted, and I think that's a -- a very strong indication of the -- the qualities we have with a young man right here in our Senate. So let's give him a good round of applause and wish him well for the summer.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Congratulations and good luck to you. Senate Bill 1938. Senator Link. Secretary -- Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1, 3 and 4 to Senate Bill 1938.

Signed by Senator Link.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Link, to explain the motion.

SENATOR LINK:

Thank you, Mr. President. This just consolidates all the requests for -- for judges in various circuits throughout the State, in the 13th, 16th, 17th, 18th, 19th and -- I think that's all of 'em. I'll be more than happy to answer any questions on it. I move to concur.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Senator Dale Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates he will yield, Senator Righter.

SENATOR RIGHTER:

Senator Link, I'm not familiar with the circuit numbers as you outlined them there. Can you give a -- the Body a description of how many judges are being added maybe per county or maybe even better per -- per Senate district?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Link.

SENATOR LINK:

Well, we don't have 'em by Senate district. We have 'em by -- by judicial districts. And to make it so you're very clear, there's nine Democrats and nine Republicans. There's eighteen judges -- requests.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter. Any further discussion? Seeing none, the question is, shall the Senate concur in House Amendments 1, 3 and 4 to Senate Bill 1938. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Yea, none voting Nay, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments 1, 3 and 4 to Senate Bill 1938, and the bill is declared passed. Senator Kotowski. Senate Bill 2046. Madam Secretary, read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their

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Amendment No. 1 to Senate Bill 2046.

Signed by Senator Kotowski.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Kotowski, to explain the motion.

SENATOR KOTOWSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Amendment No. 1 to Senate Bill 2046 deletes all and becomes the bill. House Amendment No. 1 eliminates the expansion of the definition of "qualified veteran", which included any veteran that was honorably discharged. And House Amendment No. 1 sets out an initial annual credit of five percent, not to exceed six hundred per employee. For each taxable year beginning on or after January 1st, 2010, the annual credit doubles to ten percent, not to exceed twelve hundred per employee.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 2046. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Yea, none voting Nay, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 2046, and the bill is declared passed. Senator Lauzen. Senate Bill 2090. Madam Secretary, read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 2090.

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Signed by Senator Lauzen.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Lauzen, to explain the motion.

SENATOR LAUZEN:

Thank you, Mr. President. I -- I move to concur on the Amendment No. 1 from the House on Senate Bill 2090. It went over to the House a very simple bill, came back as a very tough bill. It does three things, as I started to explain the other day. It eliminates the Comprehensive {sic} Review Board. If we want a raise in the future, we would have to ask for one. Number two, it requires each of us to take four furlough days, which represents a little over one percent of our pay. So, when we talk with our constituents back home about the need during these austere times for sacrifice, we are leading by example. And finally, it removes our COLA from, I believe, the 2010 budget. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Lauzen.

SENATOR LAUZEN:

Mr. President, I appreciate your indulgence. This is maybe the -- this is the second day that we've, you know, taken this out of the record. This must be a very complicated bill. But, you know, I would like to pattern the same type of flexibility, and working as a whole team here in the Senate, I'd like to take this out of the record for a little while until some of the folks who want to participate in the debate can do that and they feel comfortable. And I hope...

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Thank you...

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SENATOR LAUZEN:

Do I -- and I understand that we will come back to this order of business at some point?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

I'm sure we will, Senator Lauzen. Out of the record. Senator -- Senator Harmon, on Senate Bill 2115. Madam Secretary, read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 2115.

Signed by Senator Harmon.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon, to explain the motion.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The underlying bill that -- well, we passed a bill out of the Senate, Senate Bill 255 -- or House Bill 255 -- let me start over. I apologize. The Senate took up QTIP legislation that would fix a glitch in the estate tax that would penalize married couples with estates worth more than two million dollars. If we don't act on this now, we will lose the ability to coordinate with the federal law. That bill was used instead as a part of the capital package. The House has rescued it by attaching it as an amendment to 2115. And I'm not aware of any concern, but I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Senator Dillard.

SENATOR DILLARD:

Thank you. My Leadership over here says we have some

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unanswered questions about this bill, and would request the sponsor to take it out of the record.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. I'd be happy to take it out of the record till we can have that conversation.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The Senate Bill 2115 out of the record. Senator Harmon in the Chair.

PRESIDING OFFICER: (SENATOR HARMON)

With leave of the Body, we are going to return to the top of page 61, still on the Order of Secretary's Desk, Concurrences, with Senate Bill 1140. Senator Clayborne. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1140.

Signed by Senator Clayborne.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Clayborne, to explain your motion.

SENATOR CLAYBORNE:

House Amendment No. 1 is an initiative of Ameren. And -- and the only change is -- it makes to the bill is that it explicitly states that customers of an electric utility that had not previously deemed -- had not previously been deemed eligible cannot thereby become eligible to receive credits. It only applies -- applies prospectively to customers who purchase from a supplier other than the electric utility providing rate

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relief. Basically, the original bill allowed for the credits from the one billion dollars of rate relief to follow those individuals when they chose another supplier.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendments No. -- House Amendment No. 1 to Senate Bill 1140. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, none voting Nay, none voting Present. And the motion having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 1140, and the bill is declared passed. Ladies and Gentlemen of the Senate, we're turning to page 58 on your printed Calendars, at the bottom of the page, on the Order of Secretary's Desk, Resolutions. Senate Resolution 93. Senator Wilhelmi. Madam Secretary, please read the resolution.

SECRETARY ROCK:

Senate Resolution 93, offered by Senator Wilhelmi.
Floor Amendment 2, offered by Senator Wilhelmi.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Wilhelmi.

SENATOR WILHELMI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Floor Amendment No. 2 to Senate Resolution 93 changes the appointment duties in creating the Re-sellers' Electronic Reporting Task Force. With the amendment, part of the Governor's {sic} appointment obligations will be given to the

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Senate President and the Minority Leader of the Senate, who would each get six appointments, in addition to one Member of the Senate on -- in our caucus and one Member of the Senate from the Republican Caucus. I ask for your support.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Wilhelmi has moved for the adoption of Floor Amendment No. 2 to Senate Resolution 93. Is there any discussion? Seeing none, the -- all in favor will say Aye. Opposed, Nay. In the opinion of the Chair, the Ayes have it, and the motion -- the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HARMON)

Then, Senator Wilhelmi, to the resolution.

SENATOR WILHELMI:

Thank you, Mr. -- Mr. President. Senate Resolution 93 creates the Re-sellers' Electronic Reporting Task Force to study the various systems, technologies, and methodologies of operation for providing law enforcement with timely access to information relating to the sales of personal property by pawnbrokers, auction services, consignment sellers, and other resellers. The Task Force is to report recommendations regarding the systems and technologies, together with their usage and potential funding mechanisms and sources, excuse me, to create a statewide system for the collection of sales-related information by pawnbrokers, auction services, consignment sellers, and other resellers. I already discussed the appointment process between the Governor and the -- and the

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Senate. I have -- know of no opposition. I think this is a good effort to make sure that we're getting the proper information to law enforcement related to pawnbrokers and other such sellers. I ask for your support.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Seeing none, the question is, shall Senate Resolution 93 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, none voting Nay, none voting Present. And Senate Resolution 93, having received the required constitutional majority, is declared adopted. Senate Resolution 127. Senator Luechtefeld. Senator Luechtefeld, do you wish to proceed? On the top of page 59, Senate Resolution 179. Senator Cullerton. Senate Resolution 190. Senator Clayborne. Senator Clayborne, are you prepared to proceed? Senate Resolution 237. Senator Raoul. Madam Secretary, please read the resolution.

SECRETARY ROCK:

Senate Resolution 237, offered by Senator Raoul.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Raoul.

SENATOR RAOUL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Resolution 237 is a statement of continued support for the survivors of the 1921 Tulsa, Oklahoma race riot, where a community in Tulsa was bombed, burned, looted, and destroyed in less than ten hours. And this is a statement of support for the survivors of the riot.

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PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Seeing none, the question is, shall Senate Resolution 237 pass. All in favor, say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Senate Resolution 244. Senator Link. Madam Secretary, please read the resolution.

SECRETARY ROCK:

Senate Resolution 244, offered by Senator Link.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. This is a resolution seeking that the United States Congress designate the month of March, 2010 as National Essential Tremors {sic} (Tremor) Awareness Month for the purpose of aware -- arising awareness to the nation's number one neurological condition, essential tremors, affecting approximately ten million Americans. I just want to say, on a personal note, that this is something very near and dear to my heart, as I've been afflicted with this for most of my life. This is something that can be misdiagnosed for Parkinson's disease. And it affects more than ten million Americans, especially people from the age of forty to sixty years old. I know of no -- no opposition. I would ask for a affirmative vote.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any -- any discussion? Seeing none, the question is, shall Senate Resolution 244 pass. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the resolution is declared adopted. Senate Resolution 249. Senator Risinger.

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Madam Secretary, please read the resolution.

SECRETARY ROCK:

Senate Resolution 249, offered by Senator Risinger.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Risinger.

SENATOR RISINGER:

Thank you, Mr. President. This resolution would designate the date of September 11th as "Tee it Up for the Troops Day". This -- this started in Minnesota in 2005. It has spread to more than thirty-three states now. It raises money for fallen soldiers or wounded soldiers and their families. It allows golfers to contribute to their needs. And I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Seeing none, the question is, shall Senate Resolution 249 pass. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the resolution is declared adopted. Senator Koehler, on Senate Resolution 254. Madam Secretary, please read the resolution.

SECRETARY ROCK:

Senate Resolution 254, offered by Senator Koehler.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Koehler.

SENATOR KOEHLER:

Yes. Thank you, Mr. President, Members of the Senate. This is a resolution that I think is particularly important and meaningful in -- in that it's coming from the Illinois Senate. This is a -- a resolution that recognizes the urgent need for a national solution to a healthcare crisis that meets key criteria

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for comprehensive healthcare reform set forth by the -- President Obama and Health Care for America Now. This resolution also encourage local governments, families, providers, and businesses across Illinois to work together in 2009 with the newly elected President Obama, the Illinois Congressional delegation, and the leaders of the U.S. Congress to guarantee quality, affordable healthcare for everyone in our State and across the country. And I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR DILLARD:

Thank you. Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR HARMON)

Sponsor indicates he will yield. Senator Dillard.

SENATOR DILLARD:

So, I -- I'm looking at our analysis, Senator. I have not read the resolution's language itself. Does this put us on record for big, full-blown universal health care?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Koehler.

SENATOR KOEHLER:

No, it does not. It really is a -- is an appeal to the Congress to work together to provide a solution. It doesn't call for a single-payer system. It -- it just says we have a crisis and would like to ask you to respond.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Dillard.

SENATOR DILLARD:

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So, with respect to our -- our former colleague, the -- the current President of the United States, does he have a -- a current plan or proposal that's out there in writing on -- on nationalization of our health care or -- or not?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Koehler.

SENATOR KOEHLER:

No, there's not a specific plan, as such, but there are certain -- certainly some -- some goals that have been outlined - that the coverage is predictable and affordable; that the system that -- that is put in place set forth rules on insurance companies' practices and charges; and talks about equity in healthcare access, treatment, research; talks about a choice of insurance plans for -- for the public; and, most importantly, it talks about affordable coverage and care.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Dillard, do you have any further questions?
Senator Dillard.

SENATOR DILLARD:

Yeah, I guess one of my basic questions on any of this discussion on nationalization of health care or socialized medicine is, will we be able to pick our own doctor or are we going to be assigned a doctor from the government?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Koehler.

SENATOR KOEHLER:

This talks about choice as one of the goals, that, you know, we should have that choice as consumers. So, again, this is a very broad -- and this is not - to use your language -

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socialized medicine. We're talking about, really, I think, a public-private partnership. I mean, I have a bill that has -- filed that we're going to work on over the summer in case the federal government does not come up with a solution. We can't avoid this discussion any longer. So, this is calling for our President and our Congressional leaders to take the bull by the horn and -- and have these discussions and hopefully to make a plan that's workable. Means it's a bipartisan plan and it involves both the public and the private sectors working together.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Jones, are you seeking recognition?

SENATOR J. JONES:

Thank you -- thank you, Mr. President. Just to ask for a roll call on the motion. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

That request is in order. Thank you, Senator Jones. Senator Delgado, for what purpose do you seek recognition?

SENATOR DELGADO:

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

PRESIDING OFFICER: (SENATOR HARMON)

The sponsor indicates that he'll yield. Senator Delgado.

SENATOR DELGADO:

Thank you. Senator Koehler, I want to -- first of all, the question I'd ask to you, are you familiar with the Health Care Justice Act of 2004 that was run here in Illinois?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Koehler.

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SENATOR KOEHLER:

Yeah, not only am I aware of it, I was the vice chairman of that task force, and I know your involvement as one of the sponsors in the House of that, along with Senator Obama at that point.

PRESIDING OFFICER: (SENATOR HARMON)

Senator -- Senator Delgado.

SENATOR DELGADO:

And when that -- the Health Care Justice Act of 2004 -- which, thank you, by the way, I was the chief sponsor as the Chairman of Human Services in the House of Representatives, and here in your -- in -- in our Chamber, Senator Barack Obama, at the time, was the Chairman of your Human Services Committee, and together -- Senator Koehler was not elected yet -- I'm sorry, Mr. President. To the bill -- or to the resolution: We all were asked to come down to SIU and we met with the great, great Paul Simon - bless his soul - and -- bringing people together to try to determine how are we going to fix our healthcare crisis - I'm the current Chairman of Public Health here in the Senate - and to find a way that we can figure out -- at least to have a task force to determine under the Health Care Justice Act of 2004 to be able to bring some -- some -- some common sense to this - because we hear labels that scare people. And what the truth is, one of the folks that worked for the Department of Human Services here, who is a product of Ireland, said, well, she's a product of health care for all, because in Ireland you can have everyone -- they have what someone called socialized medicine. Well, no, it's health care for all people because it's a necessary need, and other countries have done the same.

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Also -- to the bill, Mr. President, and I'll be brief here, is that we know that we're trying -- this is not new. What the President is trying to do and what we're trying to urge comes from a history from Illinois and this consistency taking it to a national level is a final solution. We had over -- what, how many hearings did you have with this particular commission, Senator Koehler?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Koehler.

SENATOR KOEHLER:

Yes. We had one meeting in every Congressional district throughout the State, plus several. So I think we had twenty-two hearings statewide.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Delgado.

SENATOR DELGADO:

And is it true that every part of the society was part of that commission - the insurance industry, et cetera, et cetera?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Koehler.

SENATOR KOEHLER:

Yes, there was a very broad base of testimony that was gathered.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Delgado.

SENATOR DELGADO:

Thank you, Mr. President. I just want to commend the sponsor and -- and for -- not only that, I -- I knew that he was leading the commission that we helped create before he got

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elected. Now he's here as a State Senator trying to be consistent and continue to work. And as we talk about it nationally, this is not new. And I'm looking forward as I continue to network with the White House and others as to how we bring this together on a national level. And let's start talking to our National Council of State Legislators and find out from all of your colleagues that this is a very, very popular idea to make it as inexpensive as possible. Because for having -- because we know it's a very costly proposition. However, we -- between us we can find a solution, because anything difficult is worth doing. And the Health Care Justice Act of 2004 is now a product here; his -- his name is Senator Koehler. And I would ask you to please support Senate Resolution 254 as a small beginning in trying to have a -- an intelligent dialogue to help our citizens and our families stay healthy. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Senator Koehler, do you wish to close?

SENATOR KOEHLER:

Yes, I do, Mr. President. Thank you. I would appreciate a -- a bipartisan support on this and -- and let me tell you why, because status quo is really not acceptable in this -- in this issue anymore. We have anywhere between 1.4 and 1.7 million people in Illinois that do not have adequate health care coverage. I have, you know, certainly offended people on the side of socialized medicine who have asked for a single-payer system. And if you have ever read the actual report of the health care task force, we didn't go down that path. We said let's develop a public-private partnership - meaning that we

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encourage the providers, the insurance industry, all those that participate in the health care system to become part of the solution. And so status quo is no longer appropriate. In fact, it's harmful. And if we continue to not work together and not support a bipartisan solution to this thing, we will drive the proponents of single-payer system to finally have their day. So this is an appeal to work together in a bipartisan way to get something done. And let's do it at a national level. I appreciate your vote.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Senator John Jones has requested a roll call. The question is, shall Senate Resolution 254 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 40 voting Aye, 5 voting No, 2 voting Present. And Senate Resolution 254, having received the required constitutional majority, is declared adopted. The Senate will stand at ease for a few minutes to allow the Committee on Assignments to meet. The members of the Committee on Assignments will please come to the President's Anteroom immediately. The Senate will stand at ease.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR HARMON)

Madam Secretary, Messages.

SECRETARY ROCK:

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

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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 445, a bill...

Which -- which amendment is as follows:

Senate Amendment 3.

Non-concurred in by the House, May 28th, 2009. Mark Mahoney, Clerk of the House.

PRESIDING OFFICER: (SENATOR HARMON)

The Senate will again stand at ease for a few minutes.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR HARMON)

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

SECRETARY ROCK:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to the Criminal Law Committee - Motion to Concur with House Amendment 1 and House Amendment 3 to Senate Bill 1030, Motion to Concur with House Amendment 1 and House Amendment 2 to Senate Bill 1579, and Motion to Recede from Senate Amendment 3 to House Bill 445; refer to the Executive Committee - Motion to Concur with House Amendment 1 to Senate Bill 1350, Motion to Concur with House Amendment 1 to Senate Bill 1934, Motion to Concur with House Amendment 1 to Senate Bill 1342, Motion to Concur with House Amendment 1 and House

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Amendment 2 to Senate Bill 2172, Floor Amendment 2 to House Bill 3606, and Floor Amendment 2 and Floor Amendment 3 to House Bill 174, Floor Amendment 2 to Senate Bill 2196 and Floor Amendment 1 to Senate Bill 2206; refer to the Licensed Activity {sic} (Activities) Committee - Motion to Concur with House Amendment 1 and House Amendment 3 to Senate Bill 1267; refer to the Revenue Committee - Motion to Concur with House Amendment 1 to Senate Bill 1739; refer to the State Government and Veterans Affairs {sic} (Affairs) Committee - Senate Resolution 303, 306, and Joint Resolution 68, Senate Joint Resolution 71, Senate Joint Resolution 72, House Joint Resolution 5, House Joint Resolution 6, House Joint Resolution 46, House Joint Resolution 48, House Joint Resolution 50 and House Joint Resolution 53; refer to the Transportation Committee - Motion to Concur with House Amendment 1 and House Amendment 2 to Senate Bill 414 and Motion to Recede from Senate Amendment 1 and Senate Amendment 3 to House Bill 797; re-referred from the Pensions and Investments Committee to the Executive Committee - Floor Amendment 1 and Floor Amendment 2 to House Bill 2643; Be Approved for Consideration - Motion to Concur with House Amendment 1 to Senate Bill 38 and Floor Amendment 2 to Senate Resolution 273.

Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Steans, are you seeking recognition?

SENATOR STEANS:

Mr. President, Ladies and Gentlemen of the Senate, I move to waive all posting requirements so that Senate -- House Joint Resolution 50 can be heard in the Senate Committee on State Government today at 3:45 p.m. Can I announce another one? Mr.

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President, Ladies and Gentlemen of the Senate, I move to waive all posting requirements so that Senate Joint Resolution 71 can be heard at the State -- on the -- Senate Committee on State Government today at 3:45 p.m.

PRESIDING OFFICER: (SENATOR HARMON)

You've heard the lady's motion. Is there any discussion? Senator Althoff, are you seeking to speak on this -- no. All in favor will say Aye. Opposed, Nay. Senator Steans has moved to waive the posting requirements so that Senate Joint Resolution 71 and Senate Joint Resolution 50 can -- I'm sorry, House Joint Resolution 50 can be heard today in the Senate Committee on State Government at 3:45 p.m. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the motion is adopted. Senator Martinez, for what purpose are you seeking recognition?

SENATOR MARTINEZ:

Thank you, Mr. President. For -- for purpose of an announcement. Is it an announcement? It's a purpose of...

PRESIDING OFFICER: (SENATOR HARMON)

Please -- please state your motion, Senator.

SENATOR MARTINEZ:

Thank you. The motion -- I'm sorry, the motion. Ladies and Gentlemen of the Senate, I move to waive all posting requirements so that Senate Resolution 306 can be heard in the State -- in the -- the Senate Committee on State Government today at 3:45.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Martinez moves to waive all posting requirements so that Senate Resolution 306 can be heard in the Senate Committee on State Government today at 3:45 p.m. All those in favor will

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say Aye. Opposed, Nay. The Ayes have it, and the motion is adopted. Senator Althoff, for what purpose do you seek recognition?

SENATOR ALTHOFF:

Thank you, Mr. President. I, too, would like to move that all posting requirements be waived so that House Joint Resolution 49 can be heard in State Government and Veterans Affair {sic} (Affairs) at 3:45 today.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Althoff has moved to waive all posting requirements so that House Joint Resolution 49 can be heard today.. Senator Althoff, are you moving on House Joint Resolution 48 or 49? Senator Althoff has moved to waive all posting requirements so that House Joint Resolution 46 can be heard -- in the Senate Committee on State Government today at 3:45 p.m. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the motion is adopted. Senator Maloney, for what purpose do you rise?

SENATOR MALONEY:

Thank you, Mr. President. I would like to move to waive all posting requirements so that House Joint Resolution 6 could be held in State Government Committee today at 3:45.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Maloney moves to waive all posting requirements so that House Joint Resolution 6 can be heard in the Senate Committee on State Government today at 3:45 p.m. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the motion is adopted. Senator Collins, for what purpose do you rise?

SENATOR COLLINS:

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Thank you, Mr. President. I would like to move to waive all posting requirements so that Senate Joint Resolution 68 and Senate Joint Resolution 72 can be heard in the Senate Committee on State Government today at 3:45.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Collins moves to waive all posting requirements so that Senate Joint Resolution 68 and Senate Joint Resolution 72 can be heard in the Senate Committee on State Government today at 3:45 p.m. All those in favor will say Aye. Opposed, say Nay. The Ayes have it, and the motion is adopted. Senator Hutchinson, for what purpose do you rise?

SENATOR HUTCHINSON:

Thank you, Mr. President. I, too, move to waive all posting requirements so that Senate Resolution 303 can be heard in the Senate Committee on State Government today at 3:45.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hutchinson moves to waive all posting requirements so that Senate Joint Resolution 303 can be heard today in the Senate Committee on State Government -- I apologize, let me restate that motion one more time. Senator Hutchinson moves to waive all posting requirements so that Senate Resolution 303 can be heard in the Senate Committee on State Government today at 3:45 p.m. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the motion is adopted. Senator Delgado, for what purpose do you rise?

SENATOR DELGADO:

Thank you, Mr. President. To also waive -- I move the Senate to waive all posting requirements so that House Joint Resolution No. 5 can be heard in Senate Committee on State

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Government today at 3:45 p.m.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Delgado moves to waive all posting requirements so that House Joint Resolution 5 can be heard today in the Senate Committee on State Government at 3:45 p.m. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the motion is adopted. Senator Jacobs, for what purpose do you rise?

SENATOR JACOBS:

Thank you, Mr. President. I rise to waive the posting requirements for House Resolution 53 so it can be heard today in the Senate Committee on State Government.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Jacobs, do you wish to restate your motion?

SENATOR JACOBS:

That's House Joint Resolution 53 on State -- in -- in State Government today at 3:45.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Jacobs moves to waive all posting requirements so that House Joint Resolution 53 can be heard in the State Government Committee today at 3:45 p.m. All those in favor, say Aye. Opposed, say Nay. The Ayes have it, and the motion is adopted. Senator Garrett, are you seeking recognition? Senator Garrett, you are seeking recognition.

SENATOR GARRETT:

Yes. Yes, I am. I'm sorry. Just a little disorganized. I want to move to waive all posting requirements so House Joint Resolution 48 can be heard in the Senate Committee on State Government today at 3:45.

PRESIDING OFFICER: (SENATOR HARMON)

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Senator Garrett moves to waive all posting requirements so that House Joint Resolution 48 can be heard in the Senate Committee on State Government today at 3:45 p.m. All in favor will say Aye. Opposed, say Nay. The Ayes have it, and the motion is adopted. Ladies and Gentlemen of the Senate, the Senate Committee on Assignments will meet again in a few minutes in the President's Anteroom. If the members of the Senate Committee on Assignments can assemble in the President's Anteroom, there will be a follow-up meeting on the Senate Committee on Assignments. Reasonable notice having been given pursuant to our rules, the Senate will stand at ease for a few minutes to allow the Committee on Assignments to meet. The members of the Committee on Assignments will come to the President's Anteroom immediately. The Senate will stand at ease.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR HARMON)

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

SECRETARY ROCK:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Re-referred from the Executive Committee to the Education Committee - Floor Amendment 2 and Floor Amendment 3 to House Bill 174.

Signed by Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR HARMON)

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Ladies and Gentlemen of the Senate, with leave of the Body, I'm going to announce the times and locations for our committee meetings this afternoon. Beginning at 2:45 p.m. today, the Criminal Law Committee will meet in Room 212. That's 2:45 p.m. today. At 3 p.m. today, the Senate Executive Committee will meet in Room 212; the Senate Revenue Committee will meet in Room 400; and the Licensed Activities Committee will meet in Room 409. All at 3 p.m. - the Senate Executive Committee, Senate Revenue Committee and the Senate Committee on Licensed Activities. At 3:30 p.m. today, the Senate Transportation Committee will meet in Room 400. And also at 3:30 today, the Senate Education Committee will meet in Room 409. Finally, at 3:45 p.m. today, the Senate Committee on State Government and Veterans Affairs will meet in Room 409. The Senate will stand in recess to the call... Senator Crotty, for what purpose do you rise?

SENATOR CROTTY:

Thank you very much. At this time, the Democrats are requesting a caucus meeting immediately in the President's Office.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Crotty, that request is always in order. Senator Syverson, for what purpose do you seek recognition?

SENATOR SYVERSON:

Thank you, Mr. President. We would likewise call for a caucus as well. Thank you very much.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. That request is in order. Both caucuses will be caucusing. And the Senate will stand in recess

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to the call of the Chair. After committee meetings, the Senate will reconvene to receive Committee Reports and for further Floor action. The Senate stands in recess.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR HENDON)

The Senate will come to order. Will all Senators under the sound of my voice please come to the Senate Floor? Will all administrative assistants please inform your Senator that we're back in Session? The Senate will come to order. We will need all Senators on the Senate Floor immediately. We have substantial Senate business to do tonight and the Presiding Officer would appreciate if you are -- could come down immediately. Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Noland, Chairperson of the Committee on Criminal Law, reports Motions to Concur with House Amendments 1 and 3 to Senate Bill 1030, House Amendments 1 and 2 to Senate Bill 1579, and Motion to Recede with Senate Amendment 3 to House Bill 445 recommended Do Adopt.

Senator Silverstein, Chairman of the Committee on Executive, reports Senate Amendment 2 to House Bill 3606, Motion to Concur with House Amendment 1 to Senate Bill 1342, House Amendment 1 to Senate Bill 1350, House Amendment 1 to Senate Bill 1934 and House Amendments 1 and 2 to Senate Bill 2172 recommended Do Adopt.

Senator Martinez, Chairman of the Committee on Licensed Activities, reports Motion to Concur with House Amendment 1 and

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3 to Senate Bill 1267 recommended Do Adopt.

Senator Viverito, Chairperson of the Committee on Revenue, reports Motion to Concur with House Amendment 1 to Senate Bill 1739 recommended Do Adopt.

Senator Meeks, Chairperson of the Committee on Education, reports Senate Amendments 2 and 3 to Senate Bill -- House -- I'm sorry, Senate Amendments 2 and 3 to House Bill 174 recommended Do Adopt.

Senator Sandoval, Chairperson of the Committee on Transportation, reports Motion to Recede with Senate Amendments 1 and 3 to House Bill 797 recommended Do Adopt.

Senator Demuzio, Chairperson of the Committee on State Government and Veterans Affairs, reports Senate Resolutions 303 and 306 Be Adopted; Senate Joint Resolutions 68, 71 and 72 Be Adopted; and House Joint Resolutions 5, 6, 46, 48, 50 and 53 Be Adopted.

PRESIDING OFFICER: (SENATOR HENDON)

The Senate is back in Session. Would all Senators under the sound of my voice please come to the Senate Floor? Would all administrative assistants please let your Senator know we are back in Session? We're going to go to substantial Senate action. This is final action. If you have legislation that you want moved, I recommend that you come to the Senate Floor immediately. Madam Secretary, Messages from the House.

SECRETARY ROCK:

A Message from the House by Mr. Mahoney, 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:

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Senate Bill 1602

(Secretary reads title of bill)

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

House Amendment 1 and House Amendment 4.

We have received like Messages on Senate Bill 1623, with House Amendments 1 and 2; Senate Bill 1928, with House Amendment 1; Senate Bill 1984, with House Amendment 3; Senate Bill 1995, with House Amendment 1 and 5; Senate Bill 2057, with House Amendment 1 and 2; Senate Bill 2116, with House Amendment 1 and 2.

All passed the House, as amended, May 30th, 2009. Mark Mahoney, Clerk of the House.

PRESIDING OFFICER: (SENATOR HENDON)

Will all Senators under the sound of my voice please come to the Senate Floor? Will all Senators under the sound of my voice please come to the Senate Floor? We are back in Session. Madam Secretary, Messages from the Treasurer.

SECRETARY ROCK:

Senate President and Honorable Members, Illinois State Senate, 96th General Assembly - I am nominating John Stremsterfer to the Charitable Trust Stabilization Committee. I respectfully ask concurrence in and confirmation of this appointment by your Honorable Body.

Signed, Alexi Giannoulis, Illinois State Treasurer.

PRESIDING OFFICER: (SENATOR HENDON)

We need you to turn your Calendar -- Madam Secretary.

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Received May 27th, 2009.

I have likes Messages for the same committee for four different persons. For Bruce Karmazin, Reverend Doctor Sid Mohn, and Trinita Logue and William Isaac McCoy, all to the Charitable Trust Stabilization Committee.

All received May 27th, 2009. Alexi Giannoulis, Illinois State Treasurer.

PRESIDING OFFICER: (SENATOR HENDON)

Will all Members under the sound of my voice please come to the Senate Floor? Will all Members under the sound of my voice please come to the Senate Floor? We are back in Session. We're going to page 51 of your Calendar. So we need all Senators to come to the Senate Floor. Madam Secretary. Madam Secretary, Constitutional Amendments. Reading it for the first time. Madam Secretary.

SECRETARY ROCK:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has passed a House Joint Resolution Constitutional Amendment of the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Joint Resolution Constitutional Amendment 31.

Offered by Senators Noland and Garrett.

(Secretary reads HJRCA No. 31)

Passed the House, May 30th, 2009. Mark Mahoney, Clerk of the House.

PRESIDING OFFICER: (SENATOR HENDON)

Please turn to page 51 of your Calendar. Bottom of page

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51. On the Order of 3rd Reading, Senate Bill 2190. Senate Bill 2190. Senator Bomke, on Senate Bill 2190. Madam Secretary, read the bill. Senator Bomke seeks leave of the Body to return Senate Bill 2190 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 2190. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Bomke.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Bomke.

SENATOR BOMKE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment 1 becomes the bill. The bill would provide that a commission formed by a municipality that establishes a joint water commission may issue an -- alternate bonds as required by Section 15 of the Local Government Debt Reform Act.

PRESIDING OFFICER: (SENATOR HENDON)

Any discussion? All those in favor, say Aye. Opposed, say Nay. The Ayes have it, and the amendment is adopted. Have there been any Floor -- Floor -- further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 2190. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 2190.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

The Chair would appreciate succinct descriptions, questions on all legislation tonight. We have a heavy load. Senator Bomke.

SENATOR BOMKE:

Thank you, Mr. President. I explained the amendment. I would appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 2190 pass. All those in favor will vote Aye. Opposed, vote 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 Nay, none voting Present. Senate Bill 2190, having received the required constitutional majority, is declared passed. Senate Bill -- we're going to go to the Order of Resolutions on page 59. Senate Resolution 273. 273. Senator Holmes. Madam Secretary, read the resolution. Senator Holmes seeks leave of the Body to return...

SECRETARY ROCK:

Senate...

PRESIDING OFFICER: (SENATOR HENDON)

There -- there -- Madam Secretary, read the amendments.

SECRETARY ROCK:

Senate Resolution 273, offered by Senator Holmes.
Floor Amendment 2, offered by Senator Holmes.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Holmes.

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SENATOR HOLMES:

Yes, Floor...

PRESIDING OFFICER: (SENATOR HENDON)

To explain your amendments.

SENATOR HOLMES:

Thank you. Floor Amendment 2 deletes a paragraph. It was just some background information that CN Railroad thought was not true, so we took it out of the resolution.

PRESIDING OFFICER: (SENATOR HENDON)

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

SECRETARY ROCK:

Floor Amendment 3, offered by Senator Holmes.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Holmes.

SENATOR HOLMES:

Floor Amendment 3 rewrites a paragraph. It basically said to inform President Obama to give consideration to private entities in the programming of railroad funds and rail-to-road grade separation project funds. That was versus the original language which said to show preference.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, all those in favor will say Aye. Opposed, say Nay. The Ayes have it. To the resolution. Senator Holmes, to the resolution.

SENATOR HOLMES:

Thank you. The resolution basically urges the President to

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appoint a new Surface Transportation Board member to fill an expected vacancy. It's a three-member board. And basically what they're looking for is somebody who will take into consideration the community impacts when evaluating railroad acquisitions and mergers.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, all those in favor will say Aye. Opposed, say Nay. The Ayes have it, and the resolution is adopted. Senate Joint Resolution 30. Senator Steans. Madam Secretary.

SECRETARY ROCK:

Senate Joint Resolution 30, offered by Senator Steans. The Committee on State Government and Veterans Affairs adopted Committee Amendments 1 and 3.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Steans.

SENATOR STEANS:

Yes. Thank you, Mr. President, Members of the Senate. This is sort of déjà vu all over again. We had actually already voted on this bill, but it had been recorded incorrectly so we're now asking for another vote. This indicates that there will be a seven-year plan put in place with benchmarks to identify -- that it's going to be done - excuse me - by the Department of Human Services, Division of Developmental Disabilities to provide an annual report on the implementation plan on how to move services and resources for folks with developmental disabilities into a community-based setting.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, all those in favor

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will say Aye. Opposed, say Nay. The Ayes have it, and the motion is adopted. Senate Resolution 48. Senator Steans. Out of the record. Senate Resolution 62. Senator Bomke. This resolution will require a roll call, because it causes the State to appropriate funds and spend money. Madam Secretary, read the resolution.

SECRETARY ROCK:

Senate Joint Resolution 62, offered by Senator Bomke.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Bomke.

SENATOR BOMKE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Joint Resolution 62 designates as -- the Abraham Lincoln and Springfield to Peoria Stage Road. This is the route which Lincoln traveled as an attorney, traveled in the Eight Judicial Circuit, and when he ran for President of the United States.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, all those in favor will say Aye. Opposed, say Nay. The Ayes have it, and the resolution -- this one requires a roll call. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. Senate Joint Resolution 62, having received the required constitutional majority, is declared passed. Senate Joint Resolution 63. Senator Garrett. Senator Garrett, on 63. Madam Secretary, read the resolution, Senate Joint Resolution 63.

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Senate Joint Resolution 63, offered by Senator Garrett.

PRESIDING OFFICER: (SENATOR HENDON)

This resolution requires a roll call as -- as well, a recorded vote. Senator Garrett, on the resolution.

SENATOR GARRETT:

Yes. Thank you very much, Mr. President. This resolution creates the Clean Water Commission in order to affirm the importance of clean and safe water in the State. The resolution determines that the commission will be comprised of seventeen appointed members and designees who will appoint the membership. In cooperation with the IEPA, the commission is to have select State waters tested quarterly for the presence of pharmaceuticals and contaminants that may be harmful to human health or the environment. And I'd be happy to...

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, this requires a roll call vote and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. Senate Joint Resolution 63, having received the required constitutional majority, is declared passed. Senate Joint -- House Joint Resolution 2. SJR 65. Senator Steans. Madam -- Madam Secretary, read the resolution.

SECRETARY ROCK:

Senate Joint Resolution 65, offered by Senator Steans.

PRESIDING OFFICER: (SENATOR HENDON)

This joint resolution will also require a roll call -- vote because of expenditure required of State funds. Senator Steans.

SENATOR STEANS:

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Yes. Thank you, Mr. President, Members of the Senate. Senate Joint Resolution 65 requests that the State Board of Education and Human Services School Health Program and Department of Public Health put together a task force to study comprehensively the needs of students regarding health care. Puts together a task force. They'll develop recommendations for the General Assembly by January 1st, 2010. There have been a number of bills that have come before us that we haven't been able to resolve, in terms of how to handle student health challenges. So this now is desired to put in place a group to take a look at how are we handling the health care needs of kids in schools.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, all those -- this requires a roll call vote. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take -- take the record. On that -- on that question, there are 57 voting Aye, none voting Nay, none voting Present. House Joint Resolution 65, having received the required constitutional majority, is declared passed -- Senate Joint Resolution 65, having received the required constitutional majority, is declared passed. Now we're on the House Joint Resolutions. House Joint Resolution 2. Senator John Jones. Madam Secretary, read the bill...

SECRETARY ROCK:

House Joint...

PRESIDING OFFICER: (SENATOR HENDON)

...the resolution.

SECRETARY ROCK:

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House Joint Resolution 2, offered by Senator John Jones.

PRESIDING OFFICER: (SENATOR HENDON)

This House joint resolution also requires the expenditure of State funds. It requires a roll call vote. Senator Jones.

SENATOR J. JONES:

Thank you, Mr. President. House Joint Resolution 2 simply designates the portion of U.S. Route 50 east of Salem, Illinois, to the Indiana border at Vincennes as the George Rogers Clark Memorial Highway.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, all those in favor will vote Aye. Opposed will vote Nay. And 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 Nay, none voting Present. House Joint Resolution 2, having received the required constitutional majority, is declared passed. House Joint Resolution 55. Senator Clayborne. Madam Secretary, please read the resolution.

SECRETARY ROCK:

House Joint Resolution 55, offered by Senator Clayborne. The Committee on State Government and Veterans Affairs adopted Committee Amendment 1.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. Chairman {sic}. The -- the amendment makes it permissive, but HJR calls for the State to establish an affordable Alzheimer's assisted living program.

PRESIDING OFFICER: (SENATOR HENDON)

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Is there any discussion? Seeing none, all those in favor will say Aye. Opposed, say Nay. The Ayes have it, and the resolution is adopted. We're going to go to the Order of Concurrences, page 60 of your Calendar. Please turn to that page. Senate Bill 367, in the middle of your page. President Cullerton, on Senate Bill 367 on the Order of Concurrences. Senate Bill 367. Out of the record. With leave of the Body, we're going to jump around the Calendar a little -- a bit. We've done a yeoman's job and passed a number -- a lot of legislation there. So we will be moving around. I will give you the -- the exact page as we go. Senator Delgado. Senate Bill -- we're going to do Senate Bill 1918 for you and Senator Lightford, on Concurrence, for you and Senator Lightford. Madam Secretary -- page 63 of your Calendar. Please turn to page 63 of your Calendar, Senators. Oh, we're going to take this out of the record for the time being until the proper motion is filed. The Senate will stand at ease for a moment. The Supplemental Calendar is on its way. Should be on your desk in a -- a few moments. Will all Senators under the sound of my voice please come to the Senate Floor? We are in the middle of substantial Senate action. And we will be bouncing around the Calendar for the rest of the evening, so your presence on the Senate Floor and preparation will be greatly appreciated by the Presiding Officer. We're going to go to the middle of page 65. In the middle of page 65 is a motion to recede. House Bill 793, motion to recede. Senator Burzynski. Madam Secretary, read the gentleman's motion.

SECRETARY ROCK:

I move to recede from Senate Amendment 1 to House Bill 793.

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Signed by Senator Burzynski.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. We move to recede from the amendment. There was a little confusion with the House sponsor and this will help clean that up. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall the Senate recede from -- its Amendment No. 1 to House Bill 793. All those in favor will vote Aye. Opposed will vote 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 Nay, none voting Present. The Senate recedes from Senate Amendments {sic} No. 1 to House Bill 793. And the bill, having received the required constitutional majority, is declared passed. Madam Secretary, Supplemental Calendar No. 1. Supplemental Calendar No. 1 has been distributed on your desks. And we're going to that at this time. Madam Secretary. We're going to go to the Order of Resolutions on Supplemental Calendar No. 1. Madam Secretary. Senate Resolution -- 303. Senator Hutchinson. Madam Secretary, read the lady's resolution.

SECRETARY ROCK:

Senate Resolution 303, offered by Senator Hutchinson.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Hutchinson, on Senate Resolution 303. We're going to go to that order of business. On Senate Resolution 303, that

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is the order of business that we are on at this time. Senator Hutchinson, to explain your resolution.

SENATOR HUTCHINSON:

Thank you, Mr. President and Members of the Senate. Senate Resolution 303 will create the Task Force on Illinois Community College System Funding. Senate Resolution 303 creates a Task Force on Illinois Community College System Funding for the purpose of reviewing the present community college system and making recommendations to the Senate pertaining to whether the community college system is adequately funded. The Task Force is to study the impact that the present funding system for community colleges has on both regional and racial diversity in the Illinois community college system today, including, but not limited to, reviewing the process of how community college capital projects are arranged by priority. The Task Force is to make recommendations regarding any improvements that are necessary to make the funding system more equitable. The Task Force is to be comprised of sixteen appointed members and is to report its findings and recommendations to the Senate not later than December 31st, 2009. And I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR HENDON)

She indicates she will. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Senator. This is the first time I've seen the

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resolution. So, can you tell me, Community College Board, are they supportive of it? Those kinds -- could you just...

PRESIDING OFFICER: (SENATOR HENDON)

Senator Hutchinson.

SENATOR HUTCHINSON:

Thank you, Senator Burzynski. Yes, they are. They're thrilled actually. This was designed to answer the question as to whether or not -- because eighty -- I think it's eighty-one or -- 81.2 percent of all high school remediation is done at the community college level, making the colleges the frontlines for ensuring that students have the technical aptitude, including functional math and science knowledge, to fill jobs. But most importantly, in the State of Illinois right now, sixty-four percent of all students attending public institutions of higher education attend a community college, while only thirteen percent of State instructional funding is appropriated to community colleges. We've got to do better at making sure that our -- our community college system is equitably funded across the State. It is -- they are our frontline and our lifesaver in terms of students who may be, at some point, priced out of universities. We've got to make sure that we do all we can for community colleges.

PRESIDING OFFICER: (SENATOR HENDON)

Any further discussion? Seeing none, this measure requires the expenditure of State funds, therefore a roll call must be taken. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. Senate Resolution 303, having received the

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required constitutional majority, is declared passed. Senate Resolution 306. Senator Martinez. Madam Secretary, read the resolution.

SECRETARY ROCK:

Senate Resolution 306, offered by Senator Martinez.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President and Members of the Senate. Senate Resolution 306 calls upon the United States Senate to confirm Judge Sotomayor after full and fair consideration of her long and distinguished career, consistent with the Senate's constitutional obligation to fully and properly review all judicial nominees submitted by the President of the United States. The resolution also congratulates Judge Sotomayor for this incredible honor and thank her for -- for serving as a role model for all Americans, but particularly women and Latinas. The resolution further congratulates our President and former colleague Barack Obama for his wisdom in selecting Judge Sotomayor.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator John Jones.

SENATOR J. JONES:

Thank you, Mr. President. To the resolution.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Jones.

SENATOR J. JONES:

You know, I -- I -- I spoke in -- in committee a while ago to Senator Martinez and I have the greatest respect for her.

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You know, I think this is something that -- that we really shouldn't be involved in. I understand why she's doing it. I have the greatest respect for our President. He has the -- he has the right to appoint whoever he wants to -- to political appointments. And so I respect him for that. But I disagree with -- with the Judge's rationale on the Second Amendment, you know, and -- and some rulings that she's made at the appellate court level and -- and what she's said publicly. And so, quite frankly, I don't think we should be sending a message to the President or even the U.S. Senate advising them how to act on an appointment. I don't want them sending messages to us whenever the Governor makes appointments here in Illinois and we have to confirm 'em in the Illinois Senate. So that's why all the Republicans voted No in -- in the committee. And I have the greatest respect for you, Senator Martinez.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Delgado.

SENATOR DELGADO:

Yeah -- yes. Thank you, Mr. President. I rise in strong support of the Senator's resolution. And understanding the previous speaker's concerns, the judges have many responsibilities and this is a great opportunity to continue to expand on new ideas. And this is more of a congratulatory resolution acknowledging that this is occurring and letting Illinois get on that thank you list also of having that kind of diversity on the Supreme Court. And I would ask everyone to join, because we have to look at her jurisprudence and her background as a -- as an attorney and her training. I would ask for an Aye vote.

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PRESIDING OFFICER: (SENATOR HENDON)

Senator Bivins.

SENATOR BIVINS:

Mr. President, thank you. Two things. One, I want to clarify for our side and others that we -- our side voted Present and not No. We voted Present in committee. And also, Mr. President, I would ask for a roll call vote. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Martinez, to close.

SENATOR MARTINEZ:

Thank you, Mr. President. And, Members of the Senate, I just think that this is a very historic time for us, especially with the fact that we elected someone like Barack Obama right from this Chamber. And in him selecting a -- a woman like Judge Sotomayor, it just says to us that any dream is possible. I really do believe that right now in the most highest of courts, the Supreme Court, we'll finally see some kind of diversity. And all I'm asking upon the United States Senate is to confirm her, but after a full and fair consideration, consistent with the Senate's constitutional obligation to fully and properly review all judicial nominees submitted by the President of the United States. So that is all that I'm asking, is -- is just that. It's just upon the Senate to fully look at her credentials and know that where there's -- where we need diversity at the highest court level. And I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

A roll call has been requested. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have

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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, none voting Nay, 13 voting Present. Senate Resolution 306, having received the required constitutional majority, is passed. Senate Joint Resolution 68. Senator Collins. Madam Secretary, read the resolution.

SECRETARY ROCK:

Senate Joint Resolution 68, offered by Senator Collins.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Joint Resolution 68 basically encourages school districts in this State to explore the introduction of Arabic as a foreign language in their curriculum. And this is for reasons of national security and global competitiveness. Various agencies, the federal Secretaries of State, Education, and Defense and the Director of National Intelligence, joined together to take part in an initiative to dramatically increase the number of Americans learning and teaching foreign languages of critical need. And Arabic has been designated a language of critical need.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, all those in favor will say Aye. Opposed, say Nay. The Ayes have it, and the resolution is adopted. Senate Joint Resolution 71. Senator Steans. Madam Secretary, read the resolution.

SECRETARY ROCK:

Senate Joint Resolution 71, offered by Senator Steans.

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PRESIDING OFFICER: (SENATOR HENDON)

Senator Steans.

SENATOR STEANS:

Thank you, Mr. President, Members of the Senate. As many of you know, a full twenty-five percent of the GRF budget for the State is on Medicaid funding. At this point in time, we're also getting a lot of federal stimulus dollars to help finance Medicaid. Those dollars, however, are going to be disappearing by the end of -- you know, of 2010. This resolution establishes a joint legislative/gubernatorial commission to review future financing for the State Medicaid program, take a comprehensive look at the program, identify ways that we can improve the way it's getting managed, as well as how we're financing the program. I urge adoption.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, all those in favor, say Aye. Opposed, say Nay. Ayes have it, and the resolution is adopted. Senate Joint Resolution 72. Senator Collins. Madam Secretary, read the resolution.

SECRETARY ROCK:

Senate Joint Resolution 72, offered by Senator Collins.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Joint Resolution 72 basically urges a task force be created to consider an Illinois Fresh Food Fund and recommend measures, including potential legislation, yielding to -- a result that successfully stimulates supermarket development

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across Illinois.

PRESIDING OFFICER: (SENATOR HENDON)

This resolution requires a roll call vote because of the expenditure of State funds. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, none voting Nay, none voting Present. Senate Joint Resolution 72, having received the required constitutional majority, is declared passed. Senate Joint Resolution -- House Joint Resolution 5. Senator Delgado. Madam Secretary, read the gentleman's resolution.

SECRETARY ROCK:

House Joint Resolution 5, offered by Senator Delgado.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Delgado.

SENATOR DELGADO:

Thank you, Mr. President, Members of the Senate. I want to thank the Chairperson of the Committee and the Members who assisted us with House Joint Resolution No. 5. Creates the School Success Task Force. The Task Force is to consist of twenty-four appointed members and is to examine issues and make recommendations related to current State Board of Education policies regarding suspensions, expulsions, truancies, including without limitation the following: studying how State Board policies impact students statewide; studying how school districts create, interpret, and administer their own disciplinary policies. And this came about from Representative Will Davis, as we're trying to figure out and care about why the expulsions happens -- happen higher in the African-American

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community than -- disproportionately so than in other communities. And I would indulge your Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator John Jones.

SENATOR J. JONES:

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

PRESIDING OFFICER: (SENATOR HENDON)

He will -- indicates he will yield. Senator Jones.

SENATOR J. JONES:

Senator Delgado, just a quick question. The -- the language is silent on whether people get reimbursed on this Task Force. Can you explain whether they get reimbursed or -- or there's no reimbursement at all?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Delgado.

SENATOR DELGADO:

Right. Well, thank you for that question, Senator Jones. As you asked in committee, and I was -- I went through the resolution. No, they will be supported by the existing ISBE, which is -- trying to do this anyway. And there is no compensation to any of the members. And that would be the -- the answer to that question.

PRESIDING OFFICER: (SENATOR HENDON)

This resolution requires a roll call vote. All those in favor, vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. House Joint Resolution 5, having received the required constitutional

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majority, is declared passed. House Joint Resolution 6.
Senator Maloney. Madam Secretary, read the resolution.

SECRETARY ROCK:

House Joint Resolution 6, offered by Senator Maloney.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Maloney.

SENATOR MALONEY:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Joint Resolution 6 would engage a task force on school transportation. This has not been looked at in twenty years and many living and driving patterns have changed. The goal is to reduce our reliance on school bus service. Thirty years ago, forty-two percent of our students walked to school. Today, it's only sixteen percent. We spend eight hundred fifty million dollars a year on school busing. We have a hundred fifty-nine thousand children that are bused in less than a mile and a half. We would not -- we're just looking at ways to be more efficient. In answer to Senator Jones, I checked with the Active Transportation Alliance. In no way would they jeopardize safety involving children on their way to school. So I would ask for an affirmative vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? This resolution requires a roll call vote. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. House Joint Resolution 6, having received the required constitutional majority, is declared passed. House

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Joint Resolution No. 46. Senator Althoff. Madam Secretary,
read the resolution.

SECRETARY ROCK:

House Joint Resolution 46, offered by Senator Althoff.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Althoff.

SENATOR ALTHOFF:

Thank you, Mr. President. Recognizing there is no official statewide data on the health needs of our diverse student populations or the level of services required to meet these needs in the State, House Joint Resolution 46 requests that the State Board of Education, the Department of Human Services School Health Program and the Department of Public Health Division of Chronic Disease Prevention and Control establish a task force to study and compile a report on identification of current student health needs and the level of health services required, regulatory conflicts that limit delivery to school health services, and needed support for and monitoring of school health services.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR HENDON)

She indicates she will. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Senator, did we just have a resolution very similar to this, or did I hear that someplace else?

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PRESIDING OFFICER: (SENATOR HENDON)

Senator Althoff.

SENATOR BURZYNSKI:

I thought Senator...

PRESIDING OFFICER: (SENATOR HENDON)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. I thought Senator Steans had one that was very similar to this.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Althoff.

SENATOR ALTHOFF:

It is somewhat similar. And if you'll note, Senator Steans is also a cosponsor on this resolution as well. And if -- if it need be, we'll be able to combine that together.

PRESIDING OFFICER: (SENATOR HENDON)

Is there further discussion? Seeing none, all those in favor will say Aye. Opposed will say Nay. The Ayes have it, and the resolution is adopted. House Joint Resolution 48. Senator Garrett. Madam Secretary, read the resolution.

SECRETARY ROCK:

House Joint Resolution 48, offered by Senator Garrett.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Garrett.

SENATOR GARRETT:

Yes. Thank you, Mr. President. This is simply a resolution to acknowledge that September 15th should be Carbon Day in the State of Illinois.

PRESIDING OFFICER: (SENATOR HENDON)

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Is there any discussion? Seeing none, all those in favor, say Aye. Opposed, say Nay. The Ayes have it, and the resolution is adopted. House Joint Resolution 50. Senator Steans. Madam Secretary, read the resolution.

SECRETARY ROCK:

House Joint Resolution 50, offered by Senator Steans.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Steans.

SENATOR STEANS:

Thank you, Mr. President, Members of the Senate. House -- House Joint Resolution 50 creates the Illinois Part C Early Intervention Taskforce to work with the Department of Human Services and other State agencies to look comprehensively at the services that are provided for kids, birth through age three, who have developmental disabilities and other delayed developmental issues. The Taskforce will include appointed members, in addition up to thirty -- members appointed sort of from the Senate, the Governor and the House, and thirty members from various groups appointed by the Secretary of Human Services. It'll produce their report to the General Assembly by July 1st, of -- 2010.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, this requires a roll call vote. All -- and the -- all those in favor, vote Aye. Opposed, vote 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 Nay, none voting Present. House Joint Resolution 50, having received the required constitutional majority, is

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declared passed. House Joint Resolution 53. Senator Jacobs. Madam Secretary, read the gentleman's resolution.

SECRETARY ROCK:

House Joint Resolution 53, offered by Senator Jacobs.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Jacobs.

SENATOR JACOBS:

Sir, given that we're going to be here through the summer, I'm going to hold this and continue to work on this.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Jacobs, you are absolutely, positively incorrect. But you will take this out of the record. We will not be here over the summer. We're going to go to -- on Supplemental Calendar, we're going to Secretary's Desk, Concurrences. Senate Bill 1030. Senator Haine. Madam Secretary, read the bill -- read the motion.

SECRETARY ROCK:

I move to concur with the House in adoption of their Amendments 1 and 3 to Senate Bill 1030.

Signed by Senator Haine.

PRESIDING OFFICER: (SENATOR HENDON)

The Presiding Officer would like to inform the Senate that we're going to pick up the pace a bit. Senator Haine.

SENATOR HAINE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is an expungement bill for first-time misdemeanor charges, as reflected in juvenile court delinquency petitions. It outlines the -- the procedures for them and -- and requires the physical destruction of the records in the hands of any

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official other than the State's attorney.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will yield for a few questions. Senator Righter.

SENATOR RIGHTER:

Senator Haine, we discussed this in Criminal Law Committee a little bit earlier today. It's my understanding that except for very narrow exceptions, juvenile court records are sealed. So what is the point in expunging the juvenile's records if they're already not subject to discovery by a routine criminal background check?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Haine.

SENATOR HAINE:

Thank you, Mr. President. And thank you for the question. As you know, Senator, the records that are sealed can be unsealed. This raises the comfort level of many juveniles who have turned a corner in their lives and, after being given a second chance, have redeemed themselves. It brings comfort to their parents or caretakers that they will not be dogged in life by these records of past misdemeanor offenses.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Well, I'm all about giving

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comfort to juveniles with regards to misdemeanor convictions, Senator Haine, but under what circumstances can juvenile court records be unsealed?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Haine.

SENATOR HAINE:

For use in determining a prior offense or for many -- any other use that a petitioning prosecutor may deem necessary.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter, to the bill.

SENATOR RIGHTER:

Well, thank you, Mr. President. Ladies and Gentlemen, the only reason that court -- juvenile court records are unsealed is if a law enforcement agency is doing an investigation that involves those very court records. To now say we should expunge them and -- destroy them means that a law enforcement agency or a State's attorney doing an investigation that may have something to do with that juvenile will then not have access to those records. Now that may not seem like a very big deal to anyone sitting around here and maybe it's easy to say, "You know what? Compassion demands we do this, that it's just a misdemeanor", but, Ladies and Gentlemen, they're sealed already. It's not clear who we're hiding them from. As the -- as the sponsor just admitted, the only instance in which they're going to be unsealed is a law enforcement investigation. Don't we want law enforcement to have that information? I do. If you do, please vote No on Senate Bill 1030.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul.

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SENATOR RAOUL:

Just quickly to the bill and I want to thank Senator Haine for carrying this bill. This is expunge -- this -- in fact, this doesn't go far enough. This is expungement of a first-time misdemeanor for a juvenile - first-time misdemeanor. If we can't embrace this, we should be ashamed of ourselves. We should truly be ashamed of ourselves. For...

PRESIDING OFFICER: (SENATOR HENDON)

Senator Haine, to -- to close.

SENATOR HAINE:

Mr. President, I believe Senator Raoul summed it up best. I mean, this is my reaction to the previous speaker - to him is, my goodness, this is a simple bill for a fist-time misdemeanant in juvenile court who has turned a corner. It's literally a small thing to ask. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall the Senate concur in House Amendments No. 1 and No. 3 to Senate Bill 1030. All those in favor will vote Aye. Opposed will vote 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 50 voting Aye, 3 voting Nay, none voting Present. The Senate concurs in House Amendments No. 1 and 3 to Senate Bill 1030. And the bill, having received the required constitutional majority, is declared passed. Senator Kotowski, for what purpose do you seek recognition?

SENATOR KOTOWSKI:

To...

PRESIDING OFFICER: (SENATOR HENDON)

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Senate Bill 1267. Madam Secretary, read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1267.

Signed by Senator Kotowski.

I move to concur with the House in their adoption of Amendment No. 3 to Senate Bill 1267.

Signed by Senator Kotowski.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Kotowski.

SENATOR KOTOWSKI:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Amendment No. 1 and House Amendment No. 3 to Senate Bill 1267 are -- are agreed-upon language from the House which deal with establishing the licensing requirements for a production company that provide pyrotechnic services as part of production. This gives production companies the option to obtain a production company license, instead of hiring a pyrotechnic distributor. Further, this amendment establishes the Music Entertainment's Pyrotechnics Task Force for the purpose of studying pyrotechnic displays and pyrotechnic services in the music entertainment industry in Illinois.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, does -- shall the Senate concur in House Amendments No. 1 and 3 to Senate Bill 1267. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, none

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voting Nay, none voting Present. The Senate concurs in House Amendments No. 1 and 3 to Senate Bill 1267. And the bill, having received the required constitutional majority, is declared passed. Senate Bill 1342. Senator Wilhelmi. Madam Secretary, read the gentleman's motion on Senate Bill 1342. Madam Secretary.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1342.

Signed by Senator Wilhelmi.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Wilhelmi.

SENATOR WILHELMI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I concur with House Amendment No. 1 to Senate Bill 1342 with two changes. First, that if there is a TIF district or a business district approved after the effective date of the bill, then the developer - in this case, CenterPoint Properties - would not be eligible for the grant funds under the Intermodal Facilities Promotion Act. And second, it will require the developer to report on a quarterly basis the number of new employees and income tax withholdings as they occur. I'd be happy to answer any questions. And I ask for your support.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendments {sic} No. 1 to Senate Bill 1342. All those in favor will vote Aye. Opposed, vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the

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record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. The Senate concurs in House Amendment No. 1 to Senate Bill 1342. And the bill, having received the required constitutional majority, is declared passed. Senate Bill 1350. Senator Forby. Madam Secretary, read the gentleman's motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1350.

Signed by Senator Forby.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Forby.

SENATOR FORBY:

Thank you, Mr. President. I concur with Senate Bill -- with the -- with the -- with the amendment -- what the amendment does. This is unemployment insurance, where we can get two hundred million dollars of federal money, give people seven more weeks of unemployment. This is a bill that everybody is for, including the laborers, the business group and the Chamber of Commerce. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

There any discussion? Senator Dahl.

SENATOR DAHL:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

...right ahead. Senator Dahl.

SENATOR DAHL:

Thank you. I stand in support of Senate Bill 1350. This is an agreed-to bill that's been worked out between labor and

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the business community. This legislation will secure federal dollars for the Unemployment Trust Fund which will help our workers and, while at the same time, it will not be a negative impact on business.

PRESIDING OFFICER: (SENATOR HENDON)

Is there further discussion? Seeing none, the question is, does the Senate concur to House Amendment No. 1 to Senate Bill 1350. All those in favor, vote Aye. Opposed, vote Nay. And 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 59 voting Aye, none voting Nay, none voting Present. The Senate concurs in House Amendments {sic} No. 1 to Senate Bill 1350. And the bill, having received the required constitutional majority, is declared passed. Senate Bill 1579. Senator Wilhelmi. 1579. Madam Secretary, read the gentleman's motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1579.

Signed by Senator Wilhelmi.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Wilhelmi.

SENATOR WILHELMI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move to concur with House Amendment No. 1 to Senate Bill 1579. This is a gut-and-replace amendment that retains the underlying bill, but makes changes at the request of the Department of Financial and Professional Regulation. These changes will bring the bill into conformity with other standard

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statutory provisions that govern licensed -- entities and individuals. Again, the overall intent of -- of the amendment is to require a person to hold a license before he or she can provide community association management services. I know of no opposition. And I ask for your support.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Wilhelmi, that's Amendments No. 1 and 2. Is that correct? Senator Wilhelmi.

SENATOR WILHELMI:

I'm -- I apologize. I do want to move to concur with both Amendments 1 and 2. Amendment No. 2 simply sets the quorum requirement of the board at four members. Thank you, Mr. President, for...

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR HENDON)

Indicates he will. Senator Righter.

SENATOR RIGHTER:

Senator Wilhelmi, we -- we talked in committee and I think it's appropriate that we need to put it on the record here on the Senate Floor. There is some language, and I don't know whether it's in House Amendment 1 or 2, that is rather bizarre with regards to the criteria that the Department can take into account when granting or deciding to grant or not grant a license that, I think, says something along the lines of that they can consider several factors except felonies. I don't think that's the way it's supposed to be written. Is it your

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intention to move a bill, maybe this fall, certainly no later than next spring, to get that language cleared up?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Wilhelmi.

SENATOR WILHELMI:

Senator Righter, you're absolutely right. We did have this discussion in committee. I'll be happy to put it on the record that under Section 40, subsection (a)(5), there is language that is rather bizarre. We're going to clean that up, because we certainly don't want to make an exception for felony charges. So we'll be happy to do that with a trailer bill. This bill does not go into effect until July of 2011 {sic} (2010).

PRESIDING OFFICER: (SENATOR HENDON)

Is there further discussion? Seeing none, all those in -- the -- the question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 1579. All those in favor will vote Aye. Opposed, vote 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 59 voting Aye, none voting Nay, none voting Present. The Senate concurs in House Amendments No. 1 and 2 to Senate Bill 1579. And the bill, having received the required constitutional majority, is declared passed. Senate Bill 1739. Senator Schoenberg. 1739. Madam Secretary, read the gentleman's motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1739.

Signed by Senator Schoenberg.

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PRESIDING OFFICER: (SENATOR HENDON)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President, Ladies and Gentlemen of the Illinois Senate. I move that the Senate concur in House Amendment No. 1 to Senate Bill 1739. Amendment No. 1 reinstates the underlying bill that represented a -- a negotiated agreement between the Department of Revenue and the broadcast and motion picture industries on how to formulate taxation for those industries. And it also adds a -- an initiative requested by the Catholic Charities, a situation that involved when they rehabbed an old convent, but the -- the entity that was established to do the rehabilitation was an LLC and not a partnership. And if the Chair would be so kind as to call upon Senator Harmon, we have a brief colloquy for legislative intent.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. If the sponsor will yield.

PRESIDING OFFICER: (SENATOR HENDON)

He will yield. Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Senator Schoenberg, with respect to the portion of the amendment that allows for property tax exemptions for entities organized as limited liability companies that receive low-income housing tax credits, in what assessment year will this begin?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Schoenberg.

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SENATOR SCHOENBERG:

Senator Harmon, the intent is for the legislation to apply beginning with the 2009 assessment year, that the property will be exempt as of January 1, 2009.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. The -- a question for the sponsor.

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will yield to your questions, Senator Lauzen. Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Okay, I thought -- Senator, during committee, we talked about this being not just a tax exemption for one property - a former convent - but that it's a whole class of properties, and I guess that that would be over the entire State. You and I recognize, and the people in this Body recognize, that when an exemption is given for one property that that means that the rest of the people in that area have to make up the property taxes. Can you share some light on how large the impact of this is going to be? And then, why would we be giving an exemption where it's possible that within the structure of the payments in low -- in -- in these housing properties, that they could pay -- that they could make the payment of property taxes, not put the burden on the surrounding neighbors?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Schoenberg.

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SENATOR SCHOENBERG:

Senator Lauzen, in this particular case and what motivated this legislation, the charitable organization is a managing member of the LLC for the -- not for broad purposes, but rather for the purposes of owning and operating a residential rental property for lower income individuals that's already received an allocation of low-income housing tax credits for a hundred percent of the dwelling units under the Internal Revenue Code. The -- I -- I don't believe that this is as broad as you are suggesting, but rather -- in this particular case, it was a former convent that was being rehabilitated with federal low-income housing tax credits. And the nature of affordable housing is that there is layered financing of tax credits, both of a State and federal nature. And this would ensure that if the entity -- the charitable entity was established as an LLC, it would be the same as a partnership. I don't believe...

PRESIDING OFFICER: (SENATOR HENDON)

Senator...

SENATOR SCHOENBERG:

...it will be as broad as you think.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lauzen, to the bill, sir. To the bill. Senator Lauzen.

SENATOR LAUZEN:

Thank you. To the bill: I believe that, as Senator Schoenberg has pointed out, these properties have already received federal investment credits. They receive rental subsidies. They receive so much. Why provide even more when the cost is people who are already struggling to pay their

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property taxes are just going to have to pay more for a property that can't afford to pay their own property taxes? So I would -- I -- I -- I think that the rest of the pieces of this bill are -- are very good and I respect the work that you've done, especially on the huge broadcasts. And unfortunately, they've put a -- a piece in here. But I think it's a very bad precedent and -- an exemption. I know that you don't have control over what is put on. So -- so, thank you very much.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will. Senator Righter.

SENATOR RIGHTER:

Thank you. Senator Schoenberg, it's my understanding that with regards to this particular provision with regards to tax-exempt status that the Department of Revenue has already denied this entity tax-exempt status. And so what we're doing here by legislation is we're overturning a specific ruling by the Department of Revenue on -- with regards to a specific entity. Is -- is that accurate?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Schoenberg.

SENATOR SCHOENBERG:

Senator Righter, what we are doing is ensuring that this entity, which was established by Catholic Charities for the rehabilitation of a former convent, which is already off the tax rolls, that this would be in compliance because that entity had

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been set up as an LLC and not a partnership.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

Well, I guess, Senator Schoenberg, let me ask you more directly. Did the Department of Revenue deny this entity the tax-exempt status that you are now trying to restore to it -- or give to it by statute?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Schoenberg.

SENATOR SCHOENBERG:

Senator Righter, this entity, which was created by Catholic Charities for the rehabilitation of the convent, would have to reapply, indeed, to the Department of Revenue.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

I will ask again, Senator Schoenberg. Did the Department of Revenue deny their claim for property tax exempt status?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Schoenberg, if you would, sir. Senator Schoenberg.

SENATOR SCHOENBERG:

They did indeed deny it. And the expectation would be that should this become law, that the entity created by Catholic Charities for the rehabilitation of this convent as low-income housing would be required to reapply.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter, to the bill, sir. To the bill, sir.

SENATOR RIGHTER:

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No, Mr. President, no..

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

Mr. President, if you..

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter. Senator Righter, I have -- I have not -- I am still speaking, sir. And until I finish, then we cannot come to you. And I'm simply asking you, sir, would you speak to the bill? I have allowed you to question the Senator. To the bill. Senator Righter.

SENATOR RIGHTER:

Mr. President, it took me three questions to get an answer to a simple question about whether or not the Department had denied the property tax exempt status. It took me three questions. Now, if you're going to punish the people who are asking the questions for the failure or unwillingness of a sponsor to ask {sic} a question or maybe the sponsor didn't understand my question, then we're going to have a long night here.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter, you are absolutely correct. I recall it did take you a couple of times to get your answer. So you have another question and then to the bill. Senator Righter.

SENATOR RIGHTER:

...you -- thank you, Mr. President, for your indulgence. Senator Schoenberg, I understand that if this becomes law, they'll have to reapply for that property tax exempt status. But by this bill, are they guaranteed to receive that property

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tax exempt status, because that's the way we understand the bill to read?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Schoenberg.

SENATOR SCHOENBERG:

They would have to reapply and this is applicable from the tax year 2009 forward.

PRESIDING OFFICER: (SENATOR HENDON)

To the bill, Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President, again. To the bill: Ladies and Gentlemen, as Senator Lauzen said, there are other parts of this bill that are good. But let's be clear about what this provision does. This provision says they're going to take one entity that was denied by the Department of Revenue to have their tax -- property tax exempt status, we're going to give that back to them, that one entity, by statute. Now, it's true they have to reapply, but this statute guarantees that they'll get it. So -- reapplying is not reapplying, hoping the Department will give you a fair shake; they're reapplying because they know that they're going to get the status. Is that the way we want to do these things without a better explanation of really why it needs to be done? I don't think so. All of us have hospitals. All of us have property tax exempt hospitals, not-for-profits, in or around our districts that the Department of Revenue has either revoked their tax exemptions or threatened to do so. And we sit here powerlessly appealing to the Director of the Department of Revenue or the Governor's Office to consider all the work the non-profit hospitals do. Why should

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we do a legislative end-run around the Department for this one particular entity? I don't think we should. I would urge a No vote on Senate Bill 1739. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Schoenberg, to close.

SENATOR SCHOENBERG:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The large majority of this bill, as I indicated earlier, represents a negotiated agreement between the State's Department of Revenue and the broadcast and motion picture industries on how we can best tax the -- those two industries which generate considerable revenue-generating activity. It is correct that there is this provision that was requested by Catholic Charities. And I urge an -- I urge that we concur with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall the Senate concur in House Amendments {sic} No. 1 to Senate Bill 1739. All those in favor will vote Aye. Opposed will vote Nay. And 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 37 voting Aye, 17 voting Nay, none voting Present. Senate Bill 1739, having received the required constitutional majority, is declared passed. And the Senate concurs in House Amendments {sic} No. 1 to Senate Bill 1739. Senate Bill 1934. Senator -- Senator Wilhelmi. Madam Secretary, read the gentleman's motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1934.

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Signed by Senator Wilhelmi.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Wilhelmi.

SENATOR WILHELMI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Amendment No. 1 amends Senate Bill 1934. As you may recall, Senate Bill 1934 allowed for the sale of twenty-one acres of Stateville Correctional Center to the County of Will for a specific use. In the original bill, we did not have that use identified. Now we do. It says, "for the purpose of constructing the Will County Emergency Communications and Command Center on the property". Thanks to Senator Righter who pointed that out. I know of no opposition. And I ask for your support.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendments {sic} No. 1 to Senate Bill 1934. All those in favor will vote Aye. Opposed will vote Nay. And 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 59 voting Aye, none voting Nay, none voting Present. The Senate concurs in House Amendment No. 1 to Senate Bill 1934. And the bill, having received the required constitutional majority, is declared passed. Senator Righter, for what purpose do you seek recognition, sir?

SENATOR RIGHTER:

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

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PRESIDING OFFICER: (SENATOR HENDON)

State your point. I was a little quick on that roll call on 1739. And that -- I'm certain that's probably what it's about. Senator Righter.

SENATOR RIGHTER:

I don't know that you were. I think I was a little slow to the switch, Mr. President. I would like the record to reflect my intention to vote No on Senate Bill 1739. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

The record will so reflect. Senate Bill 2172. Senator Raoul. Madam Secretary, read the gentleman's motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 2172.

Signed by Senator Raoul.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul.

SENATOR RAOUL:

Thank you. House Amendment 1 is actually deleted by House Amendment 2. Senate Bill 2172, as amended by the House, allows the Department of Commerce and Economic Opportunity to -- and the Metropolitan Pier and Exposition Authority to enter into grant agreements to reimburse the Authority up to ten million dollars per year for incentives that it awards to attract large conventions and meetings and trade shows. It also allows DCEO to contract with a vendor to produce tourism travel guide. Sales revenues -- the vendor may retain sales revenues to recover its fees and production costs. And all other revenues shall be deposited into International and Promotional Fund.

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PRESIDING OFFICER: (SENATOR HENDON)

There any discussion? Seeing none, all those -- the question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 2172. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. The Senate concurs in House Amendments No. 1 and 2 to Senate Bill 2172. And the bill, having received the required constitutional majority, is declared passed. We're going to go to the -- Non-Concurrence. The bottom of your Supplemental Calendar is House Bill 445, motion to recede from Senate Amendment No. 3. Senator Steans. Madam Secretary, read the lady's motion.

SECRETARY ROCK:

I move to recede from Senate Amendment 3 to House Bill 445. Signed by Senator Steans.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Steans.

SENATOR STEANS:

Yes. This -- House -- excuse me, the Senate Amendment No. 3 -- Floor Amendment No. 3 from the Senate had established a website that could be used by law enforcement. The House legal staff had wanted time to tighten up this amendment. I had no problems with that. And I'm happy to recede on this amendment.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall the Senate recede from Senate Floor Amendment No. 3 to House Bill 445. All those in favor will vote Aye. Opposed will

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vote Nay. And 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 59 voting Aye, none voting Nay, none voting Present. The Senate recesses from House Amendment No. 3 -- Senate Amendment No. 3 to House Bill 445. And the bill, having received the required constitutional majority, is declared passed. House Bill 797, motion to recess on Senate Amendments No. 1 and 3. Madam Secretary, read the gentleman's motion.

SECRETARY ROCK:

I move to recess from Senate Amendment 1 and 3 to House Bill 797.

Signed by Senator Syverson.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. It seems that the House has some fans of Dan Rutherford's and so the House had removed license plate exemptions that was on their -- or license plates for counties and also some language dealing with fees and how they're collected. And we'll agree with those changes.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing -- Senator Rutherford.

SENATOR RUTHERFORD:

I stand in strong support of this legislation.

PRESIDING OFFICER: (SENATOR HENDON)

Any further discussion? Seeing none, the question is, shall the Senate recess from Senate Amendments No. 1 and 3 to House Bill 797. All those in favor will vote Aye. Opposed,

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vote 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 59 voting Aye, none voting Nay, none voting Present. The Senate recesses to House Amendment -- Senate Amendments No. 1 and 3 to House Bill 797. And the bill, having received the required constitutional majority, is declared passed. The Senate shall stand at ease for a few minutes to allow the Committee on Assignments to meet. The members of the Committee on Assignments will come to the President's Anteroom immediately. Immediately. The Senate shall stand at ease.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR HENDON)

Madam Secretary -- Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Be Approved for Consideration - Floor Amendment 4 and Floor Amendment 5 to House Bill 174 and House Bill 26.

Signed by Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR HENDON)

...Secretary, Messages from the House.

SECRETARY ROCK:

A Message from the House by Mr. Mahoney, 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:

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House Bill 3872

Which amendment is as follows:

Senate Amendment 1.

Non-concurred in by the House, May 30th, 2009.

We have received a like Message on House Bill 4099, with Senate Amendments 1 and 2.

Non-concurred in by the House, May 29th {sic} (30th), 2009.
Mark Mahoney, Clerk of the House.

Message from the House by Mr. Mahoney, 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 612

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

House Amendment 1.

Passed the House, as amended, May 30th, 2009. Mark Mahoney, Clerk of the House.

PRESIDING OFFICER: (SENATOR HENDON)

We're going to go to House Bill 174. President Cullerton. There is a change in sponsorship. This is House Bill 174, a very important measure. The sponsorship has been changed to President Cullerton. Senator DeLeo in the Chair.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Syverson, for what purpose do you rise, sir?

SENATOR SYVERSON:

Mr. President, before this bill, we'd like to have a -- a very short caucus. Fifteen minutes would be plenty.

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PRESIDING OFFICER: (SENATOR DeLEO)

Senator Syverson, you're in luck. They just delivered my dinner. So I'm going to need appropriate time to eat. It usually takes me about eighteen/nineteen minutes to eat my dinner. So if we could return here -- your request is always in order, sir. We can return to this Chamber at 8 o'clock. So the Senate -- the Republicans will caucus immediately in Senator Radogno's Office. The Democrats will stand at ease. The Senate will stand at recess to call of the Chair. We will return back to the Chamber at the hour of 8 p.m.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

Senate will come to order. Will all Members please be at their desk? Madam Secretary, House Bill 174. Senator Cullerton. Senator Cullerton seeks leave of the Body to return House Bill 174 back to the Order of 2nd Reading - is that correct, sir? - for purpose of amendment? Leave is granted. Now on the Order of 2nd Reading is House Bill 174. Madam Secretary, has there been any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 2, offered by President Cullerton and Senator Meeks.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. President Cullerton, to the amendment, sir.

SENATOR CULLERTON:

Yes. Mr. President, thank you. This becomes the bill.

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I'd like to adopt it and then debate it on 3rd Reading.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, is there any discussion on the amendment? Senator Righter, for what purpose do you rise, sir?

SENATOR RIGHTER:

Thank you, Mr. President. I would request a roll call on the adoption of Amendment No. 2 to House Bill 174.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, there's been a request for a roll call. Is there any further discussion? Seeing none, the question is, shall Floor Amendment No. 2 to House Bill 174 be adopted. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 29 Ayes, 21 Nays. Floor Amendment No. 2 is adopted. Has there been any further Floor amendments approved for consideration, Madam Secretary?

SECRETARY ROCK:

Floor Amendment 3, offered by President Cullerton and Senator Meeks.

PRESIDING OFFICER: (SENATOR DeLEO)

President Cullerton, to Floor Amendment No. 3 to House Bill 174, sir. To the amendment.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This is a technical amendment. It corrects the name of the Illinois Community College Board, adds the Illinois -- Illinois Math and Science Academy to the list of agencies that receive some of the funding that they got in '09, and allows the bill to be referred

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to as Senate Bill 750.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing none, all those in favor will say Aye. All those opposed will say Nay. It's the opinion of the Chair, the Ayes have it, and the amendment's adopted. Madam Secretary, is there any further Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 4, offered by President Cullerton and Senator Meeks.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. President Cullerton, to Floor Amendment No. 4, sir.

SENATOR CULLERTON:

Yes. This makes two technical corrections - one concerning the date for the foundation level increase and the other concerning the dates for the Local Government Distributive Fund transfer. Move for its adoption.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Any discussion? Seeing none, Ladies and Gentlemen, the question is -- all those in favor of adopting Floor Amendment No. 4 will say Aye. All those opposed will say Nay. It's the opinion of the Chair, the Ayes have it, and the amendment's adopted. Is there any further Floor amendments approved for consideration, Madam Secretary?

SECRETARY ROCK:

Floor Amendment 5, offered by President Cullerton and Senator Meeks.

PRESIDING OFFICER: (SENATOR DeLEO)

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Thank you. President Cullerton, to Floor Amendment No. 5, sir.

SENATOR CULLERTON:

Yes. This amendment was promised in committee. This bill, as introduced, had an increase in the corporate income tax from 4.8 to 7.2, which would have brought in four hundred and thirteen million dollars. This amendment reduces the corporate income tax down to a level of five percent. So the increase is only 4.8 percent to five percent. That's the same level that the individual's would be at. We didn't want the corporate to be lower than the individual's. It does bring in forty-three million dollars. But it's a huge reduction from the four hundred and thirteen million that was in the original bill. So I move for the adoption of lowering -- this amendment lowers the corporate income tax rate under the bill from 7.2 to five percent.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing none, all those in favor of adoption of Floor Amendment No. 5 will say Aye. All those opposed will say Nay. Opinion of the Chair, the Ayes have it, and the Floor Amendment No. 5 is adopted to House Bill 174. Madam Secretary, has there been any further Floor amendments approved for consideration, ma'am?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Now on the Order of 3rd Reading is House Bill 174. President Cullerton, do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, read

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the gentleman's bill.

SECRETARY ROCK:

House Bill 174.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

President Cullerton, to the bill, sir.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. As you know, this Session we've made a lot of progress, passing the capital bill, working together. We've made a lot of progress, in -- in my opinion, working on ethics reforms, which we've passed. And the third thing is the -- the budget. And we know we have a real -- real crisis in our State. And we can't really blame it all on past mismanagement of the State. We've -- we've had a situation where we've brought in less money this year, perhaps as much as four billion. Some people think it's only two billion. But it's a drop in revenues. And we've had tremendous pressure on our pension systems, which has caused us to -- require us to pay more into that -- that fund. So we have to do what everybody in Illinois is doing and that is to cut. And this bill contemplates -- because it doesn't raise enough money to fund the State government at the levels it was last year, this bill contemplates cutting about two billion dollars out of the budget and fully funding the pension system. So, I think it's important to keep that in mind when you consider what it does. It would increase the personal income tax from three percent to five percent. But keeping it -- and having a degree of progressivity, we would also increase the standard exemption

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from two thousand to three thousand and the earned income tax credit to fifteen percent from five percent. We double the property tax credit. We double the property tax credit with a cap at fifteen hundred. This is - and we've corrected these numbers from earlier - this is a seven-hundred-million-dollar property tax break for people who own property in Illinois. We also double the cap on the education expense credit. And, as I indicated, the corporate income tax only goes up by .2 percent. The Local Government Distributive Fund - the cities get their ten percent. But they also will get a -- another increase because we would expand our sales tax base, which would bring in, we believe, as much as a million -- I'm sorry, a billion dollars. This would be to do what many states have done. All of our surrounding states have at least one of these taxes on services. So this would be -- an example would be, you get your oil changed, you pay tax on the oil, you don't pay tax on the service. This would expand that. And it would help our structural deficit since the service economy is growing at a greater rate than the goods economy. This bill would bring in a little over five billion dollars after we do the givebacks. Our deficit, after we fully fund the pensions, is seven billion dollars. We are going to have to cut two billion dollars out of our budget. But after we do that, we are going to need, obviously, to fund these basic services. But the bill really is about education. This increases -- because where's -- where is the money going in the future after we get out of this hole? This increases the foundation level in this year by two hundred and thirty-one dollars, from five thousand nine fifty-nine to six thousand one ninety. And we direct that -- the moneys that

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would otherwise be underfunded in the budget for education, the general funds programs that total 1.5 billion, would be fully funded at the level that they were last year. So the bottom line is that we need to cut, but we need to also fill the hole. Everybody in the State knows that we can't cut seven billion dollars out of a twenty-eight-billion-dollar budget. Everybody knows that. But they want to make sure that we're doing what they're doing and that is cutting first. We can't cut the budget in this bill, but we can show that since we acknowledge we're seven billion dollars short and we only raise five, then implicitly we are going to cut two billion dollars and fully fund the pensions, which is allowed for, quite frankly, by raising this amount of money. So with that, I'd be happy to answer any questions. We're going to be voting on an income tax bill this year and we are going to pass one. We think this is the best version. And I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there further discussion? Further discussion? Senator Duffy, for what purpose do you seek recognition, sir? Senator Duffy, one moment, please. Illinois Channel requests permission to videotape the proceedings. Seeing no objection, leave is granted. Senator Duffy, to the bill, sir.

SENATOR DUFFY:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR DUFFY:

You know, legislators like to talk about the gross receipts

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tax and the GRT tax was one of the most devastating taxes that Illinois ever talked about and discussed. And that was soundly defeated, yet this bill is far worse than the gross receipts tax. Eight out of ten jobs in Illinois come from small businesses. Two-thirds of all the small businesses in Illinois file personal or individual returns which are S Corps. This bill hits small businesses with a sixty-seven percent income tax increase with no property tax relief. This bill, if passed, is going to definitely kill jobs and will force the few companies that are still trying to survive in the State of Illinois out of this State. I encourage everyone to please vote No on this bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator McCarter, are you seeking recommendation, sir?

SENATOR McCARTER:

Yes, sir. To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

...the bill, sir.

SENATOR McCARTER:

You know, we -- when I first started looking at this, this was under another -- another number and another -- another sponsor. And I had -- and I think the -- the original sponsor's concern for education and funding education was very real. I think it was very sincere. And -- and I -- and I'm -- I'm concerned about that too, but, you -- you know, it -- it -- why -- it -- it appeared to me to be just a revenue bill in the name of helping the kids that we all love. And, you know -- and we've seen -- we've seen local referendums pass. If you love

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the kids, you'll vote for the referendum. You know, we're -- we're putting the burden on the parents of these kids that we love. And small business is attached to those parents and those kids. And I -- I just think, you know -- like I said I haven't been here long, but when talking to the people in my district, they want to see us address spending, savings and efficiencies in government before we start putting one of the largest tax increases that has ever been put into place in this State on parents of kids in one of the worst recessions in decades. And so, for that reason, I'll be voting No. And, again, I appreciate the original sponsor's concern for funding education. I am just sorry that it went way beyond that. And so I'll -- I'll be voting No. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Further discussion? Senator Koehler.

SENATOR KOEHLER:

Yes, Mr. President, Members of the Senate, thank you. I just thought you might want to hear from an owner of a subchapter S company. My wife and I own a small bakery, a business in the neighborhood, and I think this is the responsible thing to do. Yes, it does pass that on to our individual taxes. But, you know, people send me here into Springfield to try to solve problems and I don't know how else we'd do it but face it straight on and do what we have to do. I would feel irresponsible if I left Springfield this spring and did not give it my best. This is the best. This is the solution that we need. I vote -- urge an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. We have a request from the Senate Republicans

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to videotape the proceedings. Is there objection? It's the opinion of the Chair, the objection is sustained. Senator Dillard, for what purpose do you rise, sir?

SENATOR DILLARD:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Bill, sir.

SENATOR DILLARD:

First, I know that Senator Cullerton, our Senate President, and Senator Meeks are truly conscientious and they are truly for this. And to their credit, they've been pretty vocal that they are for this concept. So I give 'em credit for that. They've been honest with the voters and we know where they are. And like that, I worked for Governor Edgar back in 1991, when Governor Edgar kept the income tax from reverting to two and a half percent. But there was a big difference. The first difference was Jim Edgar proposed that all of the money go to education - all of it. The second big difference was we also got property tax caps at the same time - real property tax caps. What's proposed here is not true property tax relief at all. It shifts just another three-quarters of a billion dollars of local spending over to our already beleaguered State government and it does nothing to control local government spending, like Governor Edgar and Senator Cronin, who was its sponsors, property tax caps back in the early nineties. So, as a suburbanite who hears about property taxes all the time, with all due respect, the property tax relief in here is a joke. It's an eight-billion-dollar tax increase and it gives less than one billion dollars of property tax relief and does nothing to control out of

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control school district and local government property taxes. So, because of that and, importantly, because there's no education reform that comes with that, I would urge an Aye vote -- or a -- a No vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Further discussion? Senator Hendon, are you seeking recognition, sir?

SENATOR HENDON:

Yes, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR HENDON:

First, I want to say to Senator Dillard, now that is a profile in courage. That Senator just showed you why the Republican Party is not always the party of no. There are Republicans who understand the fiscal problem that this State is in, that understand that the pain that's going to be felt by the people of Illinois if we don't do this, if we don't do something, is going to be overwhelming. And I wanted to commend Senator Dillard for having a spine, because sometimes in this Chamber it's as if there are people who don't have a spine - on both sides of the aisle. There's some on this side of the aisle who are like, "Well, I'm a target, I'm a target." Won't vote for anything. Want everything, want every dime they can get for the roads and the bridges and the museums in their district, but don't want to vote for the money to pay for it. So I commend you, Senator Dillard. I'd also like to commend Senator James Meeks, who has worked his entire career in this Senate for the children of Illinois - not the Black kids, not the Christian

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kids, all the children. 174 is an offshoot of 750 - it's obvious. There's some good in here and there's some stuff in here that I don't like. But guess what? That's politics, the art of compromise, the ability to get something done for the people of Illinois. So I commend Senators Dillard and Meeks and, of course, President Cullerton for taking on this tough task. I can't sit down, though, without saying to my good friend Senator Duffy, you weren't even here when the gross receipts tax was around, young man. You weren't even here. You were not in the Senate. You don't even know, because you weren't here, that there were Democrats who didn't like the GRT. We killed it on our side of the aisle. So it -- it's kind of strange that you would bring that up and you weren't here. And my other esteemed friend, Senator McCarter, another young man - and I'm not envious of your youth or nothing like that, but you weren't around either. You just got here. So learn something from Senator Dillard. Put political philosophy to the side every now and then. Do something that's good for the people of this State. If we don't do this, who are you going to cut - the disabled, the senior citizens? Who are you going to cut? Who's got to suffer? How much pain do the people of Illinois have to go through? Should the -- the schoolchildren not have books? Or should they not be able to get on the Internet? Should people with mental health problems just be put out in the street? Should the young people who won't have nothing to do this summer, no jobs, if we don't do this, should they resort to negative activity and behavior? Because an idle mind and an empty belly is the devil's workshop. We need to pass this bill. And I salute President Cullerton, who's like Senator Dillard,

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has a spine and a backbone and a willingness to do the right thing no matter what happens.

PRESIDING OFFICER: (SENATOR DeLEO)

Further discussion? Senator Dahl. Senator Dahl.

SENATOR DAHL:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Dahl, for what purpose do you rise, sir?

SENATOR DAHL:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill. Senator Dahl has the Floor, Ladies and Gentlemen. Please give the speaker your respect. Senator Dahl.

SENATOR DAHL:

Thank you. Thank you, Mr. President. I came into this Body -- this is my fifth year and I came in here and replaced one of your colleagues on the other side of the aisle for the very reason that we're talking about tonight with my two fellow business people on this side of the aisle that understand what it is to have to sign a paycheck and have to keep a business going. I came here when this great Body increased fees and taxes on business to the point where we were running business out of the State and we did. And in the four previous years that I've been here, we've continued to do that. There has been no attempt whatsoever under leadership here in Springfield to create jobs in the State of Illinois. We do not create jobs. Government does not create jobs. Business creates jobs - but we don't seem to understand that. Had we created jobs throughout the last four years, we wouldn't be in this situation tonight.

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Had we spent the money out of the Road Fund on roads, we wouldn't be working on a capital bill tonight. We'd be where we should be. We dug this hole. We've been talking about a snowball going down a hill for the last four years, at least I have. And every time I talk about it, I say that snowball's getting bigger and it's gaining speed. Every year, it gets bigger and it gains speed. And now we're about twenty-four hours from the tree and this thing is going to implode, and we think we can come back here with a tax increase that's going to get us out of this mess. Ladies and Gentlemen, maybe we think we can, but it's not going to. And it's not going to, because as we speak here tonight, business in the State of Illinois and the country is in trouble. We're out there on survival mode with our businesses today. We are not standing here with our pockets full of money to pay more taxes on more things. Businesses -- my business, as an example, is back to 1997 levels on revenue, not because we made mistakes. We're back to that level because that's the way the economy is. Our costs have not decreased. Our taxes haven't decreased. Our revenue has decreased. And now we're going to take more and more and more from business and expect this State to create more jobs to get this thing going again. This is the wrong time for this kind of a tax increase. It's going to be devastating for business. And it's going to backfire. I encourage a No vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Dahl. Ladies and Gentlemen, for the purposes of announcement: Because this is a very important issue, there's quite a -- there's over a dozen more people seeking recognition. The Chair has not ruled on a -- a move the

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previous question or the Chair has not used the timer because of the sensitivity of this very important issue. But please give respect to the next speaker. Senator Duffy, the Chair recognizes your light for the second time. Your name was used in debate, sir, so you can get up and speak. Senator Duffy.

SENATOR DUFFY:

Thank you, Mr. President. I appreciate that. And -- and you know what? I appreciate Senator Hendon's comments. But, you know, to answer his question, I wasn't here in the Senate and I am new. But I came to the Senate because of the gross receipts tax. I was a private citizen who started their own business sixteen years ago with nothing. I've done what you haven't done and what the hardworking small business owners of the State of Illinois are doing: I sign the front of a paycheck, I've balanced my budget and I've been personally creating jobs. So now, in the middle of a recession, you want to put in the highest tax increase on small businesses in Illinois State history -- is outrageous. Thank you very much.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon - shockingly - are you seeking recognition, sir?

SENATOR HENDON:

Mr. -- Mr. President, as you know my name was used, and I just want to let Senator Duffy know that I also have run a small business. And I'm a writer. I have published my own books. So I understand where you're coming from, but I also understand the pain and suffering that the people of Illinois are going to feel if we do absolutely nothing. And it -- I'm glad you mentioned my name 'cause it gives me opportunity to correct myself about

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Senator Dillard. I thought he said he was going to vote for this. Now I'm told that he's not. I won't call him spineless, but I will just point that out for the record that he's -- he's a No.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Luechtefeld, for what purpose you seek recognition, sir?

SENATOR LUECHTEFELD:

Thank you, Mr. President, Members of the Senate. A question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question, sir.

SENATOR LUECHTEFELD:

Senator, you -- you said that if this passes, there would still be, I think, a two-billion-dollar hole in the budget and that cuts would then be made. You know, we're wanting to get out of here in the next day or two. Have you decided what those cuts would be? I would imagine they'd have to be made before we really do a budget. Am I right about that?

PRESIDING OFFICER: (SENATOR DeLEO)

President Cullerton.

SENATOR CULLERTON:

Well, Senator, I think the way you do a budget is you first start off with how much money you have. This determines how much money we have. Based on the estimates, the -- for this next fiscal year, we have a seven-billion-dollar deficit. This raises five billion. So, we will have to cut two billion dollars. And along those lines, I sent everybody in the Senate a list of the Governor's budget with ten and a half billion

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dollars unfunded. We only have about three and a half billion to pay for this. That'll -- that's the seven billion. And I didn't get many back from the Republicans on their suggestions as to where we should cut. So, there's a whole list here that if we don't pass this, we'll have to cut. It will be things like the entire Prescription Drug Program for the State of Illinois. That's 1.2 billion. Childcare services - five hundred and ninety thousand dollars. The MAP Program - it's four hundred million dollars -- four hundred thousand dollars. Childcare services for people who are working. It's early childhood education. Home health care - seventy million dollars. This is what we would have to cut. So, no, we haven't cut the two billion yet. We're going to have to do it, but we're not going to be able to cut seven billion. So that's why we need to pass the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

So you -- you say you -- you didn't answer the question. Are -- you have decided, you know, you can't cut all that stuff and you obviously won't cut huge blocks of it, you'll cut part of it. Have you made any -- 'cause this is a decision that has to be -- be made rather quickly, I would think. We're going to have to start writing this budget. You have not decided exactly where you're going to go for cuts?

PRESIDING OFFICER: (SENATOR DeLEO)

President Cullerton.

SENATOR CULLERTON:

I -- I'm sorry, I'm -- I apologize if I didn't answer your

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question. No, we haven't done the cuts yet, 'cause we don't know what the income is, 'cause we don't know how you're going to vote on this bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you. To the bill. You know...

PRESIDING OFFICER: (SENATOR DeLEO)

Bill, sir.

SENATOR LUECHTEFELD:

Obviously, there's a huge problem. And it's a problem that we've all known that's been coming for the last five or six years. You know, we -- we -- I -- the Legislature has reminded me of a family who -- who simply overspent and continued to overspend and either borrowed the money or -- or simply pushed back the time that they paid their bills for a long time. And -- and finally that catches up with you. And you -- and we all know we've done that, just over and over and over again. And -- and -- and when you do that, you know there's going to be a cliff that you're going to go off of. And then, of course, you had the -- the national problem, which really created a -- an even worse problem. And I -- it reminds me of a family who does that for a long period of time and then comes along and said, "Now would somebody come and help bail me out?" And -- and this, you know, we can blame this on -- on Rod Blagojevich, who -- but he didn't do any of that, any of that with enough votes to pass -- without enough votes to pass. So, we as a Legislature have -- have really continued to do this. And everyone knew it was coming. Again, this bill -- a little bit

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to the bill: Senator Meeks had 750 and he sincerely, I think, wants to help education. But this particular bill, other than put money into education, really doesn't solve a lot of the problems that he wanted to solve. You know, he would like to have some equity in education. It doesn't solve that problem. You know, he wanted more property tax relief. It really doesn't solve that problem. It doesn't take -- a -- a situation in which most of us probably agree with. We ought to take property tax -- lower property tax, fill it back with income tax and have really a significant difference in how we fund education. There -- there are really no reforms in education. We are putting money into it. And, you know, you can say that now education will be funded better, but they said the same thing when they passed the lottery. "Now education is going to be funded better." Well, it -- it did put more money into the system. But all the State did was put in less of the other money that would normally have been -- normally have gone in there. And the same is true with this. This will put more money into the budget and education will be funded better for a while. But we will take some of the money which normally would have gone to education and spend someplace else, maybe to pay the bills. Again, I know this State has a huge problem. And -- and -- and I know that certainly we don't -- we don't run this place. And I know that that problem -- you know, you need to solve that problem. But please don't sell this bill as an education bill. This is a tax increase, a huge tax increase, that if you think we really need, then, I guess, just pass it. But it's not the kind of education reform that all of us have talked about for a long period of time. Thank you.

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PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Further discussion? Senator Steans, for what purpose do you rise, ma'am?

SENATOR STEANS:

To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Bill, ma'am.

SENATOR STEANS:

Thank you, Mr. President, Members of the Senate. You know, this piece of legislation does not solve all the State problems, nor is it meant to be the sole piece of legislation that solves all of our problems. It's in context. You -- we do have -- you know, as the Senate President indicates, the amount of revenue this produces will mean that we still have two-billion-dollar budget hole. Clearly, we do need to be belt tightening. And this very much anticipates that we will be doing just that. There are many reforms that we've been talking about. They're not all here yet. I know that in negotiations, we are -- the Governor is talking with various organizations, ongoing -- looking at our pension systems. I do think that's something that should be looked at. And we are at least putting that into context. We do need to do -- look at our Medicaid funding programs. I know folks have been talking about that. I do think that's another thing that needs to be looked at, but we have -- and education reforms. That's another area that this does not entirely encompass yet. There are some good financial accountability measures in here, but we do -- need additional measures. Some have already come to us that we will be voting on. For example, two bills passed out of the House today and

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are going to be voted on here shortly to lift the charter school cap and make it clearer that charter schools can be organized under the Illinois Educational Labor Relations Act. Those are Senate Bills 1984 and 612, will be coming up soon. We've also already passed and sent to the Governor a new educational data longitudinal system, which means, for the first time, we'll have all the data that we need to evaluate all of our educational programs and be able to start building reforms based on actual real data that we're collecting. But we've got a serious problem here. What this -- Illinois is forty-ninth out of the fifty states in the equity of our funding - forty-ninth. That means the range of what we're paying for our kids' education system is based very highly on where they live. We have a huge range on -- on what is getting paid for kids' education and that's unconscionable, that the quality of education, what we're spending, is based on their address, in my mind. This bill does not entirely solve that, but it certainly takes -- you know, relieves pressure on the property taxes and will certainly help address that. We also do need to be improving the overall quality of our education system. Right now, the U.S. as a whole is twenty-fourth in math, nineteenth in science. We used to, in the seventies, be first. We're not investing in our educational system the way we need to be. Our graduation rate in Illinois is only about seventy percent right now. For the first time, we're in danger of having a lower education -- a lower quality of education for the kids who are in school than our generations for the people in this room. Again, that's unconscionable. And we need to be putting in higher standards and making other educational reforms. And I do believe that we are going to be

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addressing additional reforms, not all in this bill, but we'll need to be getting to those. With this increase, I feel this is a better plan and very appreciative of Senator Meeks for the years of work that he's been doing this, on this, and the Senate President now for showing leadership on this, that we're not only looking at addressing our current budget issues, but also tackling a long-term public policy problem we've been having in terms of the state of our educational funding situation. And I'm very appreciative and very much encourage an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Further discussion? Senator Bivins, are you seeking recognition, sir?

SENATOR BIVINS:

Yes, Mr. President, thank you. To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR BIVINS:

You know, like everybody in this room, I've received a lot of e-mails asking that I support an income tax increase. And weighing that in my mind and trying to keep an open mind, I think of what a sixty-seven-percent tax increase would mean to the folks back home. And one thing came to my mind - one lady came to my mind. And it's a lady who's a waitress back home. She works three jobs. She has a debilitating disease. She takes no government help whatsoever. To her, this would be devastating. And so for her and thousands like her, I encourage a No vote. Thank you very much.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Further discussion? Senator Holmes.

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For what purpose do you rise, ma'am?

SENATOR HOLMES:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, ma'am.

SENATOR HOLMES:

Thank you very much. I just want to stand up -- and first of all, I do want to commend the sponsor, because this is not an easy thing to do and it's certainly not an easy thing to do to ask your Members to vote for an income tax increase. There is nobody that is in political office that ever wants to say, "Yes. Guess what? I'm one of the ones who voted for a tax increase." So I don't want anybody to think that any of us take this lightly or this is an easy decision, because it is by no means an easy decision. But on the other side of the coin, we would be saying we're -- we have to make cuts. And even with this income tax increase, we still have to make cuts. I don't want to make any more drastic cuts than we're going to have to make for services for children with autism, our senior citizens, victims of domestic violence, the developmentally disabled. Let's face it. There are so many services that we provide as a State that are desperately needed by our residents. We're already going to have to make some cuts. We're not dealing with a small problem here. We're dealing with a 12.4-billion-dollar deficit. That's enormous. The responsible thing to do is to say we're going to find a way to address it. Are we all going to feel a little pain doing this? Yes, we are. We're still going to make some cuts. We are going to pay higher taxes. Those of us that have to vote on this are taking a vote that

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none of us is really happy having to take, but we need to be responsible and we need to take care of this problem. It would be very convenient to blame this on our past Governor, however, when he came into office, there was a five-billion-dollar deficit. So this has not been a problem caused just by one party. This has been a problem in Illinois government for quite some time. And this is not the perfect solution. As a matter of fact, I was opposed to this and I was a No vote on this until, as somebody who had been a small business owner for twenty years, I made sure that that corporate income tax that they wanted to raise to 7.2 was going to be knocked down to five percent. So, I think we all sat there and took this very seriously and tried to address some major issues. We are making cuts. We are making reforms here. This is not just a matter of going out and saying we're raising taxes. This is trying to take a comprehensive solution to this problem. So, we're making cuts. We're making serious reforms and there's going to be greater transparency in our government, which I think is vital for the public to see after the corruption we've seen in our executive branch. So, raising taxes - it's unfortunately something that needs to be done. It's not the perfect answer and it's not something any of us want to do. But in order to address a 12.4-billion-dollar deficit, please, take a look at that number and tell me how else we can handle it. So this is definitely something we need to do. And we need to do this to be responsible and accountable to the people of Illinois. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Further discussion? Senator Mike

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Jacobs. Senator Jacobs, you seeking recognition, sir?

SENATOR JACOBS:

Nobody likes this vote, but, you know, we all went to the dinner, we all ate the lobster; some of you even ate the steak and the salad. But as usual with the politicians, when the bill comes, they don't want to pay it. It's time for each and every one of us to reach into our pockets. We've all built up goodwill with our voters; they know that we're going to do the right thing. And this notion that somehow the Democrats tripped and fell here when President Bush helped get us here - it's a national economic problem and that's what this State's experiencing. Yes, you know, I sometimes disagree with my Democrat colleagues, because we do like to spend too much. And sometimes I'll disagree with my Republican colleagues, because they act like they don't. But the fact is, somebody has got to pay the piper. This is not a perfect budget, but right now our budget is six billion dollars out of whack. I have yet to hear a single Republican on that side of the aisle tell me how they're going to cut six billion dollars. The fact is, our budget that we use for State services, that we use for operations, is six billion dollars. So if we cut out everything, everything, we'd still be broke. You know, I don't want to vote for this, but I'm well aware that my friends in Iowa, who are viewed as more progressive than Illinois, have an 8.9-percent income tax increase. And let me tell you what, they're kicking our tail end on the job market. And my friends in Wisconsin are at a 6.7 income tax and their economy is thriving. I want to work with my friends on the Republican side of the aisle to create jobs in Illinois, because in the end,

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this is a jobs problem. Question of the -- of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question, sir.

SENATOR JACOBS:

Mr. President, does your bill pay the teachers' pension requirement of four billion dollars?

PRESIDING OFFICER: (SENATOR DeLEO)

President Cullerton.

SENATOR CULLERTON:

The law in Illinois, unless it's changed, will fully fund the pension system for this upcoming fiscal year. And we haven't changed that law. That number is close to four billion dollars and that will be paid.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs.

SENATOR JACOBS:

So it's your contention, sir, that we have a budget that you're going to raise some money and that we're going to be a billion five - somewhere in that neighborhood - short, and my Republican friends are going to get to make those cuts they so want to make. Is that -- is that what you're telling me?

PRESIDING OFFICER: (SENATOR DeLEO)

President Cullerton.

SENATOR CULLERTON:

Yes. Even after this bill is passed, there will be approximately, I think, two billion dollars in cuts that we will still have to make, after we've funded the pension fund.

PRESIDING OFFICER: (SENATOR DeLEO)

Any -- anything further, Senator Jacobs?

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SENATOR JACOBS:

Yes, two questions, sir. What is the -- how -- how much money does each student in Illinois get under this plan? Is there -- is there a dollar amount that each student receives? Or is it just Democrat students that receive? What -- what -- what's the amount of money?

PRESIDING OFFICER: (SENATOR DeLEO)

President Cullerton.

SENATOR CULLERTON:

Senator, this fiscal year - Fiscal Year 2010 - it increases the foundation level by two hundred and thirty-one dollars. But the real benefit is in the outyears, where the economy turns around, we've paid off our debts, and a great amount of money then will be directed both to higher ed, as well as elementary and secondary.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs.

SENATOR JACOBS:

In -- in closing, Mr. President, question. If the Senate Republicans don't support this bill and don't support trying to balance the budget, what -- what do you think we're going to do? Are -- are we going to wait for the House to direct us what to do? Maybe shut down government? Maybe not pay our teachers? Maybe leave children in risk in difficult positions? Is that -- is that the end result of this, Senator?

SENATOR CULLERTON:

Well, we had urged them..

PRESIDING OFFICER: (SENATOR DeLEO)

President Cullerton.

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SENATOR CULLERTON:

...to cooperate, as we have all year, and see if we can solve this problem together. We've asked the Democrats to not act like Democrats have in the past and asked the Republicans to not act like Republicans have in the past - to work together and see if we can come together and solve this budget crisis.

PRESIDING OFFICER: (SENATOR DeLEO)

Further discussion? Senator Brady, are you seeking recognition, sir?

SENATOR BRADY:

Thank you, Mr. President. You know, it's amazing to me -- it's really not amazing to me that we have this huge budget shortfall, as I listened to the earlier debate. And, frankly, I hope those kids that you're trying to protect and help aren't listening, because I think they'd find it laughable that you have now stated at least three different deficit figures. One says six billion, one says seven billion and one says twelve billion. You know, when you want to raise taxes on the people of Illinois, you at least ought to have a straight answer for 'em. I do have a question though of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question, sir. President Cullerton.

SENATOR BRADY:

President Cullerton, do you know what it means to be a net out-migration state?

PRESIDING OFFICER: (SENATOR DeLEO)

President Cullerton.

SENATOR CULLERTON:

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No, I don't actually.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Brady.

SENATOR BRADY:

What it means is that more people are moving out of your state than are moving in. What Senator Dahl said earlier about the fact that government doesn't create jobs is absolutely right. But what is also right is government can lose you jobs. You have cost the State of Illinois approximately seven hundred thousand jobs with the policies that you enabled and assisted Rod Blagojevich by putting in place over the last six years. What it means is, is that this State is going to have fewer people when it comes to the next census. We are going to lose our stature in this nation and it's because you've made Illinois too high of a cost a state to live in and too high of a cost a state to do business in. And you're just putting another nail in the coffin. If you want systemic progress in solving our budget solutions, you will roll back taxes and fees and bring the seven hundred -- thousand jobs you've caused to move to Indiana, Wisconsin, Iowa and other states back to Illinois. It's not because we don't have great resources here. We have some of the greatest people of this whole nation. We are the best geographically centered state in the whole nation. We have rail and river and -- and road right-of-ways. We have colleges and health care institutions. But when you penalize the business community, you know what? They've got other places to go and they've taken their investments and they've moved them to neighboring states. If they hadn't - think about this - if we had those seven hundred thousand jobs, we'd have over three

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billion dollars in revenue that we could spend on the very purposes you're talking about. You know, in business when you raise your price above what the consumer's willing to pay, they go somewhere else. That's what this tax increase does. It raises the cost of living in Illinois and it raises the cost of doing business in Illinois. If you vote for this, you're voting for your children and grandchildren to probably look to another state to find a job. That's not what we Republicans stand for. And, frankly, I don't think that's what you stand for. But you've got to take a longer-term approach, Ladies and Gentlemen. This bill is the wrong approach to solving Illinois' economic crisis.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Raoul, are you seeking recognition, sir?

SENATOR RAOUL:

Yes, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR RAOUL:

You know, there's been a lot of engaging and finger-pointing - partisan finger-pointing. And, you know, I don't know - whether Democrats within the State or Republicans nationally - who is responsible for how much our economy has suffered over the years. But I know there's responsibility in both parties. And I know it's uncomfortable to be in a caucus of twenty-two, so you're going to try to use whatever you can to point the finger of blame over here and you're going to pretend like the only people who are business owners are Republicans.

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There are small business owners who are Democrats. I -- you know, I really to commend Senator Meeks who's worked both under this Dome, as well as throughout this State, and consistently worked on it and has spoken to every Member, whether they were a Republican or a Democrat, and -- and taken into serious consideration whatever their concern was. And to engage in this finger-pointing knowingly, knowing that -- you know, the jobs don't only go to Indiana and the other states, the jobs have been going to India and China because of Bush policies. So let's not pretend that this is a Blagojevich thing. Let's not forget about Ryan. You know, there's responsibility on both sides of the aisle. And I'm willing to take mine. I want you to take yours. This is about investing. And you're talking about people moving across the border of the State, as Senator Jacobs pointed out. Well, you know, -- are they going to move over to Iowa, where the income tax is nine percent; or Minnesota, 7.85; Ohio, nearly seven; Wisconsin, nearly seven? Relatively speaking, we have a modest income tax. And one of the things I want to commend the Senate President for, because there was a number of people on this side of the aisle who were concerned about, the corporate income tax. And both Senator Meeks and Senate President took heed to that. And so, for the first time, the individual income tax and the corporate income tax will be parallel. And that's taking -- taking heed to the fact that we don't -- we do want to attract businesses. So don't point a finger and say that we don't have that concern. And there are reforms in here. And as Senator Steans pointed out, there are other things that we're doing. There's a resolution that she just passed out that received bipartisan

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support. There's another resolution that -- that'll be forthcoming that'll be looking at what we need to do with regards to the pensions. So we -- we -- and we will be working on this in a bipartisan nature. But we can't stay at whatever -- whether -- whether you want to call it six, seven, twelve, it's a heck of a hole and you can't just sit on your hands and do nothing. Whether you expect to run for Governor or whatever you expect to do, the campaign is not now. The people of the State of Illinois are waiting for an answer. And they don't want you to just sit on your butt and do nothing. I commend this Senate President for doing something. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Rutherford, are you seeking recognition, sir?

SENATOR RUTHERFORD:

Mr. President, I am and thank you very much. I'd like to ask the sponsor a question, if I may.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question, sir.

SENATOR RUTHERFORD:

Thank you. I also want to start out by saying, Senator Meeks, thank you very much for your passion and for your dedication in something you believe so strongly in. Mr. President, I note that on page 65 {sic} (64), line 21, of the Senate amendment, we're talking about a number of new -- or, a number of services that would be taxed here in the State of Illinois. And, again, on page 65 {sic}, one of those is Internet service providers, which I think we can all generally understand, but the one I don't have any clarity on is when

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we're talking about information services. That's on line 21. My question then, Mr. President, does that include like radio stations, newspapers? Does it include information services like television stations or, perhaps, even Capitol Fax?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton.

SENATOR CULLERTON:

Senator, I'm not positive of -- of the answer. My inclination is to think that that's not the case, that that would be -- those would be prohibited by federal law, but I can't tell you for certain. I'll be happy to get that answer for you after the bill is over in the House. And before they take it up in the House, I'll get that answer for you.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Rutherford.

SENATOR RUTHERFORD:

Thank you, Mr. President. If I could have a follow-up then. Senator Cullerton, there were a few others as I looked through this list that I think there was some, perhaps, haziness in it. Do you suggest then, if this were to become law, that there will be some form of rules promulgated through the Department of Revenue to add a greater clarity to what we actually are talking about here?

PRESIDING OFFICER: (SENATOR DeLEO)

President Cullerton.

SENATOR CULLERTON:

I'm sorry, the question was, will rules be promulgated concerning the implementation of this bill? The answer, obviously, is yes.

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PRESIDING OFFICER: (SENATOR DeLEO)

Senator Rutherford, anything further? Nothing further.
Senator Trotter, for what purposes you rise, sir?

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. I rise, one, to speak, but I do have a few questions. But before I ask them, I would like to really commend Senator Meeks and, of course, President Cullerton for putting something real on the table. Senator Meeks shows that, for those of you who just got here, that every issue that you are passionate about doesn't get passed the first year. You work until you get a consensus. You work and when -- you learn the system and how it works. So, those of you who just got here, learn this lesson. This is how, when something substantive needs to be done, it becomes that protracted battle that you work towards making happen, not just reading off a piece of paper for your press release, but actually reading a bill, knowing what's in a bill, and then give something constructive to make a bill better. This bill is far, as Senator Jacobs said, from being perfect. It's not the best bill. And you can say it's not even a good bill, 'cause a good bill really would have addressed all of our issues. But we're taking that -- those steps that needs to be taken to go forward. You ask, why do we have different numbers? Because it's a moving target every day. It's a moving target. Are we going to fully fund our pensions or do we need to right now during these hard times? You know, are we going to make some other kinds of reductions in -- in other programs that are real important to us? We want some DNA -- new DNA collections. If this bill isn't passed or at least close to it, those

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dollars, those CODIS dollars that are paying and not paying enough already to collect DNA, wouldn't be here. You know, I'm -- and unlike a lot of people, I -- I will admit, I have no problems in raising taxes, because the bottom line, we have not raised taxes in this State for over sixteen years. We can't buy the same milk, we can't buy the same bread, can't deliver the same health care services with 1993 dollars. Can't do it. Our needs grow. We -- we, unlike the feds -- and I -- and I heard our good Senator Durbin who was here today say that he's brought billions to the State. Well, yes, he has, but we need more. Unlike the feds, we can't print money. We don't have that luxury. We have to have a revenue stream, a dedicated revenue stream - no tricks. We're not saying this is going to be funded by a riverboat. We're not saying let's have some cigarette taxes. We got a dedicated revenue stream in which we are balancing our budget with. That's what this bill does. And it does it with also -- knowing that we can't get it all, with that area in which we can cut the fat out. What we've asked repeatedly from your side is you have a chance now to help us. Let's do away with the Meals on Wheels program, if you don't think that's important. Let's do away with -- with some of these veteran programs that many of you have put on the books that adds up to tens of millions of dollars, if you don't think they're important. You have this opportunity in the next few months, because we are now in this bill fully funding all operations, funding the pensions, funding the merit increases, we're funding education. I mean, we're funding a lot. But there's stuff that we can't. Help us, folks - you know, rock throwers - help us right now. Put down your rocks and let's get

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to -- to the good work, to the business of really having a fine, good balanced budget going into -- 2010. So we know by 2011 we off on -- on the good foot. We can do much better, but we need your help. We're giving you cover right here. I'm -- I -- I don't expect you to vote for it, but you certainly will benefit. Your relatives and your constituents will benefit from these programs that we had the guts and, Senator Hendon, the -- the heart to vote for. Well, to my colleagues, we need your vote. We need to stand strong today and do the right thing for the people of Illinois. This is our chance to show what we were sent down here to do and what we're about. And that is to be not only the voice for the people, but also the conscience for the people and also the hard workers in the people's interest. And I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR MURPHY:

Thank you, Mr. President. Just a -- a brief remark before a couple questions of the sponsor. This is obviously one of those philosophical questions. And we've had some people here, on both sides of the aisle, commend not only President Cullerton, but Senator Meeks, for their efforts on this bill. And I'm going to join that chorus. I think this is an absolutely horrible idea, but I know you don't. I know this is a sincere effort on both of your part at fixing what we all recognize is a problem. I think it's going to make things worse, not better. And I -- I believe that as firmly as you believe that this is a good idea. So I say this because a lot

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of the time, especially at the end of a Session when we're all tired and we're getting a little cranky, this can get personal, there can be animosity. And it doesn't have to be that way. And I want to make sure that we make that point for everybody here who's listening too. I don't think these are bad people 'cause they want to raise our taxes. I think they're wrong, but I don't think they're bad people. And I hope that there's a similar sense on the other side when I explain why I think that this will do more harm than good. But I'd like to -- if I could, a question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question, sir. Senator Murphy.

SENATOR MURPHY:

Thank you. Mr. President, the -- there are, according to our analysis, thirty-nine taxes - new taxes on services. And I want -- and I know Senator Rutherford touched on the Internet -- the Internet service provider's tax. There's also cable TV. Can you give us a sense of what some of the other new sales taxes on services are, particularly those of us from Cook County who have a slight sensitivity to the concept right now?

PRESIDING OFFICER: (SENATOR DeLEO)

President Cullerton.

SENATOR CULLERTON:

Senator, I -- I think that it would be helpful if I told you the -- the background behind how these were chosen. If you take all services, like I think the State of Florida taxes all services, there's some four -- I want to say four billion dollars, maybe even six billion dollars, some - how much? - I'm

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sorry, twelve to fourteen billion dollars that can be raised if you -- if you do all services. And the theory behind it - and I'll give you an answer - but the theory behind it is, the goods economy is not growing at the same rate as the service economy. That's why we have a structural deficit. The sales tax income is not growing at the same rate as our expenses because of that. So this is a start at taking what would be described really as the low-hanging fruit, since I believe every state that surrounds us taxes some of these services. At least one state around us taxes every one of these services. So that's -- that's how we got it. But some that I have on my list here: non-scheduled chartered air transport would be taxed; photocopying services, private club membership fees, dating services would be taxed. So, if you don't utilize that, you wouldn't have to worry about it, but that would be another thing that would be increased. I think we took out barbershops intentionally, 'cause my thought was that when you're getting your hair cut that barber would -- all he'd be talking about is how you raised -- you forced him to raise his taxes. So we took the barbers out. And -- and the -- and so I think you might be happy about that. But that's the idea. The best example was the -- changing the oil. You pay tax on the oil, but you don't pay tax on the service. Now we'd be combining it.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Murphy.

SENATOR MURPHY:

First, Florida doesn't have an income tax. About where the -- this is -- this is being sold as an education funding bill to a large extent, and I have no doubt, given that we've added 1.4

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billion to K through twelve education just from the State over the last few years, that -- that that's a sincere intention. But of the roughly seven billion net generated, our understanding is is that four billion of it is not necessarily, specifically earmarked to anything and could be spent on things other than education or paying the -- paying the full pension benefit. Is that accurate?

PRESIDING OFFICER: (SENATOR DeLEO)

President Cullerton.

SENATOR CULLERTON:

I -- I'm sorry, I was -- I don't know if I fully understood the question. What -- what we're trying to do here is give a -- this year give a slight increase to education, knowing the budget deficit that we have. And in the outyears - although future General Assemblies can obviously change it - indicate that we want to have a tremendous increase in the amount of money that goes to education, both elementary and secondary, as well as higher ed.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Murphy, anything further, sir?

SENATOR MURPHY:

There has been -- I think a couples times, Mr. President, you've made reference to, if this bill passes, we will need to make two billion dollars in cuts. Do you have a plan for that two billion dollars as we stand here now?

PRESIDING OFFICER: (SENATOR DeLEO)

President Cullerton.

SENATOR CULLERTON:

No. That's when we have to work together. That survey

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that I sent out to all the Senators had the list of the ten and a half billion dollars. Many things on here people looked at and said, "Hey, what's that for? I didn't even know we paid for that." Some things are critical, like the MAP program. So we have to go through here - ten and a half billion dollars that have not been appropriated - and we have to cut two billion dollars out of it. And we have to work together with you on that. And that's why we established a committee - I think you were on it - to ask for the input from the Republicans on how we can save money. Just last week, we got language from you. I don't know if it's going to work, but it's an attempt to increase our managed care program for Medicaid. If it does, it'll be a half a billion dollars. That's half a billion out of the two billion we need to -- to cut right there. So that's where we're going to have to work together. But we know we can't cut - at least in our opinion - seven billion.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Murphy.

SENATOR MURPHY:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir. Senator Murphy.

SENATOR MURPHY:

This is, as has been said, the largest tax hike in State history. Where we are right now is one of seven states with fewer jobs today than we had ten years ago. We're one of the bottom five states in job growth over that period of time. What that means to the State's revenue is four thousand dollars in lost tax revenue for each job we don't have. More importantly,

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what it means for the people of this State is lost opportunity. It's a job they don't have the chance to get. We're going to lose another Congressional seat in the next census just like we did in the last one, because the people of this State are leaving. They're assessing the quality of their ability to live the American dream in Illinois and sadly finding it better somewhere else. I said at the outset that I understand and -- and appreciate the intentions of the sponsors on this bill. But really what we're doing here today, because so far we don't have the cuts, and what the Governor proposed back on March 18th is essentially to do everything we've done over the last ten years to get one of the worst job records in the country. But the only thing we're going to do differently is layer on the largest tax hike in State history, further crushing opportunity for the people - not just in my district, but in all of our districts. To me this is a race -- this is a prescription to win the race with Michigan to the economic bottom of this nation. It is one hundred and eighty degrees from the direction we need to go and it is going to seriously impact in a negative way the people in all of our districts. Couple of key points: property taxes. How many times have you heard somebody -- and -- and Senator Luechtefeld made the reference - how many times have you heard somebody say I thought the lottery was going to solve education? Of course, down here, we know it produces about six hundred million dollars; in education, we spend twenty-three billion. But the point of it is, people were told something by politicians when it passed. They had an impression that was created in their mind that this was going to be a fix. When we call this a tax swap - which is a sixty-seven percent income tax

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hike and a three-percent help in property taxes - when we call it a swap or when we do it on the heels of what has been out there in 750 for years, the impression in your constituent's mind is going to be "my property tax bill is finally going down", and it's not. It'll go up. And if you think they're mad that the lottery didn't fix education, wait till they get a higher property tax bill after you told 'em it was going down if they just agreed to pay sixty-seven percent more in income tax. Be careful. Be careful. Again, I appreciate the sentiment. I appreciate the intentions. There is a better way out of this. If you look at Governor Quinn's March 18 budget proposal, it balances. Now he does it with two things - 3.8 billion dollars in tax hikes and a 2.3-billion-dollar shorting of the pension. In my view, neither are acceptable and neither are necessary. You can come up with -- and I know 'cause I did it. I did my homework, Mr. President. I didn't share it, but I did it. You can come up with the cuts. They aren't the cartoonist Blagojevich-style cuts that have been thrown around here. They are not those cuts. They hurt. I'm not here to tell you it's all fat, 'cause it's not. But you can make 'em. They don't go to the fundamental core of our responsibility to the people of this State. You can make the cuts to replace the tax hikes. You don't have to raise taxes. Let me repeat that. You don't have to raise taxes. I said you cut. I got the list, come on, I'll show you. The other thing you're going to need to do..

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Murphy, could you...

SENATOR MURPHY:

The other thing...

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PRESIDING OFFICER: (SENATOR DeLEO)

Senator Murphy, could you please bring your remarks to a close, sir? Thank you very much. Could you give the gentleman your respect? Give the speaker respect. Senator Murphy.

SENATOR MURPHY:

Last thing I want to be is insightful. I think that was a Yogi Berraism. Again, to fund the pension, we may have to short-term borrow. I think it's a better choice than stiffing the pension. I commend you for fully funding the pension, instead of blowing an eighteen-billion-dollar hole on the back end, which the Governor proposed. Please reconsider this. This is a dagger pointed at everybody in this State who's hanging on to their job by a thread or is trying to find one after they lost one. Please don't do this. Don't raise taxes and make it harder for people to succeed in this State. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR NOLAND:

Thank you. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Noland.

SENATOR NOLAND:

Hello. Can you hear me now? Thank you. To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir. Senator Noland.

SENATOR NOLAND:

Thank you. Well, first of all, what I'd like to do is address a couple of the points that Senator Murphy has made.

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Short-term borrowing? So what? So we can just go ahead and pay the bankers interest and just roll over the debt list a little bit more? Well, we know who that's going to make happy. Be folks that you probably are pretty close friends with, I suppose. And that's all right. Doubling the property tax credit from five to ten percent is meaningful property tax relief. You can't paint it any other way. It's a fact. And as far as jobs -- job losses, the problem is not the fact that jobs are just -- just flowing out of the State, which they are, the problem is there's a gap in skills between workers and employers. And when we invest in education, we increase the skill sets of our workers; we might narrow the gap between employers and those who are unemployed. I'm so glad to see so many people from throughout the State up there in our -- in our gallery, who represent all the many interests. We have education. We have the social services. We have health care up there. Let me tell you something, if cutting all of these people loose were so easy, nobody would care about a soul. I can't tell you how many times I've attended a forum or a luncheon or this or that and one of my colleagues, who happens to be from the other side of the aisle, talks about how much they care about all of these services. It's like they -- they have one story that they tell the folks up there in the district and they're leading another life down here when they sit in this seat. Truth is, when you can stand up here and at least tell us where you want to cut and you find some unafraid way of telling the truth, maybe this place would start running the way that these people demand and deserve that it run at long last. The voters have spoken over time. Previous Legislatures have

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ignored this problem for the last twenty-five to thirty years. And you left it to the people to sort it out and they have. In '02, they voted in a Democrat majority. In '06, they voted in a supermajority here. And in '08, we picked up a few more seats over in the other -- other Chamber. And they know what we do. They know how we answer the needs of the people. That's why they sent us down here. And, Reverend, I want to salute you. What a mighty work you have done here. And I know that you know and the reason why you've been down here doing this is because you know that we cannot reap what we do not sow. And you downstaters -- and I grew up on a farm downstate. Latham is where I grew up, Senator Bradley {sic} -- excuse me, sorry about that. I'll get to know you better as you run for Governor, I'm sure. But we know that we cannot plant on hollow ground. So I guess the question here for us tonight is whether or not this Chamber is nothing more than hollow ground for the people's hopes and dreams and aspirations, or if it might just -- just -- might just, this time, be the fertile soil that, if we do the right thing here tonight, let the rain come down for a change, we might enter a new era of hope and prosperity for the people of the State of Illinois. I urge an Aye vote. This won't be just simply another vote. For this Chamber, it'll be the best vote you may ever take. I urge an Aye...

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Thank you, Senator, for those wonderful remarks. Senator Sandoval, for what purpose you seek recognition, sir?

SENATOR SANDOVAL:

Purpose of the bill, Mr. President.

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PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir. Senator Sandoval.

SENATOR SANDOVAL:

You know, I don't know if I can be as eloquent as my colleague from Elgin, but I'll certainly try my best this evening. In the wee hours of the final day -- the final -- almost the final day of this Legislature, my comments are going to be directed to my friends on this side of the aisle, with due respect to my friends on the other side of the aisle. To my southwest-siders and to my downstate colleagues, let's remember how life was eight years ago in Illinois and in America. We tend, as Democrats, always to blame ourselves for our failures, but let's really look at how life was eight years ago, with the unemployment at its all time low, national surplus - all time high, people working, poverty on the decline, and the economy booming. That's how life was eight years ago, my fellow Democrats. Eight years later, life has drastically changed. And life has drastically changed not because of Democratic fiscal policies; it's been all about Republican George Bush economic policies. That's what's got most of the states in America in this bind today. We're not the only ones. You know, when George Bush took office eight years ago, he didn't have a problem taking care of his friends, you know, and we sat there and we took it for eight years. Working families, children and seniors took it right in the pants for eight years. For eight years, we sat here taking it in the pants because of George Bush. Why didn't he stop the wild credit lending to everyone in our own backyards, on the southwest side, downstate, central state? Why didn't he extend unemployment benefits to all those

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who lost their jobs in our backyards? Why didn't he spread -- why didn't he stop -- why didn't he spread the jobs that went overseas to all those defense contractors in the Middle East? We sat there and we saw jobs, American jobs, fleeing to the other side and to the Middle East. And we sat here and we took it in the pants. Why didn't he leave people -- why didn't he change the bankruptcy laws that put so many people out of their homes on the streets? Why didn't he -- why didn't he help the people that were stranded on the rooftops of Katrina {sic} after the hurricane? Working families, people, and seniors took it right in the pants. And we sat there and we took it for eight years. Enough's enough. Enough's enough. Bush's economic failures have weakened the middle class, deepened poverty, and harmed women, seniors, and children. The Bush agenda benefited the wealthiest at the expense of the middle- and low-income families of which we all represent - many on the southwest side, many in central Illinois, many in downstate Illinois. Who are we fooling? Who are we fooling? It's not the Democrats that have put us in the bind. It was George Bush and the other party that put us in the bind. And they're the ones that put this whole country in a bind. That's why this country decided for change, to change the course of economic failure and take us in a different direction. You know, when it comes to Blacks and Latinos, for eight years, for eight years, our children have been left behind. Our families have been dropping further and further into poverty. Latinos and Blacks have further lost health care. We have lost the battle of having a job and having health care. Who are we fooling? You know, eight years of destructive economic policies have put state legislators behind

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the eight ball. It is not Democrats that have put us behind the eight ball. It is -- it was George Bush. Do you remember the election that just occurred last year? It was George Bush economic fiscal policies that put America and put Illinois in this bind. We've been taking it in the seat of the pants for eight long years and we have an opportunity to put working families, children and seniors first. And I urge all my colleagues on this side of the aisle, all my fellow Democrats from central and downstate Illinois, from the southwest side of Chicago, to support this bill, 'cause this is the only opportunity that we're going to have after eight long years. And I respect the leadership that President Cullerton has demonstrated in his first term as Senate President. I urge an Aye vote. This should be a full Democratic vote for the working people of America and the working people of Illinois.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator, for those short remarks. Senator Kotowski, for shorter remarks, sir. Senator Kotowski, for what purpose do you rise, sir?

SENATOR KOTOWSKI:

Thank you, Mr. President. Sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question, sir. Senator Kotowski.

SENATOR KOTOWSKI:

Mr. President, I was just kind of concerned. Did -- did you say that there is going to be no tax on barbers? Thank you. 'Cause I was really worried about that as often as I go to the barber. So I've been sitting here thinking and praying and --

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and thinking about my father and how I was raised and my mom. And we constantly talked in our family about the importance of giving back, the importance of leaving the world better than we found it, and that we were blessed with a lot of gifts in our life and that we had a great support network. And I've been thinking about those issues. And, you know, my father was a Jesuit, you know, for ten years. It's a good thing he left the Jesuit or I wouldn't be here today. But we always focused on being a man for others, a human being for others and doing the right thing. So, I've arrived at this place where, you know, initially I was a -- a Present vote, but I know there's components in this bill that include cuts which are going to be very, very difficult for people to absorb. And I -- I applaud you, Mr. President and -- and Senator Meeks, for your commitment to looking at these issues. And I applaud you for looking at the number one issue that -- of concern in my district, which is property tax relief. And I applaud you for willing to embrace and look after an issue and -- and focus on something that not a lot of people want to focus on. You know, I ran on a platform that was just basically saying that, you know, before we turn to taxpayers, we need to do this and that. So, your commitment to these kind of issues and reforms and showing people that business is changing in Springfield is proof to me that I'm going to support this bill. And I've changed on it because of your leadership and the leadership of Senator Meeks and the leadership of my colleagues and the fact that I've been thinking and praying on this issue. And to be quite frank, I want to go back home and make my father proud and my mom proud and my wife proud and my kids proud and my community proud that I'm doing

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the right thing, that I'm standing up for this bill. And I'm going to vote Yes.

PRESIDING OFFICER: (SENATOR DeLEO)

Senate will come to order, please. Senator Martinez, are you seeking recognition, ma'am?

SENATOR MARTINEZ:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Bill, ma'am.

SENATOR MARTINEZ:

As I sat in Education Committee listening to the debate -- I -- I don't know if many of you have read the -- the report that was submitted to us by Ralph Martire from the Center for Tax and Budget Accountability, and -- there was a few things in here that I want to highlight that many -- for some of you that did not receive it. One of the things that he did state - and I know we all know this already - that Illinois is one of only six states with an income tax that's -- has a flat tax rate that applies to all taxpayer. But what intrigued me the most was the fact that we're talking about spending, we're talking about that we have to be able to plug this hole. And by plugging this hole, that means that we got to cut services, we got to cut spending. And according to his report -- first of all, we know that this economy has been in recession for the past seventeen months. So it's been a long time that we had it coming. If the State were to close it's four billion to eleven billion budget deficit by cutting spending, it could cost the State economy to lose anywhere from fifty-six to a hundred and sixty-three

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thousand jobs, thereby worsening the recession and the State's unemployment rate. This comes straight from this -- this center that does all the tax and budget accountability. They also state that if the State's government decides to create jobs and counter the deepening recession, its best option for eliminating the deficit is to raise taxes, preferably progressively and maintain our enhanced total spending. And if State government chooses the option to maintain or enhance spending, it could maintain and create up to a hundred and sixty-three thousand jobs to shorten the recession in Illinois by over six months. Let me tell you, Ladies and Gentlemen, if we don't do something today or tomorrow to address the issue of the deficit and how -- what we're going to do to be able to at least bring the deficit -- to shorten the deficit, we are going to face serious problems. When you talk about cutting away seven billion dollars, it's not only going to be cuts in the Democratic area; it's also going to be in the Republican area. It's also going to -- we're going to talk about programs like afterschool programs. What are parents going to do with their children if there is no money for afterschool programs? What is going to happen to that woman or that man or that child that ends up in a domestic violence shelter and there is no shelter because there is no money...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Martinez, one moment, please.

SENATOR MARTINEZ:

Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Could you give the speaker your attention, please? Please

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refrain from speaking. Senator Martinez, please.

SENATOR MARTINEZ:

Thank you, Mr. President. And I -- I...

PRESIDING OFFICER: (SENATOR DeLEO)

And in conclusion.

SENATOR MARTINEZ:

And in conclusion. I'm -- we are facing the worst situation. We have an opportunity today to do something, to not go home empty-handed and say that we didn't do nothing. Because let me tell you something, things are going to get really, really critical out there in our communities if we don't do anything. And this goes to both sides of the aisle. Is it the perfect bill? Probably not. But is it a start? Yes. And I want to commend Senator Meeks and our President on making -- making sure that we can address all the issues. And guess what? We are never going to have you guys probably vote on a tax. But understand that if we don't vote on something, we're going to have a very critical state, far worse than where we are right now when it comes to all these programs that are being cut in our districts, and then ask your constituents what they have to say to you about what we didn't do here in Springfield. And I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Frerichs, I want to thank you for your patience. Senator Frerichs is the last person seeking recognition. And then we'll have Senator Meeks and President Cullerton to close, the two cosponsors of the bill. Senator Meeks, for what purpose -- Senator Frerichs, for what purpose do you rise? You look a little bit alike. I apologize. Senator

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Frerichs, to the bill, sir.

SENATOR FRERICHS:

Thank you, Mr. President. I won't take a lot of time. I don't stand to speak on these bills that often. But I've heard an awful lot of talk about jobs being lost in this State and small businesses investing and small businesses growing. I just want to speak to both of those. I, too, am concerned about a lot of jobs we've lost in this State. We've lost a lot of jobs in nursing homes, at pharmacies, at hospitals, because this State has not done a good job at paying its bills. We can't pay our bills without revenue. What this bill will do is allow us to pay our providers and stop being a deadbeat -- deadbeat to our health care providers in this State. That's something that's going to save jobs and promote health care in the State of Illinois. I've heard a lot of people talk about small businesses. I worked at a start-up company and I did for a few years. And almost every start-up company I've seen doesn't start off with a huge source of revenue. They don't start off with a lot of money. They go out and they get loans, they find investors, and they invest in their products. They invest in employees, they invest in research, they invest in facilities. And that's what the State of Illinois needs to do if we're going to grow our State. We need to make investments. And I think the best investment we can make in the State of Illinois is in our human capital - it's in our schools. It's when we educate our students at a young level, as we provide world-class institutions of higher learning, that give people access to great jobs, that are drivers of economic opportunity in this State. And we need to fund these. And that's why I think this

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has been a long time in coming. But I'm very proud to vote Yes on this bill tonight.

PRESIDING OFFICER: (SENATOR DeLEO)

...you. Thank you very much. For our pre-close, Senator Meeks. Senator Meeks.

SENATOR MEEKS:

Thank you so much, Mr. President. There is a passage in the Bible in the Book of Hebrews and it says faith is the substance of things that you hope for. I know that every time and most of the time I stand on the Senate Floor, I have something funny to say, something humorous to say. Tonight I don't and tonight forgive me even if my voice cracks a little bit. I stood once on a empty field in the middle of Roseland. Roseland, as you know, is one of the most economically depressed communities. And I had a -- a vision, a desire, that if people worked together, we could build a -- a large church. And they asked me, "How large?" And I said "ten thousand seats". And I remember everybody laughing at me and saying that was impossible. And -- and in 2005, we moved into the church with ten thousand seats. I remember when I said that I wanted to run for Senate, but I wanted to do it as an Independent. And again everybody said to me, "That's impossible; you have to be a part of one of the established parties." And I said, "I want to do it because I have this desire" - and I wish my wife and kids could be here tonight - "to try to do something about education funding." And I got here to Springfield and met Senator del Valle and he welcomed me with open arms and he told me how long he had worked on this issue and he was glad to have somebody else here. And at -- at -- at that moment, I started trying to

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bring this process together. I've been all over the State. I've had sit-ins, protests, marches, you name it. We started with Senate Bill 750 and then it didn't go anywhere, and so I moved over to the other side of the aisle and grabbed Senator Winkel, who would be a cosponsor, and we had Senate Bill 755 and we hoped that we could be bipartisan, but -- but it failed. And then one year the GRT came along and knocked me out. And then we had 2288, and President Cullerton was not the President at that time, but he said to me, "I believe in this cause and I believe that I -- I can work with you and help pass this bill." And President Cullerton and I went all over the State and we spoke to people and we came up short. And then the bill moved back again this year to 750 and tonight it's House Bill 754 -- 174, known as Senate Bill 750. And -- and I -- I want to thank, I mean, all along the way, every one of our colleagues who believed that this night would one day come. Everybody said to me over and over and over, "Meeks, we're going to get that -- we -- we -- we're going to do it one day, we're going to do it." And every year after we didn't do it, everybody said it's going to happen, it's going to happen. I want to thank the Members on the other side of the aisle. I could throw daggers and talk about the lottery and all of that and it didn't fund schools like they said and it was a Republican Governor when it happened - I could do all of that, but I'm not. And -- but every one of my colleagues on the other side of the aisle at least said, we think that you are sincere. Even the Doorman who lets us in the backdoor, he doesn't know my name - he calls me 750.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Meeks, you said you weren't going to be funny.

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Stay to the bill, sir.

SENATOR MEEKS:

And so, every time I walk in the door, he says, "Hey, 750." And so tonight I'm going to tell him my real name. I -- I have a huge church and I -- I shutter every day when I'm here and the responsibilities that I'm leaving behind at home, but I believed in this Body and I believed in my colleagues and I believed in -- in all of you, and you have shown me something. You'll really show me a lot more with thirty votes. But you -- you've shown me the good in -- in public service. And I'm proud to be on this team. And I'm proud to be a public servant. And then, to the President of the Senate, who said to me today, "I'm hijacking your bill, but I believe you brought it all the way to this point and I'm going to carry it further to show the entire General Assembly that I believe this is the right way to go in", thank you, Mr. President. And I want to thank all of my colleagues. And I want to thank all of you. And I'm so grateful to God that this night has come.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Thank you. President Cullerton, to close, sir.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. Respond to some of the points that were made. Our previous Governor's name was evoked and I would have to concede that there was mismanagement of this State. There's no question. I'm sure we would have more jobs if we had a Governor like Mitch Daniels, who has gone out and worked hard to bring in business to his state. And it's unfortunate, but we also have to acknowledge that we can't blame everything on him. We have had

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a dramatic crisis - the worst in my lifetime - and it's affected our pensions and that's really the reason why we have such a dramatic deficit. That Governor's name was mentioned in debate, but there's some others that weren't. And we have to remember - - I don't know if this is the largest tax increase. I would like to think that maybe Governor Ogilvie, when he first instituted the tax, probably was the largest tax increase. And he had the courage - and it obviously was tough for him - but he had the courage to do that. I was here when Governor Thompson twice asked us to raise the income tax in economic times that were not even as bad as this. And Governor Edgar, who asked that we keep that tax increase permanent, he stepped up. We -- we -- I've been to meetings with Leader Radogno and -- this Governor has asked us to step up, to come put some votes on for a tax increase, because we have to balance our budget. But what I was seeing, what I was hearing in those meetings were zero votes from the Republicans, go into overtime. And I don't feel like waiting around for the House to see whether or not they want to send something over to us. I think it's time that we -- we step up. Now, the business community - I talked to people in the business community about this issue and about our budget. They didn't say they were absolutely against income taxes. They did not say that. They said, "Look it, you got to pay your bills on time." By the way, we're doing that this year. That was number one. They said, "Cut waste in government, you can do it." We're going to have to. The Governor's introduced budget already cut a billion dollars out. We have to do another two billion. They said, "If you increase money for education, which we think is important 'cause we want an educated work force, you

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have to do it with reforms. We insist on it." The Burnham Committee was out there, they work with unions, they came up with those proposals - they're in the bill. And we still know that we have to have a relatively low tax rate to attract businesses. And you heard about our surrounding states that have a higher income tax rate. We've done that as well. The property tax swap that other Governors have tried is a tricky thing to do, because the people - you're right - don't trust us. They think you're going to raise my income tax, lower my property tax, and then raise my property tax. So we couldn't do it that way. But what we did do is put seven hundred million dollars' worth of property tax -- or income tax relief for people who pay property taxes. That's in the bill as well. The business community favors that as well. On top of this, an educated workforce, a relatively low tax rate, an improved infrastructure, that's what attracts businesses, as well as a Governor who knows how to go out and attract businesses, which is what I think we have now. So, we have to step up; we have to lead. We've passed -- we've had a remarkable Session. We've passed ethical reforms in procurement and in pensions and campaign finance. We're about to pass a -- a capital bill. And we also have to have a balanced budget. So I know it's not easy. It's one of the most difficult votes I've ever taken in the past, but it's inevitable. And I ask you to please do the right thing. Take the tough vote. Vote Aye.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Okay, Ladies and Gentlemen, the question is, shall House Bill 174 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all

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voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 31 Ayes, 27 Nays, 1 voting Present. House Bill 174, having received the required constitutional majority, is declared passed. Okay, Ladies and Gentlemen, we have further Floor action. We'll be going to the appropriation bills immediately. All Members please be at their desk. We have substantial work to do this evening. All Members please be at their desk. Okay, Ladies and Gentlemen, we'll be going to the Order of Supplemental Calendar No. 2. It's been printed and distributed. It should be on all Members' desks. We come to House Bill 26. House Bill 26. Senator Link, do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, read the gentleman's bill. Ladies and Gentlemen, we are in Session. Members please be at their desks. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

House Bill 26.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Link. 3rd Reading. Okay, Ladies and Gentlemen, I'd ask you to turn to the -- your printed Calendar - your printed Calendar, page 55. House Bills 3rd Reading, Ladies and Gentlemen. House Bills 3rd Reading of the printed Calendar. In the middle of page 55 is House Bill 2129. Senator Sullivan, do you wish to proceed, sir? He indicates he does. Madam Secretary, read the gentleman's bill.

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SECRETARY ROCK:

House Bill 2129.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Senator Sullivan, to the bill, please.

SENATOR SULLIVAN:

Thank you, Mr. President. This is the first of five appropriation bills for the -- for the 2010 fiscal year budget. House Bill 2129 appropriates 6.67 billion dollars from GRF to the State Board of Education for General State Aid and the mandated categoricals as required by the federal Recovery and Reinvestment Act of 2009. I'll be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Seeing none, the -- Senator Murphy, are you seeking recognition on this bill, sir?

SENATOR MURPHY:

Yes, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Murphy.

SENATOR MURPHY:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill.

SENATOR MURPHY:

I'd just like for our side of the aisle and -- to make sure

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that we understand these are not comprehensive bills. These are -- this is not a comprehensive budget. I know you're chomping at the bit. I can see you over there. This is not a comprehensive budget. This is not a complete solution. This is not a delineation of the two billion dollars in cuts that were just promised. What this is, is a punt. This is a hedge against the House not passing your income tax hike. This is not a real budget. This is one that will offer up the cartoonist Blagojevich cuts I said before we don't need to do. We want to be part of a solution on this side of the aisle that includes balancing the budget without raising taxes and funding the pension. I said before, we can do it and we can. This is not the way to do it. I urge a No vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Further discussion? Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Ladies and Gentlemen.

SENATOR CULLERTON:

I just wanted to have people realize that what we're doing here is - the next five bills - we're appropriating money for the budget. We used to have a whole bunch of separate bills for each State agency. We got away from that, to the point where we had one bill for the entire budget. At least now, we have five. So, yes, it's not a comprehensive budget, 'cause it's not one bill for the whole budget. This is one part of it. This, as the sponsor said, is the minimal amount of money that we have to appropriate to make sure we don't lose federal stimulus dollars.

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The other four that follow are in the same vein. I'd urge an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, seeing no further discussion, the question is, shall House Bill 2129 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 37 Ayes, 22 voting Nay, 0 voting Present. House Bill 2129, having received the required constitutional majority, is declared passed. Madam Secretary, House Bills 3rd Reading. House Bill 2132. Senator Sullivan, do you wish to proceed? He indicates he does. Read the gentleman's bill.

SECRETARY ROCK:

House Bill 2132.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Sullivan, to the bill, sir.

SENATOR SULLIVAN:

Thank you, Mr. President, Members of the Senate. House Bill 2132, our second appropriation bill, appropriates 1.723 billion from GRF for higher education. Again, this is to -- to fulfill the State's mandated funding levels as required by the federal Recovery and Reinvestment Act of 2009. It contains only the GRF lines for each of the public universities and the Illinois Community College Board. I'd be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR MURPHY:

To the -- to the bill, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir. Senator Murphy.

SENATOR MURPHY:

I appreciate the clarification by the President on the last bill that that one bill was not a comprehensive budget because we have five. My intention was to point out that the five bills do not constitute a comprehensive budget. So I would still urge a No vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Sullivan, to close, sir.

SENATOR SULLIVAN:

You know, as has been pointed out, obviously, this is a -- the start of this process. We're trying to appropriate the -- the money that we have available. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, the question is, shall House Bill 2132 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 37 Ayes, 22 voting Nay, 0 voting Present. House Bill 2132, having received the required constitutional majority, is declared passed. Continuing on House Bills 3rd Reading is House Bill 2145. Senator Trotter, do you wish to proceed, sir? He

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indicates he wishes to proceed. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

House Bill 2145.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Senator Trotter, to the bill, sir.

SENATOR TROTTER:

Yes, Mr. President and Members of the Senate. This is the third bill that we're putting in place so we can -- if in fact that the other bill doesn't pass, as mentioned by the good Senator, this bill will go forward. We have -- it appropriates 3.8 billion dollars in General Revenue Fund for accounting for personal services and -- and related lines, in addition to operational funding for elementary and secondary education, higher education, State departments, judicial agencies, legislative agencies, elected officials, and other agencies. This represents an increase of 26.8 million dollars over FY'09 GRFs. And it does not include any dollars in the retirement lines.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? President Cullerton, are you seeking recognition, sir? President Cullerton.

SENATOR CULLERTON:

I have a question of the sponsor and then I want to make a statement.

PRESIDING OFFICER: (SENATOR DeLEO)

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Sponsor indicates he'll yield for a question, sir.
President Cullerton.

SENATOR CULLERTON:

Would this include an appropriation for the salaries of
prison guards? Would that be in this budget?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

Yes, it will, sir.

PRESIDING OFFICER: (SENATOR DeLEO)

President Cullerton.

SENATOR CULLERTON:

Okay, so, if you happen to have a prison in your district
and you voted against this bill, you'd be voting against paying
the salaries of the prison guards who work in your community and
your district. That to me would be a bad vote. That would be
like voting against campaign finance reforms. That would really
be a bad vote. So I just urge all of my colleagues to consider
what they might be doing here if they follow the leader and vote
No on this bill. Please vote Aye for your own benefit and for
next year.

PRESIDING OFFICER: (SENATOR DeLEO)

Further discussion? Further discussion? Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. I have a question of the
sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question, ma'am.
Senator Radogno.

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SENATOR RADOGNO:

Senator Trotter, did you ever, in your time here, vote against a budget?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

Yes, as a matter of fact, you know, I've been here for twenty-one years and when Edgar proposed his budget, I called it a crossbones budget and I refused to vote for it. At that time that -- he was really balancing the budget on the backs of poor people and those individuals who needed the most, and I voted against it.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Radogno.

SENATOR RADOGNO:

Well, thank you, Mr. President. The point here is that obviously, at various times, you have all voted against a budget and -- or many of you who have been around. It doesn't mean you're voting against the prison guards in your district or anything like that. To reiterate the point that Senator Murphy made, this is a -- a -- a fantasy budget. This is not going to take us through for the next year. We have said all along anyone who votes for this is in effect voting for a tax increase down the road. We need to stop. We need to do the responsible thing. Start from scratch, make some reforms and cuts, as well as prime the jobs economy in this State, and that's how we get out of it, not some Hobson's choice where we either vote for a huge tax increase or we vote for a -- a budget that's absolutely inadequate. So it's incorrect that you're voting against anyone

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in your district if you vote No on this budget.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Seeing no further speakers, Senator Trotter, to close, sir.

SENATOR TROTTER:

I just feel compelled to -- to make a statement. Without the passage of these buttons {sic}, government shuts down on July 1st. This -- these bills in their totality gives us dollars to ensure that all operations of all the agencies which come under the Governor's control will have operational dollars. It guarantees that those raises for those AFSCME employees at those prisons, that they were supposed to get because of their contractual agreements, will get paid. This guarantees that. This guarantees that, while we - and I say, we - cannot get together to vote on a real budget, that we ensure that we can at least capture the federal dollars, which we know they have given us a deadline to come up with matching funds for. No, this is real, because without it, we do shut down on July 1st. This is and -- and as you know, Leader, the -- in the totality of these bills, we've agreed we have 23.8 billion dollars to spend. This spends 16.9 billion of those dollars just to keep the lights on. We're not asking for any more. Without it, the lights go out and your -- your constituents go out too, because they're going to be out of a job.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter, to close -- close. Senator Trotter.

SENATOR TROTTER:

I just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

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Okay, Ladies and Gentlemen, the question is, shall House Bill 2145 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 37 Ayes, 22 Nays, 0 voting Present. House Bill 2145, having received the required constitutional majority, is declared passed. Continuing on House Bills 3rd Reading is House Bill 2194. Senator Trotter, you wish to proceed? He indicates he wishes to proceed. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

House Bill 2194.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter, to the bill, sir.

SENATOR TROTTER:

Thank you, Mr. President. House Bill 2194 appropriates 4.7 billion dollars in GRF to the Department of Healthcare and Family Services for medical programs as required by the federal Recovery and Reinvestment Act. If we do not do this, we will not get the enhanced match that has been promised to us so we can pay our providers on time, so we can ensure that those who deliver health care in this -- in this State and those who receive the health care can get it in a timely manner. Our provider rate goes from fifty percent to sixty-one percent. This is definitely new money, needed money, for our State. And I ask for its approval.

PRESIDING OFFICER: (SENATOR DeLEO)

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Thank you. Thank you very much, Senator. Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall House Bill 2194 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 36 Ayes, 22 Nays, 0 voting Present. House Bill 2194, having received the required constitutional majority, is declared passed. Senator Trotter, are you seeking recognition, sir?

SENATOR TROTTER:

Yes. Senator Crotty, who normally presses my button, failed to press the Aye button. And I would like now to take over my own controls or at least be recognized as voting Aye.

PRESIDING OFFICER: (SENATOR DeLEO)

The record will so reflect your intention. Senator Radogno, your -- your wish came true. Okay, Ladies and Gentlemen, continuing on House Bills 3rd Reading is House Bill 2206. 2206. Senator Trotter, do you wish to proceed? He indicates he does and he'll vote this time. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

House Bill 2206.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter, to the bill, sir.

SENATOR TROTTER:

Thank you very much. House Bill 2206 appropriates 27.9

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billion dollars of other State funds and federal funds and reflects the Governor's FY'10 introduction non-GRF budget, with the exception of retirement lines, which are funded at the certified level of 28.3 percent of the personal services line. This represents an overall increase of four billion dollars over FY'09 appropriations included in the OSF and the FF operations and programmatic funding for elementary education, higher education, State departments, judicial agencies, legislative agencies, elected officials and other agencies.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall House Bill 2206 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. There's 37 voting Aye, 22 voting Nay, 0 voting Present. House Bill 2206, having received the required constitutional majority, is declared passed. I'd ask you to turn your Calendars, your printed Calendars, to page 65. We will be going to the Order of -- Postponed Consideration. On page 65 of your Calendar is Senate Bill 744. Senate Bill 744. Senator Link, I believe is seeking leave of the Body to return this back to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 744. Madam Secretary, has there been any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 9, offered by Senator Link.

PRESIDING OFFICER: (SENATOR DeLEO)

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Thank you, Madam Secretary. Senator Link, to Floor Amendment No. 9 to Senate Bill 744, sir.

SENATOR LINK:

Thank you, Mr. President. All this amendment does is add the City of Danville for a additional riverboat.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing none, all those in favor of adopting Floor Amendment No. 9 will say Aye. All those opposed will say Nay. And it's the opinion of the Chair, the Ayes have it, and the Floor amendment's adopted. Madam Secretary, has there been any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Now on the Order of 3rd Reading is Senate Bill 744. Senator Link, do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, read the gentleman's bill for the third time.

SECRETARY ROCK:

Senate Bill 744.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Senator Link, to the bill, sir.

SENATOR LINK:

Thank you, Mr. President. This is the gaming bill that we voted on before and talked about before. It's just the same

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thing. Be more than happy to answer any questions on it.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR BURZYNSKI:

Thank you, Mr. President. How many opponents will be allowed to speak to this bill?

PRESIDING OFFICER: (SENATOR DeLEO)

Be two -- be two -- thirty-nine, fifty-nine, a hundred and eighteen Members of the General Assembly.

SENATOR BURZYNSKI:

In -- in other words, it's not just one opponent. Okay, thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Burzynski, Senator DeLeo's in the Chair, the most fair and impartial human being. Senator Burzynski, for what purpose do you rise, sir?

SENATOR BURZYNSKI:

Thank you, Mr. President. To the bill: I -- I just..

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR BURZYNSKI:

...wanted to make sure and -- and that's why I wanted to ask. Just very -- very quickly, last week we had this bill -- or earlier this week, and I didn't speak up in opposition to the bill. Shame on me. Last week, we passed a bill that expanded gaming throughout the State - Internet, video poker - and we continue to expand it. I would suggest to you that this, again, as one of my colleagues stated the other day, will make Illinois

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the gambling mecca of the United States. And I suppose that's what you want to do. And if you want to vote for this bill and do that - we've already increased taxes on everybody - that you can go ahead and do that. I think that this bill certainly, I hope, will be -- face certain death over in the House. But if you're serious about it and if you think this is such a great economic tool, economic development tool, then I suggest you take the bill out of the record and you just make it statewide. Allow everyone to participate in this great windfall that you're wanting for a few communities in this State. I urge a No vote. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator, as you know -- Senator Burzynski, as you know, sir, this is -- we're on the Order of Postponed Consideration and there's always allowed two speakers. But there are two other Members on your side seeking recognition and we will go to both of them, sir. Senator Syverson, for what purpose do you rise, sir?

SENATOR SYVERSON:

Thank you. To -- to the bill: First, I just wanted to thank Senator Link for his leadership in putting together a very difficult bill. It's interesting, tonight we are talking about the number of losses of jobs that we have had -- we've talked about the number of job losses, and in Illinois, the two leading states for Illinois jobs are Indiana and Wisconsin. We talked about how Iowa takes our jobs. Every day we have busloads of Illinoisans that travel out of State to leave their dollars and their tourism dollars in our surrounding states. The five surrounding states have declared war on Illinois by building

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thirteen casinos on our border. This legislation is an attempt to not only defend our State, but to help create more tourists - - tourism and more jobs. In addition, this legislation allows not just the gaming, but what that gaming can also bring with further economic development. So I stand in support of this legislation. And want to thank the Senator for his leadership on this bill.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR FRERICHS:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, Senator.

SENATOR FRERICHS:

I want to speak on this bill a little bit. I want to commend my colleague, Senator Syverson, for his remarks. I want to thank Senator Link for understanding we have other communities in this -- in this State that are suffering tough economic times and have high unemployment rate that are on borders with competing states. But I'm hopefully that with the addition of Danville to this bill, what you'll see is -- where Wisconsin is pulling people from Rockford, where Iowa and Missouri are pulling from that side of the State, Indiana is pulling from the Chicago region -- region, at least in east central Illinois, Indiana does not have any casinos on our border. We can put one on their border and be on the offensive, bring more people from Indiana over in Illinois and take their dollars. And, quite frankly, the best dollars we can raise in

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the State of Illinois, in my opinion, are Hoosier dollars.
Thank you very much.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Last person seeking recognition. Senator
Murphy, for what purpose do you rise, sir? Senator Murphy.

SENATOR MURPHY:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question. Senator Link
-- Senator Murphy.

SENATOR MURPHY:

Senator, the bill requires racetracks to negotiate in good
faith with the -- the out-of-state casino companies. Is that
correct?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link.

SENATOR LINK:

No. They require to negotiate with the in-state boats, not
the out-of-state boats, because this is a -- to try to help to
continue to keep the dollars in the State of Illinois where they
belong.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Murphy.

SENATOR MURPHY:

Thank you. I -- I misspoke when I said out-of-state. But
the -- the good faith requirement is there and I guess what I'm
wondering is who decides what's good faith and what's not good
faith? How does that seemingly inevitable impasse get resolved?

PRESIDING OFFICER: (SENATOR DeLEO)

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Senator Link.

SENATOR LINK:

The Gaming Board would be deciding that. They would be able to look at that. They would be a governing body that would be able to look at this. That's why the Gaming Board -- this would be all the dealings with the Gaming Board.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Murphy.

SENATOR MURPHY:

Were you -- were you ordering food for the Chamber, Mr. President? Is there potential for a dispute about good faith to end up in court?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link.

SENATOR LINK:

Knowing lawyers, as yourself, probably everything could end up in court one way or the other, but we would hope not, because that's why we put it in there to be promulgated by rules, to make sure that we could handle it within and make sure that things could get moving as fast as possible.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Murphy.

SENATOR MURPHY:

Thank you, Mr. President. Does this bill allow existing casinos to get more stations?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link.

SENATOR LINK:

Yes, they can go from twelve hundred to two thousand, if

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they desire.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Murphy.

SENATOR MURPHY:

Now, under this bill, the existing casinos can get more stations, drag the racetracks into court to keep them from getting stations if they aren't in good faith. Isn't this really sort of a -- a -- a roundabout way of giving the casinos an even bigger upper hand over the tracks?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link.

SENATOR LINK:

I'm glad you're reading your script very well, -- Senator Murphy, but -- that was written for you by a particular track, but let me clarify something here. This is designed to help the existing boats who have been producing over a billion dollars a year in revenue and taxes to the State of Illinois. This is to help them - not to give land-based casinos to our race tracks, but to help the racing industry flourish to -- in the thing that they were designed to do and that's to have racing -- horseracing throughout the State of Illinois and to help the people that work at the race track, not to have more land-based casinos at race tracks.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Duffy -- oh, Murphy. You -- I'm sorry. You guys look...

SENATOR MURPHY:

Happens all the time.

PRESIDING OFFICER: (SENATOR DeLEO)

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You guys look alike.

SENATOR MURPHY:

To the bill -- to the bill: I appreciate -- I appreciate your -- your answer. Of course, I come up with my own material, Senator. But I think despite the protestations to the contrary, the net result of this bill will be to significantly hamstring the horseracing industry, which is already down on its knees. And this is a step in the wrong direction. Please don't take it. I urge a No vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link, to close, sir.

SENATOR LINK:

To clarify this very clearly when they say that, there are five racetracks, horseracing tracks, in the State of Illinois - four of 'em are in favor of this. All other groups that are affiliated with the horseracing industry in the State of Illinois are in favor of this bill. I would say that speaks volumes in itself of who's in favor and why one particular track's opposed. I would hope that those who are voting No are not voting because of that one particular institution. I feel that, as was mentioned by previous speakers, we're looking at job creations; we're looking at economically deprived communities that need help. I would have no problem of helping every community in this State if I possibly could, but I think we have a problem that we would be overloading this. I will push along very hard with the President when this bill comes over to the House to make sure that this bill moves on to get to the Governor's desk, because when we were talking about a billion-dollar hole and other holes in this budget, here is a

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good way to try to fill a part of it. I would ask for an affirmative vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, the question is, shall Senate Bill 744 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 30 Ayes, 28 Nays, 0 voting Present. Senate Bill 744, having received the required constitutional majority, is declared passed. Who wants to do it? There's -- Senator Burzynski, for what purpose do you rise? Senator Syverson, for what purpose do you rise? Senator Murphy, for what purpose do you rise?

SENATOR SYVERSON:

Thank you, Mr. President. In the...

PRESIDING OFFICER: (SENATOR DeLEO)

The doorman, what purpose do you... Senator Syverson.

SENATOR SYVERSON:

Thank you. In the -- in the excitement of seeing so many votes going up there, I forgot to -- to vote and I would have voted Yes on this legislation. So I would like to be recorded as a Yes. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

The record will so reflect your intention, sir. Senator Burzynski, for what purpose are you seeking recognition?

SENATOR BURZYNSKI:

Verification of the roll call, please.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, the gentleman has asked for a verification of the

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roll call. I ask all Members please be in their seats. Madam Secretary, would you restore the roll call to the board? Please report those voting in the affirmative.

SECRETARY ROCK:

The following Members voted in the affirmative: Bond, Clayborne, Crotty, DeLeo, Delgado, Forby, Frerichs, Haine, Harmon, Hendon, Holmes, Hunter, Hutchinson, Jacobs, John Jones, Koehler, Link, Martinez, Meeks, Muñoz, Raoul, Risinger, Sandoval, Silverstein, Steans, Sullivan, Trotter, Viverito, Wilhelmi and Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Senator Burzynski, do you question the presence of any Member voting in the affirmative, sir?

SENATOR BURZYNSKI:

Yes, I do. Thank you, Mr. President. First of all, is Senator Jacobs still in the Chamber?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Mike Jacobs is right here. He's in the Well to the right of the President's Chamber.

SENATOR BURZYNSKI:

Okay. Thank you. Senator Sullivan.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sullivan is standing right directly in front of the President's eyes.

SENATOR BURZYNSKI:

Senator Trotter.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Don Trotter. Senator Don Trotter is very, very

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close by. Senator Don Trotter is -- he put his right foot in. There's Senator Don Trotter at the rear of the Chambers, Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Just a second, sir. I think that's it, Senator. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, on a verified roll call, there was 30 Ayes, 28 Nays, 0 voting Present. Having received the required constitutional majority, the bill is declared passed. Madam Secretary, Messages from the House, please.

SECRETARY ROCK:

A Message from the House by Mr. Mahoney, 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 2491

Which amendment is as follows:

Senate Amendment 1.

Non-concurred in by the House, May 30th, 2009. Mark Mahoney, Clerk of the House.

A Message from the House by Mr. Mahoney, 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 1909

Together with the follow amendment which is attached, in the adoption of which I am instructed to ask the concurrence

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of the Senate, to wit:

House Amendment 5.

Passed the House, as amended, May 30th, 2009. Mark Mahoney,
Clerk of the House.

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

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

House Joint Resolution 51.

Offered by Senator Harmon, and adopted by the House, May 30th,
2009.

We have received a like Message on House Joint Resolution
60, offered by Senator Harmon, and House Joint Resolution 65,
offered by Senator Raoul.

All adopted by the House, May 28th {sic} (30), 2009. Mark
Mahoney, Clerk of the House.

They are substantive, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Okay, Ladies and Gentlemen, there'll be no
further business to come before the Senate. The Senate will
stand adjourned until the hour of 2 p.m. on Sunday, May 31st,
the year 2009. The Senate stands adjourned.