

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

HB0019	Recalled	3
HB0019	Third Reading	4
HB0537	Recalled	98
HB0537	Third Reading	101
HB2332	Postponed Consideration	111
HB2332	Vote Intention	116
HB4623	Recalled	87
HB4623	Third Reading	88
HB4644	Recalled	68
HB4644	Third Reading	70
HB4647	Recalled	7
HB4647	Third Reading	9
HB4667	Third Reading	34
HB4788	Second Reading	72
HB4927	Recalled	116
HB4927	Third Reading	118
HB4928	Recalled	14
HB4928	Third Reading	15
HB5057	Second Reading	72
HB5065	Recalled	35
HB5065	Third Reading	37
HB5080	Third Reading	37
HB5241	Third Reading	16
HB5242	Third Reading	17
HB5306	Recalled	18
HB5306	Third Reading	18
HB5409	Recalled	19
HB5409	Third Reading	20
HB5458	Third Reading	24
HB5603	Third Reading	26
HB5749	Third Reading	26
HB5772	Second Reading	77
HB5819	Third Reading	27
HB6151	Third Reading	28
HB6359	Third Reading	31
HB6419	Recalled	32
HB6419	Third Reading	33
SB0851	Concurrence	39
SB1937	Concurrence	76
SB2065	Concurrence	39
SB2109	Concurrence	41

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

SB2578	Non-Concurrence	42
SB2590	Concurrence	47
SB2602	Concurrence	42
SB2996	Concurrence	51
SB3267	Concurrence	52
SB3295	Concurrence	48
SB3359	Non-Concurrence	47
SB3695	Concurrence	77
SB3780	Concurrence	63
SB3803	Concurrence	85
SB3818	Concurrence	44
SR0673	Adopted	73
SR0821	Resolution Offered	2
HJR0086	Adopted	74
HJR0114	Motion	64
Senate to Order-Senator Clayborne		1
Prayer-Dr. Maryam Mostoufi		1
Pledge of Allegiance		1
Journal-Postponed		1
Committee Reports		1
Introduction of Guests-Senator Burzynski		6
Remarks and Introductions by Assistant Coach Don Rasich		7
Senate Stands at Ease		64
Senate Reconvenes		65
Committee Reports		65
Senate Stands in Recess/Reconvenes		66
Committee Reports		66
Messages from the House		67
Senate Stands at Ease/Reconvenes		97
Committee Reports		97
Senate Stands in Recess/Reconvenes		119
Senate Stands in Recess/Reconvenes		120
Messages from the House		121
Senate Stands at Ease/Reconvenes		121
Committee Reports		121
Adjournment		122

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The regular Assembly of the 96th General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the galleries please rise? The invocation today will be given by Dr. Maryam Mostoufi, Islamic Society of Greater Springfield Center, Springfield, Illinois.

DR. MARYAM MOSTOUFI:

(Prayer by Dr. Maryam Mostoufi)

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Maloney, to lead us in the Pledge.

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 Tuesday, May 4th, 2010.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Hunter.

SENATOR HUNTER:

Thank you, Mr. President. I move to postpone the reading and approval of the Journal just read the Secretary, 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 transcript. There being no objection, so ordered. Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Demuzio, Chairperson of the Committee on State

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

Government and Veterans Affairs, reports Motion to Concur with House Amendment 1 to Senate Bill 3267 and Motion to Concur with House Amendments 1 and 2 to Senate Bill 3780 recommended Do Adopt.

Senator Collins, Chairperson of the Committee on Financial Institutions, reports Senate Amendment 2 to House Bill 537 and Motion to Concur with House Amendments 1 and 2 to Senate Bill 2996 recommended Do Adopt.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Madam Secretary, Resolutions.

SECRETARY ROCK:

Senate Resolution 821, offered by Senator Clayborne.
It is a death resolution, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Resolutions Consent Calendar. Senator Forby, for what purpose do you seek recognition?

SENATOR FORBY:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point, Senator Forby.

SENATOR FORBY:

Today, I have a friend at {sic} home and he's an attorney. So he came up here today to try to see -- to keep me in the straight and narrow, and he said, "You know what? I might have to move to Springfield 'cause I think it's going to be a tough job." But, anyway, no, he's a -- he's attorney from Benton, Illinois, and he's the guy that I rent my office of, my State office. And first thing he said when he came up to me, he said, "Hey Forby, when you going to pay your bill?" But, anyway, I

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

got Bryan Drew here today. I wish you'd just give him a good welcome from our Senate. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Welcome to Springfield, Bryan. Thanks for being here. Hope you enjoy your day. Will all Members at the sound of my voice please come to the Floor? We will proceed with House Bills 3rd Reading. All Members at the sound of my voice please come to the Chamber so we can proceed. In the Chair is Senator Jeff Schoenberg.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

We'll proceed to the Order of House Bills 3rd Reading, page 30 of your printed Calendar. House Bill 13. Senator Trotter. Senator Trotter. Out of the record. House Bill 19. Majority Leader Clayborne. Majority Leader Clayborne seeks leave of the Body to return House Bill 19 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 19. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 3, offered by Senator Clayborne.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you. Basically, all this does is it creates a front-door referendum to allow the Cahokia School District to increase their debt limit for fifty million dollars to issue bonds to build a new high school.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Is there any discussion? Seeing

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

none, all those in favor will say Aye. Opposed, Nay. In the opinion of the Chair, 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 SCHOENBERG)

3rd Reading. House Bill 80. President Cullerton. Out of the record. We'll -- we will return to the Order of House -- House Bills 3rd Reading. House Bill 19. Senator Clayborne wishes to proceed. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 19.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Majority Leader Clayborne.

SENATOR CLAYBORNE:

...you -- thank you, Senator Schoenberg -- Mr. President. As I stated, this allows the Cahokia Community Unit School District to issue up to fifty million dollars in bonds if approved by the voters on or -- on or after election of November 2nd, 2010. The bonds will have to be issued by July 1st, 2016.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Is there any discussion? Senator Clayborne, do you wish to close? The question is, shall House Bill 19 pass. All those in favor, vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

take the record. On that question, there are 47 voting Aye, none voting Nay, none voting Present. House Bill 19, having received the required constitutional majority, is hereby declared passed. Majority Leader Clayborne in the Chair.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Bomke, for what purpose do you seek recognition?

SENATOR BOMKE:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point, Senator Bomke.

SENATOR BOMKE:

I have as Page of the Day, Morgan Formigoni, who goes to school in Chatham. If you would help me welcome her to the Illinois State Senate, I would appreciate it.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Thank you, Morgan, for being here today. Hope you have a great day. Proceeding to House Bill 80. Senator Cullerton. Senator Cullerton. Out of the record. House Bill 83. Senator Schoenberg. Out of the record. Turning to top of page 31 is House Bill 84. Senator Schoenberg. Out of the record. Senator Cullerton, on House Bill 150. Out of the record. Senator Cullerton, on House Bill 306. Out of the record. Senator Trotter, on House Bill 391. Out of the record. Senator Lightford, on House Bill 537. Senator Lightford. Out of the record. Senator Cullerton, on House Bill 543. Senator Cullerton. Out of the record. Senator Lightford, on House Bill 707. Senator Lightford. Out of the record. Senator Trotter, on House Bill 859. Out of the record. Senator Cullerton, on House Bill 894. Senator Cullerton. Out of the record. Senator

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

Cullerton, on House Bill 923. Out of the record. Senator Sullivan, on House Bill 962. Senator Sullivan. Senator Sullivan. Out of the record. Adam Thelker {sic} (Theilken) with WIS {sic} (WICS) seeks leave to video. Seeing no objection, leave is granted. Senator Trotter, on House Bill 991. Out of the record. Senator Hutchinson, on House Bill 1075. Senator Hutchinson. Out of the record. Turning to top of page 32. House -- House Bills 3rd Reading. House Bill 1313. Senator Cullerton. Out of the record. House Bill 1826. Senator Cullerton. Out of the record. House Bill 2254. Senator Lightford. Senator Lightford. Out of the record. House Bill 2263. Senator 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 2376. Out of the record. House Bill 2386. Senator Cullerton. Out of the record. House Bill 2428. Senator Cullerton. Out of the record. House Bill 2469. Senator Trotter. Out of the record. House Bill 2598. Senator Cullerton. Out of the record. House Bill 2640. Senator Trotter. Out of the record. Senator Burzynski, for an introduction.

SENATOR BURZYNSKI:

Thank you. Thank you, Mr. President. Ladies and Gentlemen of the Senate, very pleased to have with me a group of outstanding young ladies and leaders here with me today. And also on the Podium, we have Senator Chris Lauzen and Representative Bob Pritchard to present this group. This is the Hinckley-Big Rock Girls' State Championship back-to-back champions in Class 1A. We're very pleased. Yeah, there you go. Most of these ladies were here with us last year and we had --

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

had the opportunity to introduce them on the Floor. Unfortunately for some of those who -- that are close here to Springfield, they did beat the Jacksonville High School basketball team in the State Championship finals. So we're very pleased to have them with us today. I'm going to ask the Assistant Coach, Don Rasich, to come forward and introduce these laterers -- leaders and ladies. Thank you.

ASSISTANT COACH DON RASICH:

(Remarks and Introductions by Assistant Coach Don Rasich)

SENATOR BURZYNSKI:

This group has outstanding talent and ability, and I don't want to take credit for them being here the second year in a row, but I did offer an incentive last year. I suggested that if they won the State tournament for the second year, we would provide -- well, I'd buy 'em lunch today, and I think that's happening here in a few minutes. So, thank you for your patience and, again, thank you for the opportunity to be here.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Returning to page -- 33.	House Bill 3659.	Senator Kotowski.
Out of the record.	House Bill 3677.	Senator Cullerton.
Out of the record.	House Bill 3806.	Senator Cullerton.
Out of the record.	House Bill 3833.	Senator Cullerton.
Out of the record.	House Bill 3841.	Senator Trotter.
Out of the record.	House Bill 3845.	Senator Cullerton.
Out of the record.	House Bill 3900.	Senator Cullerton.
Out of the record.	House Bill 3962.	Senator Cullerton.
Out of the record.	House Bill 4623.	Senator Hendon.
Out -- out of the record.	House Bill 4644.	Senator Bomke.
Out of the record.	House Bill 4647.	Senator Meeks.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

Senator Meeks seeks leave of the Body to return House Bill 4647 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 4647. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Meeks.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator -- Senator Meeks, to explain.

SENATOR MEEKS:

The -- thank you so much. Mr. Chairman {sic}, the females always compliment each other on how well they look in the Chair. And so I think that you look awfully darling, if -- if that's the right word. But -- but I think you look something. You look something today. And -- and -- and it's good to see you in the Chair - dashing. You look all dapper. All right, you look dashing, you look dapper, and it looks like you're dancing through the snow on a one-horse open sleigh. You -- but you look something and so we're glad to see you. The amendment becomes the bill and I'll be glad to discuss it on 3rd.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

3rd Reading. Thank you, Reverend Meeks. I appreciate your compliments. Now on the Order of 3rd Reading, Madam Secretary,

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

read the bill.

SECRETARY ROCK:

House Bill 4647.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Meeks, to explain.

SENATOR MEEKS:

Thank you so much, Mr. President. And thank Senator Righter and Senator Dillard for helping me on this amendment to make this bill a better bill and a bill that will stand up to a constitutional challenge. As amended, House Bill 4647 requires the Illinois State {sic} Board of Education, in consultation with the Chicago Police Department, to establish a hotline to receive anonymous telephone calls for information that may prevent violence. House Bill 4647 requires the calls to be recorded and investigated by the Chicago Police Department, and provides an exemption from the eavesdropping to allow the calls to be recorded - where notice of recording is provided to callers before any information is received. Floor Amendment 1 also removes the references to the defunct Anti-Crime Advisory Council and provides an exemption from the State Mandates Act. And I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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

SENATOR HENDON:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

...the bill, Senator Hendon.

SENATOR HENDON:

Mr. President, if I could have the attention of the Floor, I was going to take advantage of Pastor Meeks' bill to just say a couple of things real quick as to why bills like this are necessary. The violence in the streets of the City of Chicago on the West Side and the South Side and the Latino community is totally out of control - completely, totally out of control. Yesterday, Mr. President, there was a shooting on the Stevenson Expressway. And while some people think, well, this doesn't affect their neighborhood, anyone could have been riding up and down the Stevenson Expressway. The violence is out of control. And part of the reason that we need bills like this is so we can do something about it, because we need to do something about this violence right now. And we also have to point out the causes of this violence, because telephone numbers and hotlines like this should not be necessary. But our children are shooting each other down in the streets mostly over the heroin that is now all over the City of Chicago and throughout the State of Illinois. Overdoses are at an all-time high. The heroin is three dollars a bag now, instead of ten dollars a bag. It's cheaper. It's more plentiful. It is outrageous. On the front page of the Tribune, we -- they're talking about the bomber in New York City being from one of these countries of which we are fighting to defend and protect and free. And it makes no sense for us to continue fighting over there to save these people and all we're getting is cheap heroin on the streets of Chicago that leads to violence in our schools such as this. Unfortunately for me, Mr. President, I've been ordered

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

from on high to talk about this war every opportunity I get and point to people to show to them how it relates to this violence. Also, inside the Tribune, on -- on page 7 or 8, is a story about the Mexican drug war that's going on right on our border because their markets have shrank because the new heroin is coming in from Afghanistan. And they're fighting over that little territory because people are rejecting the Mexican mud - the brown heroin - that was normally coming in through America. I ask you to vote for this bill. We have to do something about this violence. This will not solve the problem completely, but it's a step in the right direction. And I cannot allow this to go by without pointing out that we must end this ridiculous war in Afghanistan that's giving us this cheap heroin that's leading to this violence.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Millner, for what purpose do you seek recognition?

SENATOR MILLNER:

Thank you, Mr. Chairman {sic}. I -- I rise in strong support of this bill. I think it's about time that we have this legislation. This legislation will make a difference. We need people to be willing to make those telephone calls, to call in those even anonymous tips. But I also rise to support the Senator and thank the Senator for waiting before he presented this bill, because prior to this time, there was a problem with the exemption to the eavesdropping law. That is now corrected in this bill. And, again, I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Thank you. Senator Meeks, to close.

SENATOR MEEKS:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

Thank you so much, Mr. President and the Members of the committee who spoke on this bill. I think it's a very important bill and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The question is, shall House Bill 4647 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 56 voting Yea, none voting Nay, none voting Present. House Bill 4647, having received the required constitutional majority, is declared passed. Senator Kotowski, for what purpose do you seek recognition?

SENATOR KOTOWSKI:

Good morning, Mr. President. How are you?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

How are you doing, Dan?

SENATOR KOTOWSKI:

Good, sir. Point of personal privilege.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

...state -- please state your point.

SENATOR KOTOWSKI:

These two impressive young people behind me are not just additional security for me - they are my Pages for the Day. One of 'em is Jake Marshall. He's a sophomore from Maine South High School, Park Ridge. He is -- on -- on May 10th, he's going to be sixteen years old. In the future, he wants to be a lawyer or a sports commentator. He plays lacrosse. His favorite performer is Jay-Z - Jay-Z. I don't know if you've hear of him, Mr. President, but Jay-Z. He's a pretty popular performer in my

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

community. So, Paige Crenshaw, Paige - I have a Page named Paige - from Friendship Junior High, is going to be fourteen on May 14th. She wants to be a teacher when she grows up - teach women's studies, world religion. She plays the piano, the bass and the guitar. And her favorite performers are Van Morrison and the Beatles - Van Morrison and the Beatles. Could you give a great Springfield welcome to my Pages of the Day, our friends -- our good, good friends, Jake and Paige? Please...

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Welcome -- welcome to Springfield, Jake and Paige. Thanks for being here today. Hope you have a wonderful day and a great experience. Senator Millner, for what purpose do you seek recognition?

SENATOR MILLNER:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point.

SENATOR MILLNER:

I would like to introduce and welcome Dr. Robert Breuder from the -- the President of the College of DuPage.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Thank you. Thanks for coming today. Welcome to Springfield. House Bill 4667. Senator Lightford. Senator Lightford. Out of the record. House Bill 4681. Senator Cullerton. Out of the record. Turning to top of page 34 is House Bill -- House Bill 4708. Senator Dan Cronin. Senator Cronin. Out of the record. House Bill 4711. Senator Maloney. Out of the record. House Bill 4781. Senator Jacqui Collins. Out of the record. House Bill 4815. Senator A.J. Wilhelmi.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

Out of the record. House Bill 4927. Senator Cullerton. Out of the record. House Bill 4928. Senator Willie Delgado. Senator Delgado. Out -- out -- Senator Delgado seeks leave of the Body -- seeks leave of the Body to return House Bill 4928 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 4928. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Delgado.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Delgado, to explain.

SENATOR DELGADO:

Thank you, Mr. President, Member -- Members of the Senate. Floor Amendment No. 1 becomes {sic} the bill. The amendment also amends the Open Meetings Act to allow a closed meeting for an elder abuse fatality review team's review of a death in which abuse or neglect is alleged, suspected, or substantiated. However, the amendment also requires that before the review team holds a closed-door meeting or closes an open meeting, each participating team member must state on the record during the open part of the meeting the nature of the information to be disclosed and the legal basis for otherwise holding that information confidential. And I would ask for your support and Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the motion {sic} is adopted. Are there any further Floor amendments approved for consideration?

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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

SECRETARY ROCK:

House Bill 4928.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Delgado.

SENATOR DELGADO:

Thank you, Mr. President. I would just ask for your Aye vote. I've explained the bill on 2nd.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question -- seeing none, the question is, shall House Bill 4928 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 56 voting Yea, none voting Nay, none voting Present. House Bill 4928, having received the required constitutional majority, is declared passed. Patrick Keating with WLS-TV seeks leave to videotape. Seeing no objection, leave is granted. Senator Cullerton, on House Bill 4933. Out of the record. Senator Cullerton, on House Bill 4934. Out of the record. Senator Luechtefeld, on House Bill 4973. Out of the record. Senator Althoff, on House Bill 4975. Out of the record. Senator Cullerton, on House Bill 4976. Out of the record. Senator Cullerton, on House Bill

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

4985. Out of the record. Senator Steans, on House Bill 5018. Senator Steans. Out of the record. Turning to top of page 35. House Bill 5065. Senator Lightford. Senator Lightford. Out of the record. House Bill 5080. Senator Lightford. Out of the record. House Bill 5085. Senator Koehler. Out of the record. House Bill 5178. Senator Cullerton. Out of the record. House Bill 5241. Senator Dillard. Madam -- Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 5241.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Dillard, to explain.

SENATOR DILLARD:

Thank you, Mr. President and Members of the Legislature. This bill would authorize the Director of the Department of Healthcare and Family Services to create an online transparency database of Medicaid claims that can be accessible by program administrators and the public. A program like this has worked very well in South Carolina. This is an initiative that's supported by Governor Quinn and the Taxpayer's Action Board and the Illinois Policy Institute. Transparency works very well. Gives us a better insight into our State's largest expenditure - Medicaid. It came out of the -- our committee on the Agreed Bill List. And I'd appreciate a favorable roll call. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

shall House Bill 5241 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 58 voting Yea, none voting Nay, none voting Present. House Bill 5241, having received the required constitutional majority, is declared passed. House Bill 5242. Senator Dillard. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 5242.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Dillard.

SENATOR DILLARD:

Mr. President and Members, this is the companion bill to the previous bill. And this authorizes HFS to contract with third-party entities to conduct Payment Recapture Audits to detect and recapture payments made in error of fraud or abuse in Medicaid. It's similar to something that President Obama issued an Executive memorandum on, authorizing the federal government to use these types of audits. And we need to combat fraud and abuse in Medicaid - again, our State's largest expenditure. And in these budgetary times, this is a crucial measure and I'd urge an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 5242 pass. 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

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

the record. There are 59 voting Yea, none voting Nay, none voting Present. House Bill 5242, having received the required constitutional majority, is declared passed. House Bill 5255. Senator Cullerton. Out of the record. House Bill 5306. Senator Risinger. Senator Risinger seeks leave of the Body to return to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 5306. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Risinger.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Risinger, to explain.

SENATOR RISINGER:

Thank you, Mr. President, Members of the Senate. Amendment No. 2 authorizes Medicaid services to be paid for. And I'll explain it on 3rd Reading.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

3rd Reading. Now on the Order of 3rd Reading is House Bill 5306. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 5306.

(Secretary reads title of bill)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Risinger, to explain.

SENATOR RISINGER:

Thank you, Mr. President. This bill amends the Community Services -- Services Act and it provides that for services classified as entitlement services under federal law or guidelines, caps may not be placed on the total amount of payment a provider may receive in a -- a fiscal year and also makes provisions for an extended payment by the Department of -- of Human Services.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 5306 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 -- 58 voting Yea, none voting Nay, none voting Present. House Bill 5306, having received the required constitutional...(microphone cutoff)...is declared passed. House Bill 5409. Senator Martinez. Senator Martinez seeks leave of the Body to return House Bill 5409 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 5409. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Martinez.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Martinez, to explain.

SENATOR MARTINEZ:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

Thank you, Mr. President. On Floor Amendment No. 2, just does -- it just corrects a drafting omission. And I'll be happy to discuss it on 3rd Reading.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? All those in favor, say Aye. Opposed will say Nay. The Ayes have it, and the motion {sic} is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 3, offered by Senator Martinez.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The amendment was adopted. On -- on the -- on the Order of 2nd Reading is Floor Amendment No. 3. Senator Martinez, to explain.

SENATOR MARTINEZ:

Thank you, Mr. President. And the third amendment, all -- it -- just the -- amends the rules for the enforcement of the provision dealing with closing protection. And I'll be happy to discuss the whole bill on 3rd Reading.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Is there any discussion? Seeing none, all those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. 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 is House Bill 5409. Madam Secretary, read the bill.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

SECRETARY ROCK:

House Bill 5409.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Martinez, to explain.

SENATOR MARTINEZ:

Thank you, Mr. President and Members of the Senate. This bill has been a bill that we've been working on for the past five months, and finally we have reached an agreement. It is -- the language that was -- that was actually put into the bill, it allows the -- the Secretary of -- of Department of Financial and Professional Regulation to adopt and amend rules for the enforcement of the provision dealing with the closing protection required when a title agent acts as an escrow -- during a residential real property transaction or a nonresidential real property transaction where the amount of settlement funds is less than two million. These rules are to be consistent with the federal Real Estate Settlement Procedure {sic} (Procedures) Act, which is RESPA, and the -- Section 24 of the Title Article {sic}. It also gives rulemaking authority to the Secretary for the enforcement of the provision involving the specific requirement for the required closing protection. And, finally, it addresses the title insurance industry concerns over the permissive fee for the closing protection that is currently in place in the bill. The rules to be adopted by the Secretary of IDFPR would establish a safe harbor provision, meaning that the rules will set forth a fee to be charged for the closing protection requirement under the bill that would not be

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

considered a violation of RESPA by the Secretary. Again, this is something that we've been working on for quite a while. We have been able to come together and finally the title companies are all on board with this bill. And I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Senator Wilhelmi.

SENATOR WILHELMI:

Thank you -- thank you, Mr. President. To the bill: I'd like to rise today in strong support of this measure. I want to thank Senator Martinez for her leadership on this bill. This is good, solid legislation, crafted as a compromise between many stakeholders. And what it allows is, in the bill, that there is a -- it is permitted to have a CPL fee, not mandated. But the bill also requires that rules be promulgated that ensures compliance with RESPA. We worked on this diligently in the Judiciary Committee. We had great collaboration and input from all the stakeholders. I think everyone in this Chamber should vote Yes and I support the bill and the -- and the sponsor and thank her for her work.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Seeing no further discussion, the question is, shall House Bill 5409 pass. 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 41 voting Yea, 12 voting Nay, 3 voting Present. House Bill 5409, having received the required constitutional majority, is declared passed. Senator Luechtefeld, what -- for what purpose do you seek recognition?

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

SENATOR LUECHTEFELD:

Thank you, Mr. President. For a point of personal privilege.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point, Senator Luechtefeld.

SENATOR LUECHTEFELD:

In the -- in the gallery behind the Republicans is -- are a group of people from St. Louis that are friends of mine. They are -- and -- and you'll be excited about the fact that they're all very, very big St. Louis Cardinal fans. I would like you to give them a -- a warm welcome, if you would please.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please stand. Welcome to Springfield. Hope you enjoy your day. Senator Hutchinson, for what purpose do you seek recognition?

SENATOR HUTCHINSON:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point.

SENATOR HUTCHINSON:

I -- I'd like to take the -- a moment to introduce a wonderful constituent of mine. He is President John Avendano, who is President of Kankakee Community College - one of the finest community colleges in this State. He is sitting on the Republican side up in the gallery and I wanted to say welcome. He's here to lobby, as a lot of the community colleges are. As we know, they educate sixty-four percent of our students with only thirteen percent of the funding. So I'd just like to say welcome to Springfield to my Kankakee College Community {sic}

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please stand. Welcome to Springfield. Have a great day. House Bill 5416. Senator Cullerton. Out of the record. House Bill 5458. Senator Demuzio. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 5458.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Demuzio, to explain.

SENATOR DEMUZIO:

Yes, thank you, Mr. President and Members of the Senate. This bill is an initiative of the Attorney General's Office. It is intended to clarify that in cases where an eligible employee under the Public Employee Disability Act is injured by a third party, the State can institute an action to recover from the third party the compensation paid to the employee by the State.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 5458 pass. 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 58 voting Yea, none voting Nay, none voting Present. House Bill 5458, having received the required constitutional majority, is declared passed. Senator Lauzen, for what purpose do you seek recognition?

SENATOR LAUZEN:

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

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point, Senator Lauzen.

SENATOR LAUZEN:

We have some additional guests in the gallery on the Democrat side. It's Thompson Junior High School from Oswego, Illinois, have joined to see the operation of the Illinois Senate. And I would just ask the Senate to welcome them today.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please stand. Welcome to Springfield. Hope you enjoy yourselves today. And we also have Mrs. Lauzen in the back, joining Chris Lauzen, as well. Welcome to Springfield. Good to see you again. Senator Cronin, for what purpose do you seek recognition?

SENATOR CRONIN:

Point of personal privilege, if I may, please.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point.

SENATOR CRONIN:

These introductions is an important part of what we do here in the State Senate and I am proud and pleased to introduce some very important people from the College of DuPage. We met the President moments ago, but we have the trustees here. The real power, the real direction - the trustees. They're there, up there. We have Dave Carlin; Kathy Wessel, the Chair; Nancy Svoboda; Allison O'Donnell; Kristin, the student trustee. And Mary Ann Millush is here as well. Let's give 'em a warm Senate welcome. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Welcome. Please stand. Welcome to Springfield. Thanks

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

for being here today. Senator Cullerton, on House Bill 5501. Out of the record. Senator Syverson, on House Bill 5603. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 5603.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator -- Senator Syverson, to explain.

SENATOR SYVERSON:

Thank you, Mr. President. This legislation, which passed the House I think unanimously, deals with forced annexation. And all it says is that if the annexation occurs and it's not on the January 1 date that the property taxpayer would be rebated that portion of the tax for the period of time that they weren't annexed into the municipality.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 5603 pass. 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 57 voting Yea, none voting Nay, none voting Present. House Bill 5603, having received the required constitutional majority, is declared passed. House Bill 5630. Senator Haine. Out of the record. Turning to top of page 36 is House Bill 5677. Senator Haine. Out of the record. House Bill 5727. Senator Terry Link. You look different today, Terry. House Bill 5749. Senator Dillard. Madam Secretary, read the bill.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

SECRETARY ROCK:

House Bill 5749.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Dillard, to explain.

SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen. This is an initiative of the Kendall County State's Attorney which arose out of a police officer who forged his time sheets. But the case, when it went up, was overturned on appeal because when the police officer was issued his paycheck, he didn't cash it. And this closes a loophole here. We have amended the bill, with the help of counsel from both sides of the aisle, to make sure that this loophole is not there any longer. And, again, it's an initiative of the Kendall County State's Attorney. And I'd appreciate an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 5749 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 56 voting Yea, none voting Nay, none voting Present. House Bill 5749, having received the required constitutional majority, is declared passed. House Bill 5819. Senator Sandoval. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 5819.

(Secretary reads title of bill)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Sandoval, to explain.

SENATOR SANDOVAL:

Thank you, Mr. President, Members of the Senate. I'd ask for a favorable vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 5819 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 58 voting Yea, none voting Nay, none voting Present. House Bill 5819, having received the required constitutional majority, is declared passed. House Bill 5821. Senator Haine. Out of the record. House Bill 5858. Senator Cullerton. Out of the record. House Bill 5873. Senator Link. Senator Link. Out of the record. House Bill 5890. Senator Dan Kotowski. Out of the record. House Bill 5917. Senator Cullerton. Out of the record. House Bill 5333 {sic}. Senator Cullerton. Out of the record. House Bill 5960. Senator Cullerton. Out of the record. House Bill 6113. Senator Martinez. Out of the record. House Bill 6151. Senator Lightford. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 6151.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Lightford, to explain.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 6151 amends the Illinois Vehicle Code to provide that a court must impose a fine that cannot be waived on any person who, after a court appearance, is found guilty of or placed on supervision for a violation of the Code or similar provisions of a local ordinance. This was a proponent {sic} that was brought forth by the State Police, the Illinois Associations {sic} of Chiefs of Police, the Metro County {sic}, South Suburban Mayors and Managers, and the Cook County Sheriff's Office. I know of no opposition and I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 6151 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? Lou? Take the record. There are 56 voting Yea, none voting Nay, none voting Present. House Bill 6151, having received the required constitutional majority, is declared passed. Senator Hutchinson, for what purpose do you seek recognition?

SENATOR HUTCHINSON:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point, Senator Hutchinson.

SENATOR HUTCHINSON:

I have two wonderful Pages with me today. They are both students at Joliet West High School. They're in Senator A.J. Wilhelmi's district. First one is Wali Cohran, who's eighteen

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

years old, varsity wrestler, symphonic band and on his way to Tennessee State University. Welcome Wali to the Senate today.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Welcome to the Senate, Wali. Great college. Great college.

SENATOR HUTCHINSON:

And my second Page is Gregory Farries, eighteen years old. Runs track, basketball and baseball, so he's triple-lettered. And he's on his way to Xavier University in Cincinnati and he's here to be with us today too.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Welcome to Springfield. Thank... We appreciate both of you all coming here today. Have a great time. Senator A.J. Wilhelmi, for what purpose do you seek recognition?

SENATOR WILHELMI:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point, Senator Wilhelmi.

SENATOR WILHELMI:

Thank you. Like Senator Hutchinson, I have two Pages with me today from Joliet West High School. I'd like to introduce first Dominique Dunn, who's a seventeen-year-old senior at Joliet West, and he's on his way to Wartburg College in -- in Iowa on a football scholarship. And his favorite subject is English. Please give a warm welcome to Dominique Dunn.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Welcome to Springfield, Dominique. Wish you much success.

SENATOR WILHELMI:

And -- and my second Page today is Seandell Davis-Seiter,

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

who's eighteen years old, at Joliet West High School. Let me correct myself, if I -- if I may: we have Seandell Davis-Seiter who's going to Iowa on a football scholarship next year. So, my apologies. His favorite subject is also English. So I'd like to welcome him to the Illinois Senate as well.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Welcome to Springfield. Hope you enjoy your day. Good luck to both of you all. Senator Maloney, for what purpose do you seek recognition?

SENATOR MALONEY:

For purpose of an announcement, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your announcement.

SENATOR MALONEY:

Just a reminder that Chris Belle from the Comptroller's Office is in the back of the Chamber today to assist Members with anything that -- related to their health insurance or other benefits. She'll be here from 11 to 1.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Thank you. House Bill -- returning to -- to House Bill 6195. Senator Cullerton. Out of the record. House Bill 6267. Senator Demuzio. Out of the record. Turning to top of page 37 is House Bill 6359. Senator Viverito. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 6359.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

Senator Viverito, to explain.

SENATOR VIVERITO:

Thank you, Mr. President. But -- this is just -- the Department of Revenue has required bonds of zero for the last sixteen years. This policy has recently been questioned as -- its legality. This bill would justify and codify the existing practice. It was an opinion by the Attorney General and just -- it's a technical question here on revenue and this will clarify it. Thank you very much.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Just like to report that Senator Viverito shepherded and nursed this wonderful piece of legislation through the Revenue Committee and it came out with a unanimous vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Thank you. Any further discussion? Seeing none, the question is, shall House Bill 6359 pass. 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 59 voting Yea, none voting Nay, none voting Present. House Bill 6359, having received the required constitutional majority, is declared passed. Senator Viverito, for what purpose do you seek recognition? House Bill 6368. Senator Cullerton. Out of the record. House Bill 6419. Senator Dan Kotowski. Senator -- Senator Kotowski seeks leave of the Body to return House Bill 6419 to the Order of 2nd Reading. Leave is granted. On the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

Order of 2nd Reading is House Bill 6419. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 3, offered by Senator Kotowski.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Kotowski, to explain.

SENATOR KOTOWSKI:

Thank you very much, Mr. President. This is a -- simply put, we had this bill -- this amendment come through committee. Amendment 3 is, for all intents and purposes, identical to Amendment No. 1 and we just worked to clarify some -- some technical issues.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? All those in favor, say Aye. Opposed, say 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, Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 6419.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Kotowski.

SENATOR KOTOWSKI:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

Thank you very much, Mr. President. This is a bill that's been -- that had a great deal of support in the House and we've moved through it and it got through committee unanimously. It creates a School District Intergovernmental Cooperation Renewable Energy Act to allow groups of school districts to acquire, construct renewable energy-generating facilities.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 6419 pass. 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 59 voting Yea, none voting Nay, none voting Present. House Bill 6419, having received the required constitutional majority, is declared passed. Senator Don Harmon in the Chair.

PRESIDING OFFICER: (SENATOR HARMON)

Ladies and Gentlemen of the Senate, still on the Order of House Bills 3rd Reading on page 37 is House Bill 6748. Senator Cullerton. That -- is the last bill on the Order of 3rd Reading. With leave of the Body, we're going to return to House Bill 4667. Senator Lightford. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 4667.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Lightford.

SENATOR LIGHTFORD:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 4667 creates Women Veteran's license plate. An application {sic} for the special plate will be charged fifteen dollars for the original issuance in addition to the appropriate registration fee. I actually received a phone call from women veterans in my district who felt that they had been overlooked, that they too sacrificed themselves and their lives and they would like to have a special plate in their honor. And I'd be happy to answer questions. I hope we all put Ayes up.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Is there any discussion? Any discussion? Seeing none, the question is, shall House Bill 4667 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 49 voting Aye, none voting Nay, none voting Present. And House Bill 4667, having received the required constitutional majority, is declared passed. With leave of the Body, we're going to turn to the top of page 35 on your printed Calendars, still on the Order of House Bills 3rd Reading. House Bill 5065. Senator Lightford. Madam Secretary. Senator Lightford seeks leave of the Body to return House Bill 5065 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 5065. Madam Secretary, please read the bill. Have there been any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 3, offered by Senator Lightford.

PRESIDING OFFICER: (SENATOR HARMON)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

Senator Lightford, on the amendment.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Floor Amendment No. 3 actually becomes {sic} the bill. It requires the Illinois Procurement Bulletin to be electronically distributed to any entity that has subscribed to the website. This was actually a issue that came up when I was passing over the Business Enterprise Program. We found that many minority- and female-business enterprise programs aren't properly being notified so that they could have an opportunity to bid. My intention is to allow them to receive publications and notifications in a timely fashion, that they're invited to the bid process, and that they're able to also protest a bid if they have not been informed that they were not the actual person to receive an award. The bill also requires that the Department of Transportation, Central Management Services, and the Capital Development Board distribute written instructions to all businesses part of each agency's respective disadvantaged business directories in order to facilitate registration to receive each procurement bulletin. I've just got to commend the Capital Development Board for doing a wonderful job. We pretty much took their language and applied it to this amendment. And we would like to have uniformity between all three agencies. I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Is there any discussion of the amendment? Any discussion? Seeing none, Senator Lightford moves to adopt Floor Amendment No. 3 to House Bill 5065. All in favor will say Aye. Opposed, Nay. The Ayes have it, and the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

amendment is adopted. Madam Secretary, any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HARMON)

3rd Reading. Now on the Order of 3rd Reading is House Bill 5065. Senator Lightford. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 5065.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Lightford.

SENATOR LIGHTFORD:

...President, the amendment becomes {sic} the bill. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Any discussion? Seeing none, the question is, shall House Bill 5065 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 59 voting Aye, none voting Nay, none voting Present. And House Bill 5065, having received the required constitutional majority, is declared passed. Still on page 35 of your printed Calendar is House Bill 5080. Senator Lightford. Madam Secretary, please read the bill.

SECRETARY ROCK:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

House Bill 5080.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President. Senate Amendment No. 3 is identical to Senate Amendment No. 2 {sic}, which actually becomes {sic} the bill. It makes changes to a provision concerning grounds for discipline. It's related to the private detective and private alarm industry at the Department of Financial and Professional Regulations {sic} (Regulation). The amendment also make changes in the definition of an address of a -- record to better mirror other practices Acts. So, pretty much, they were trying to make sure this board was in line with all of the other licensees that the Department regulates. And I'll be happy to answer questions.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Is there any discussion? Any discussion? Seeing none, the question is, shall House Bill 5080 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 58 voting Aye, none voting Nay, none voting Present. And House Bill 5080, having received the required constitutional majority, is declared passed. Ladies and Gentlemen of the Senate, that takes us through the entire Calendar of House Bills 3rd Reading. We're going to turn now to page 38 on your printed Calendar to the Secretary's Desk,

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

Concurrences. Near the top of the page is Senate Bill 851. Madam Secretary... Senator -- Senator Steans, are you ready to proceed? Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 851.

Filed by Senator Steans.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Steans, to explain your motion.

SENATOR STEANS:

Yes, thank you, Mr. President, Members of the Senate. This House Amendment No. 1 amends the Mental Health and Developmental Disabilities Code to allow a licensed marriage and family therapist to be qualified examiner under the Act. It passed unanimously in the House and I don't know of any opposition to it.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Any discussion? Seeing none, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 851. 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 59 voting Aye, none voting Nay, none voting Present. And -- and Senate Bill 851, having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 851, and the bill is declared passed. Still on the Order of Senate {sic} Desk, Concurrences, is Senate Bill 1702. Senator Dillard. Senate Bill 2065. Senator Hutchinson. Madam Secretary, please read

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 2065.

Filed by Senator Hutchinson.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hutchinson, are you ready to proceed with your motion?

SENATOR HUTCHINSON:

Yes, I am, Mr. President. This is a bill that took us a long time to actually come to some agreement with. We -- you know, as -- as it stands, whenever you have to -- when you do an extension of a TIF, you need to get the sign off of all the taxing bodies, and after months and months of talking, we finally were able to do that. So everyone's in agreement and I would really appreciate an Aye vote. This -- this -- these developers that came in and put in extensive time and effort and energy into revitalizing a certain area were faced with the TIF -- sunseting right as the market tanked. So we just want to give them some extra tools to get this done. And I would really urge and appreciate an Aye vote for my community of Crete.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Is there any discussion? Any discussion? Seeing none, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 2065. 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 -- take the record. On that question, there are 57 voting Aye, 1 voting No, none voting Present. Having

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 2065, and the bill is declared passed. Still on the Order of Secretary's Desk, Concurrences, is Senate Bill 2109. Senator Clayborne, do you wish to proceed? Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 3 to Senate Bill 2109.

Filed by Senator Clayborne.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Clayborne, to explain your motion.

SENATOR CLAYBORNE:

Thank -- thank you, Mr. President. House Amendment No. 3 deletes everything and becomes the bill. Expands the membership of the Task Force on Inventory {sic} (Inventorying) Employment Restrictions. Extends the date of the State agency to provide information to the Task Force by March 1st, 2010, and allows the work of the Task Force to be supported by funds other than those appropriated by the General Assembly. I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Any discussion? Seeing none, the question is, shall the Senate concur in House Amendments No. 1 and No. 3 to Senate Bill 2109. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. Having received the required constitutional majority, the Senate does concur in House

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

Amendments No. 1 and No. 3 to Senate Bill 2109, and the bill is declared passed. Still on the Order of Secretary's Desk, Concurrences, on the bottom of page 38 is Senate Bill 2578. Senator Bivins. Madam Secretary, read the gentleman's resolution {sic}.

SECRETARY ROCK:

I move to nonconcur with the House in the adoption of their Amendment No. 1 to Senate Bill 2578.

Filed by Senator Bivins.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Bivins, to explain your motion.

SENATOR BIVINS:

Thank you, Mr. President. I move to nonconcur in the House amendment.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Any discussion? Seeing none, the question is, shall the Senate nonconcur in House Amendment No. 1 to Senate Bill 2578. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Aye, none voting No, none voting Present. Having received the required constitutional majority, the Senate does not concur in House Amendments {sic} No. 1 to Senate Bill 2578. The Secretary will so inform the House. Ladies and Gentlemen of the Senate, on the top of page 39 of your printed Calendar, still on the Order of Secretary's Desk, Concurrences, is Senate Bill 2590. Senator Millner. Senator Millner. Senate Bill 2602. Senator Steans. Madam Secretary, please read the motion.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 2602.

Filed by Senator Steans.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Steans, to explain your motion.

SENATOR STEANS:

Thank you, Mr. President, Members of the Senate. This amendment does three things. It adds the word "structural" in front of structural pest to make sure it's only supposed to be applying to those kinds of pests, just for clarification. Second, it makes reciprocity available to any state, not just contiguous states. And lastly, it makes all local levels of government and State agencies exempt from paying the fees. I don't know of any opposition to the amendment.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Is there any discussion? Senator Althoff, are you seeking recognition on the motion?

SENATOR ALTHOFF:

Thank -- thank you, Mr. President. I would just like to remind -- I just like -- would like to remind the Body that this legislation, although I intend to support it, is a fee increase. Thank you very much.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Is there any further discussion? Any further discussion? Seeing none, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 2602. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

all voted who wish? Take the record. On that question, there are 39 voting Aye, 15 voting No, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 2602, and the bill is declared passed. Further down on page 39 of your printed Calendars is Senate Bill 3295. Senator Millner. Senator Millner. Senate Bill 3359. Senator Silverstein. Senator Silverstein. Turning to page 40 of your printed Calendars, the last bill on the Order of Secretary's Desk, Concurrences, is Senate Bill 3818. Senator Hutchinson. Senator Hutchinson. Senator Hutchinson, do you wish to proceed? Madam Secretary, please read the resolution.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 3818.

Filed by Senator Hutchinson.

PRESIDING OFFICER: (SENATOR HARMON)

...you for reading the motion, Madam Secretary, not the resolution. Senator Hutchinson, to explain your motion.

SENATOR HUTCHINSON:

Thank you, Mr. President. Senate Bill 3818 states that the number of days on leave provided to an employee under this Act will be reduced by the number of days of leave provided to the employee under specified provisions of the federal Family and Medical Leave Act of 1993.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Any discussion? Senator Righter, for what purpose do you seek recognition?

SENATOR RIGHTER:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

Thank you, Mr. President. As our business seems to have slowed somewhat, I thought I'd ask the Senator about this fine bill. Will she yield, please?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hutchinson indicates that she will yield. Senator Righter.

SENATOR RIGHTER:

Senator Hutchinson, can you now -- after the House amendment, can you give us the -- the roster of individuals who are now eligible for time away under the Military Family Medical {sic} Leave Act?

PRESIDING OFFICER: (SENATOR HARMON)

The Senate will please come to order. Will you please give the speakers your attention? Senator Righter has posed a question to Senator Hutchinson. Senator Hutchinson, are you ready to proceed?

SENATOR HUTCHINSON:

Thank you, Senator Righter. This actually -- this bill includes -- as amended, it expands the Family Military Leave Act by expanding the allowable persons to take leave under the Act to include the child of a person called to military service or the grandparent of a person called to military service. And this kind of goes into not everyone has the -- the standard, traditional family.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. So, Senator Hutchinson, with the House amendment, we have now a spouse, a child, and a

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

grandparent. Those are the three people who are in this bill as it's before this Chamber on the motion. Is that correct?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hutchinson.

SENATOR HUTCHINSON:

That is correct.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any further discussion? Any further discussion? Seeing none, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 3818. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 3818, and the bill is declared passed. Senator Silverstein, for what purpose do you seek recognition?

SENATOR SILVERSTEIN:

A point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Please state your point, Senator.

SENATOR SILVERSTEIN:

Thank you, Mr. President. I just want to know, if possible, the Senate can welcome, behind me on the Democratic side, the Arie Crown Hebrew Day School that comes not only from my district, but from Senator Schoenberg's district. If they can be recognized.

PRESIDING OFFICER: (SENATOR HARMON)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

Will our guests in the galleries could -- please rise to be welcomed to Springfield? With leave of the Body, we will return, still on the Order of Secretary's Desk, Concurrences, to Senate Bill 3359. Senator Silverstein, do you wish to proceed? Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to nonconcur with the House in the adoption of their Amendments 1, 2 and 3 to Senate Bill 3359.

Filed by Senator Silverstein.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Silverstein, to explain your motion.

SENATOR SILVERSTEIN:

Ditto. I just not -- would like not to concur on House Amendments 1, 2 and 3.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Any discussion? Seeing none, the question is, shall the Senate nonconcur in House Amendments No. 1, 2 and 3 to Senate Bill 3359. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the motion carries. The Senate -- the Secretary will so inform the House. Senator Millner, are you seeking leave to return to the Order? With leave of the Body, we will return to the -- the -- Senate Bill 2590. Still on the Order of Secretary's Desk, Concurrences. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment 1 to Senate Bill 2590.

Filed by Senator Millner.

PRESIDING OFFICER: (SENATOR HARMON)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

Senator Millner, to explain your motion.

SENATOR MILLNER:

Thank you, Mr. -- Mr. President. The amendment is a proposal of the Madison County Sheriff's. It adds a second prong to the concealment of a death offense for knowingly moving a dead body from the place of death with the intent to conceal information on the place or manner of death or identity. It exempts movement of a dead body by medical personnel, firefighters, law enforcement, coroners, medical examiners, licensed funeral directors, or any person acting at the request of any of the foregoing, and the penalty is a Class 4 felony. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Any discussion? Seeing none, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 2590. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 2590, and the bill is declared passed. Still on that same page, Senate Bill 3295. Senator Millner, you wish to proceed? Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 3295.

Filed by Senator Millner.

PRESIDING OFFICER: (SENATOR HARMON)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

Senator Millner, to explain your motion.

SENATOR MILLNER:

Thank you, Mr. President. And this amendment is basically cleanup language. It is proposed by the State Police and agreed to by the State Appellate Defender. There was a potential problem with the current language on impound of criminal history records in the expungement law. The State Police and the Appellate Defender's Office agree that impounding operates much like sealing in practice, physically and electronically maintaining the records. However, a potential problem exists with the current authorized dissemination of impounded records, which appears to limit the dissemination for arresting authority, the State's Attorney, and the court. And it could be a problem if the State Police treats impounded records as sealed records since the records could be disseminated to a law enforcement entity that is not the arresting authority. The Appellate Defender's Office agreed with this position and stressed that there was no direct intent on limiting the availability of these records to any law enforcement agency. The amendment makes clear that, in regards to dissemination, impounded records are to be treated like that information. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Any discussion? Seeing none, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 3295. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting Nay, none

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 3295, and the bill is declared passed. Senator Hultgren, for what purpose do you rise?

SENATOR HULTGREN:

A point of personal privilege, please.

PRESIDING OFFICER: (SENATOR HARMON)

Please state your point.

SENATOR HULTGREN:

I wanted to recognize someone who couldn't be with us today because he's training, but he's represented by his mom and dad here today. It's someone that I've gotten to know a little bit, looking forward to getting to know him even more. But, Hans Lauzen, the third child of Chris and Sarah Lauzen, he's a junior at USC, tri-captain of the USC track -- cross country. He's also Naval ROTC. But what I wanted to recognize is he recently has been -- he's earned one of the three positions on the United States Junior National Pentathlon Team. He's going to be competing in Budapest, Hungary, in August, representing the United States. So Hans is out training for this, but is going to be one of three representing us over in Hungary this summer. And so I just wanted to recognize Sarah Lauzen and Chris Lauzen on the great accomplishment of one of their sons, Hans Lauzen.

PRESIDING OFFICER: (SENATOR HARMON)

Congratulations to the entire Lauzen family. Thank you, Senator. Senator Jones, for what purpose do you seek recognition?

SENATOR J. JONES:

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

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

PRESIDING OFFICER: (SENATOR HARMON)

Please state your point, Senator.

SENATOR J. JONES:

I -- I have -- really have a couple of 'em. Up here in the President's Gallery, we have three members of the board of trustees from -- from Kaskaskia College in Centralia. And I know all of us has some -- some members of the community colleges here today, but I'd just like to welcome them to Springfield.

PRESIDING OFFICER: (SENATOR HARMON)

...from Kaskaskia College, please rise to be recognized to the Senate. Senator Jones, you have a further point?

SENATOR J. JONES:

Thank you, Mr. President. Another point of personal privilege. And over in this gallery here, we have Representative John Cavaletto's wife and one of his sons, Jason, is here today visiting the Senate. So welcome them over here.

PRESIDING OFFICER: (SENATOR HARMON)

If the Cavaletto's would rise to be welcomed to the Senate. Ladies and Gentlemen of the Senate, Senate Calendar -- Supplemental Calendar No. 1 has been printed and distributed to the Members' desks. On the Order of Secretary's Desk, Concurrences, is Senate Bill 2996. Senator Lightford. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 2996.

Filed by Senator Lightford.

PRESIDING OFFICER: (SENATOR HARMON)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

Senator Lightford, to explain your motion.

SENATOR LIGHTFORD:

Thank you, Mr. President. House Amendment No. 1 clarifies that the Illinois Bank Examiners' Education Foundation shall be governed by the State Banking Board. And it makes the civil monetary penalties consistent throughout the Act. Should I also explain House Amendment No. 2? House Amendment No. 2, it holds orders -- it -- it actually clarifies what a written legal instrument issued to a pawnbroker -- actually enforcement by the law. It provides that criminal investigations is completed and that the property shall be returned to the pawnbroker who consented to its release and that the pawnbroker shall not release or dispose of the property. I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR HARMON)

Is -- is there any discussion? Any discussion of the motions? Seeing none, the question is, shall the Senate concur in House Amendments No. 1 and No. 2 to Senate Bill 2996. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Aye, none voting Nay, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments No. 1 and No. 2 to Senate Bill 2996, and the bill is declared passed. Still on the Supplemental Calendar. Senate Bill 3267. Senator Hunter. Madam Secretary, please read the motion.

SECRETARY ROCK:

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

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

Amendment 1 to Senate Bill 3267.

Filed by Senator Hunter.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hunter, to explain your motion.

SENATOR HUNTER:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Amendment 1 deletes everything and becomes the bill. So it first reinserts current law that requires the Department of {sic} (on) Aging to give information about financial exploitation of the elderly -- elderly to financial institutions. The financial institutions may use the information at their discretion. Second, it requires the Department of Aging and the Department of Financial and Professional Regulations {sic} (Regulation) to develop joint rules concerning the minimum training standards to be used by financial institutions for their employees with direct customer contact. And the Department of Financial and Professional Regulations will enforce the rules and provide a biannual report to the Department of Aging on training needs.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR HARMON)

Sponsor indicates that she'll yield. Senator Righter.

SENATOR RIGHTER:

Senator Hunter, what is the problem that we are seeking to solve with Senate Bill 3267?

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hunter.

SENATOR HUNTER:

The problem, Senator, that we are seeking to solve is consistency. You have banks instituting their own regulations. You have credit unions. And basically what we're trying to do is make sure that all of the training is consistent and it's across-the-board.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. You know, Senator Hunter, let me put a thought out there that -- that, I don't know, maybe -- maybe has not occurred to people. Maybe it's okay if lending institutions - I mean, we're talking about private enterprises - decide if they want to treat seniors a little bit differently, because isn't that part of bringing customers to your bank, is that we're going to look to and make an effort to try to treat our customers better, rather than having the government come in and say, okay, here is the framework by which all private enterprise in the State will treat this particular class of customer?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hunter.

SENATOR HUNTER:

Senator -- Senator Righter, you know, it really confuses people when one arm is doing one thing and -- and another arm is doing another. And we feel as though -- if we can make things consistent and across-the-board so that everything is clear to

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

all our seniors regarding elder abuse, that things are working more smoothly.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Righter, do you have additional questions?

SENATOR RIGHTER:

One more, if I might, Mr. President. So, Senator Hunter, I want to -- I want to make sure and be clear here. We're focusing on elder abuse issues, not other issues - commercial issues, if you will - whether or not a bank or a credit union wants to offer a special discount or a special deal or something like that. We're just focusing on elder abuse. Is that fair to say?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hunter.

SENATOR HUNTER:

Absolutely.

PRESIDING OFFICER: (SENATOR HARMON)

Senator McCarter, for what purpose do you seek recognition?

SENATOR McCARTER:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR HARMON)

Sponsor indicates that she will yield. Senator McCarter.

SENATOR McCARTER:

Senator Hunter, I -- I know in the committee you made it clear, I think, in regards to Senator Righter's question just now, and that is what you're concerned about is guardians of the elderly coming in and possibly performing some financial transaction that's not in their best interest, not necessarily the financial institutions mistreating the elderly that come for

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

services. But I -- I have a question here: Once you establish this standard of training, which -- which is the intention of the bill, once you establish that standard -- that minimum standard of training will -- financial institutions that already provide training to their employees, will they still have to implement this training if they already have training in place?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hunter.

SENATOR HUNTER:

So -- so, Senator, this is what we're talking about. We're talking about direct customer contact. So if minimum standards are already being provided through training, then those employees will not have to be retrained again because they're already providing the minimum standards. And so what this bill is basically doing is allowing -- Financial and Professional Regulations and the Department of Aging to draft the overall standards that has to go through JCAR.

PRESIDING OFFICER: (SENATOR HARMON)

Senator McCarter.

SENATOR McCARTER:

Okay, so I think -- I think the answer to my question is, yes. If the minimum standards have already been met that you are establishing, they would not have to implement any additional training.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hunter.

SENATOR HUNTER:

That is correct, Senator McCarter.

PRESIDING OFFICER: (SENATOR HARMON)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

Further questions, Senator McCarter?

SENATOR McCARTER:

...the bill.

PRESIDING OFFICER: (SENATOR HARMON)

To the bill.

SENATOR McCARTER:

I just wanted to establish that. For that reason, I'll be voting in favor of the bill. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Dahl, for what purpose do you rise?

SENATOR DAHL:

Thank you, Mr. President. Several questions to the sponsor, if she would, please?

PRESIDING OFFICER: (SENATOR HARMON)

Sponsor indicates that she will yield. Senator Dahl.

SENATOR DAHL:

Thank you, Mr. President. Senator, several of my questions have been answered, but I do have a couple more. Can you tell us who is covered by this legislation?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hunter.

SENATOR HUNTER:

Did you ask, who was covered? They're -- the elders - elderly people.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Dahl.

SENATOR DAHL:

Thank you. I -- I guess -- to redirect that question, with the financial institutions, are the currency exchange included

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

in this?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hunter.

SENATOR HUNTER:

The -- the currency exchanges are neutral on this bill. So we're basically looking at -- talking about the banks - large banks and community banks, sir.

PRESIDING OFFICER: (SENATOR HARMON)

Senator...

SENATOR HUNTER:

Financial institutions. Currency exchanges really do not consider themselves as being financial institutions. They really don't. So -- so -- so, no.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Dahl.

SENATOR DAHL:

...you -- thank you. But -- currency exchanges do not consider themselves as to be banks, but they also do a lot of this kind of work with the elderly. Is -- is that right? So -- so are they required to do any training for their employees?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hunter.

SENATOR HUNTER:

I don't think so, Senator, because most -- most seniors conduct their affairs, their financial affairs, in banks and do not conduct any kind of transactions with currency exchanges because their -- their -- their accounts -- their bank accounts are in financial institutions.

PRESIDING OFFICER: (SENATOR HARMON)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

Senator Dahl, do you have more questions?

SENATOR DAHL:

One more question. Doesn't this create an uneven playing field, a non-level playing field for financial institutions who are State-chartered, when federally chartered banks and credit unions are pre-exempt?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hunter.

SENATOR HUNTER:

No.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Dahl, you have another question?

SENATOR DAHL:

Can -- can you explain to me why that's a no? Why -- why -
- why that doesn't create an unlevel playing field for State-
chartered banks and -- and not for nationally chartered?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hunter.

SENATOR HUNTER:

Because minimum standards are being set for everyone. Financial institutions -- well, seniors and other persons, such as yourself and myself, we do not have accounts with currency exchanges. We have accounts with financial institutions - banks and credit unions. So, no, the currency exchanges would not fit in these categories because they are not really considered as financial institutions according to State statute.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Dahl, are you going to try again?

SENATOR DAHL:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

To the bill: I -- I suggest we take a serious look at this. There were a lot of No votes on this the first time around and -- and it -- it kind of raised a red flag with me this morning when -- when this bill came up in State Government, when it has been in -- in Human Services in the past or -- or a healthcare bill and -- and we ended up with it in State Government. I'm -- I'd encourage a No vote. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR CROTTY:

To the bill: I know that I had spoken about the bill when the sponsor had brought it before. I carried legislation at one time dealing with this matter and I really have to commend the sponsor, because she has worked on it since we -- since we've seen it before. So, she continued in the House to -- as the House sponsor has it to -- to work on this situation and I think that just the key thing here is to make sure that the savings of persons, the elderly, are protected. And I think the sponsor has done that and I hope that everybody can give her a Yes vote. And there is no... I'm sorry. And there is no more opposition to the bill. So I commend her for that.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. That remains to be seen. Senator Jones, for what purpose do you seek recognition?

SENATOR J. JONES:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR HARMON)

To the bill, Senator.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

SENATOR J. JONES:

You know, Senator Hunter, this morning in committee, I actually gave you a Yes vote and I told you I would in committee, but I would not support it on the Floor. And -- and there's two or three different reasons. First off, you keep saying that banks that are doing this -- minimum standards right now will not have to do this. Well, we don't know what the minimum standards are going to be because they haven't been drafted yet. That will be done at a later time. So we don't know what kind of -- of -- of burden this is going to put on our banks. But I can assure you, every bank that I've ever dealt with and every banker that I know instills in their employees, you know, to be watchful of the senior citizens, because we know they are taken. And -- and I -- I -- I agree that, you know, there -- there's things out there that we need to be watchful of. But I think, in this State, we have been micromanaging businesses to an extent where we are trying to drive out every business we can. Luckily, we probably won't drive out the banks. But in committee this morning, a gentleman from Department of Aging and yourself said that there was no opposition to the bill, in fact, there -- everybody was supportive of it, when that was false. There is -- the banking people are neutral on it and, quite frankly, they don't really -- didn't really want to be neutral on it. They just finally gave up, I think, and said, well, we'll be neutral on the bill. But I would encourage everybody to vote No on this. We don't know what the -- the rules are going to be that you're -- that you're going to draft and the training that's going to be involved. Banks have enough savvy about 'em to train their

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

employees, you know, and I think every business person in the State have enough savvy to -- to -- to train their employees. So I would encourage a No vote.

PRESIDING OFFICER: (SENATOR HARMON)

Seeing no further Senators seeking recognition, Senator Hunter, do you wish to close?

SENATOR HUNTER:

Thank you, Mr. President. First of all, I did not mislead anyone in committee today. We're only talking about minimum standards here. We're talking about elder abuse. And I'd like to thank the banks for working with me. If -- if anyone was against this bill, they would have put in an opposition slip today. They did not. We've been working on this bill for three years - three whole years - and I'd like to commend all the parties involved for -- for -- for focusing on, not me, not you, not trying to protect their institutions, but the seniors. Because some of us one day will become seniors and I would hope that everybody protect and look out for the best interests of seniors, if you're not one already. And I ask for an Aye vote on everybody.

PRESIDING OFFICER: (SENATOR HARMON)

The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 3267. 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 47 voting Aye, 9 voting No, 1 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 3267, and the bill is declared passed. Still on our

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

Supplemental Calendar. Senate Bill 3780. Senator Hunter, do you wish to try your luck again? Madam Secretary, please read the resolution {sic}.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 3780.

Filed by Senator Hunter.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hunter, to explain your motion.

SENATOR HUNTER:

Thank you, Mr. President. Senate Bill 3780, as amended, will make changes to the Department of Human Services Act and the State Finance Act. This bill, as amended, will transfer the administration of the Diabetes Research Checkoff Fund, the Illinois State Diabetes Commission, and all diabetes, asthma, and pulmonary disorder prevention materials and prevention grant programs from the Department of Human Services to the Department of Public Health. And this bill also amends -- as amended, will also extend the report and dissolution date for the Commission to Study Disproportionate Justice (Impact). And I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator, for explaining your motion. Is there any discussion of the motion? Seeing none, the question is, shall the Senate concur in House Amendments No. 1 and No. 2 to Senate Bill 3780. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting Nay, none

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments No. 1 and No. 2 to Senate Bill 3780, and the bill is declared passed. Ladies and Gentlemen of the Senate, we've concluded the business on our Supplemental Calendar. We're standing at ease for a few moments to allow our paperwork to catch up with us and we'll be -- we'll be back in business shortly. (At ease) Senator Forby, for what purpose do you rise?

SENATOR FORBY:

Thank you. I -- I move to waive all notice and posting requirements so HJR 114 can be heard on May the 6th in State Government Committee.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Forby moves to waive all notice and posting requirements so that House Joint Resolution 114 can be heard on May 6th in the Senate State Government Committee. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the notice and posting requirements have been waived. Ladies and Gentlemen of the Senate, the Senate will stand at ease for a few moments to allow the Committee on Assignments to meet. If all members of the Committee on Assignments could report to the President's Anteroom immediately. All members of the Committee on Assignments could report to the President's Anteroom immediately.

(SENATE STANDS AT EASE)

PRESIDING OFFICER: (SENATOR HARMON)

Senator Schoenberg in the Chair.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SECRETARY ROCK:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to the Executive Committee - Floor Amendment 3 House Bill 537, Floor Amendment 3 to House Bill 1075, Floor Amendment 2 to House Bill 3659, Floor Amendment 2 to House Bill 4644, Floor Amendment 2 to House Bill 4927, Floor Amendment 1 and Floor Amendment 2 to House Bill 5677, Floor Amendment 1 to House Bill 5873, Committee Amendment 1 to House Bill 5057, Committee Amendment 1 to House Bill 6202, Motion to Concur with House Amendment 1 to Senate Bill 1937, Motion to Concur with House Amendment 2 and House Amendment 3 to Senate Bill 3695 and Motion to Concur with House Amendment 1 Senate Bill 3803.

Signed by Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The Chair wishes to announce that the Executive Committee will meet at 2 p.m. in Room 212 for the purposes of hearing the aforementioned Floor amendments and concurrence motions. The Executive Committee will meet at Room 212 at 2 p.m. for Floor amendments and concurrence motions, pursuant to the Committee on Assignments report. Senator Muñoz, for what purpose do you seek recognition, sir?

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

SENATOR MUÑOZ:

Purpose of announcement, Mr. President.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Please state your point.

SENATOR MUÑOZ:

Democrats requesting a caucus immediately upon recess.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The Democrats will caucus immediately upon recess. Senator Syverson.

SENATOR SYVERSON:

Thank you. Senate Republicans would also like to caucus for at least one hour if the -- unless the intent is to go to committees at 2 o'clock, then it's a nonissue.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

...you. The Republicans will caucus as well. When we -- following the respective caucuses and the Executive Committee, we will return to the Floor for substantive Floor action. The Senate will now stand in recess.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

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

SECRETARY ROCK:

Senator Silverstein, Chairperson of the Committee on Executive, reports House Bill 4788 Do Pass; House Bill 5057, 5772 and 6202 Do Pass, as Amended; Senate Resolution 673 Be Adopted; House Joint -- House Joint Resolution 86 Be Adopted;

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

Senate Amendment 3 to House Bill 537, Senate Amendment 2 to House Bill 4644, Senate Amendment 2 to House Bill 4927, Senate Amendments 1 and 2 to House Bill 4677 {sic} (5677), Motion to Concur with House Amendment 1 to Senate Bill 1937, Motion to Concur with House Amendments 2 and 3 to Senate Bill 3695, Motion to Concur with House Amendment 1 to Senate Bill 3803, all recommended Do Adopt.

PRESIDING OFFICER: (SENATOR DeLEO)

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 concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Bill 459.

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.

We have received like Messages on Senate Bill 1332, with House Amendment 1; Senate Bill 2538, with House Amendment 1; Senate Bill 3061, with House Amendment 1; Senate Bill 3531, with House Amendment 1; Senate Bill 3547, with House Amendments 1 and 2; Senate Bill 3619, with House Amendment 1.

They all passed the House, as amended, May 5th, 2010. Mark Mahoney, Clerk of the House.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, for purposes of an announcement. The Senate has reconvened. We will be going to

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

substantive action. This will be final action. So I'd ask all Members within the sound of my voice, please report to the Senate Floor immediately. We will be going to 3rd Readings, final action. Thank you. Okay, Ladies and Gentlemen, we will be going to final action. I'd ask you to turn to your printed Calendar, page 33 of your printed Calendar. This is final action, House Bills 3rd Reading. We'll go to the middle of page 33. Here comes House Bill 4623. House Bill 4623. Senator Jones, for what purpose do you seek recognition, sir?

SENATOR E. JONES:

Thank you, Mr. President. Personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Point of personal privilege. Please state your point, sir.

SENATOR E. JONES:

I have some guests from the Chicagoland area, Julian -- Percy L. Julian High School, who came down to express their opinions on how we're doing things down here in Springfield. They had a lot of good ideas. These are future leaders of our great State. So please give 'em a warm welcome, and welcome to the Illinois Senate.

PRESIDING OFFICER: (SENATOR DeLEO)

Would our guests in the galleries please rise and be recognized? Welcome to the Illinois State Senate. Welcome to Springfield. Let's go to... Okay, Ladies and Gentlemen, on page 33 in your Calendar comes House Bills 3rd Reading. House Bill 4644. Senator Bomke. Do you -- Senator Bomke is seeking leave of the Body to return House Bill 4644 to the Order of 2nd Reading for the purpose of an amendment. Is that correct, sir? Leave -- leave is granted. Now on the Order of 2nd Reading is

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

House Bill 4644. Madam Secretary, has there been any amendments -- Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Bomke.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Senator Bomke, to the amendment, sir.

SENATOR BOMKE:

Thank you -- thank you, Mr. President, Ladies and Gentlemen of the Senate. Would like to withdraw Senate Floor Amendment 1 and adopt Senate Floor Amendment 2.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor's requested that Floor Amendment No. 1 be tabled. Seeing no objection, Floor Amendment -- I'm sorry, Floor Amendment No. 1 is withdrawn. Madam Secretary, has there been any further Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Bomke.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Bomke, to the amendment, sir.

SENATOR BOMKE:

Thank you. The bill -- or the amendment actually does two things. It -- it allows SURS and SERS employees to purchase pension service credit for mandated and voluntary furlough days. In addition, it allows those in the -- those elected officials in the IMRF to purchase pension credit for State stipends they would have received on July 1st, 2009, and on -- on or before June 30th, 2010. It's a cost to the employee. They are picking up the employer and the employee's cost. So there's no cost to

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

the State of Illinois.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion on the amendment? Is there any discussion on the amendment? 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 is 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 House Bill 4644. Senator Bomke, you wish to proceed? He indicates he wishes to proceed. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

House Bill 4644.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR BOMKE:

Thank you. The amendment -- the Amendment 2 does become the bill and I explained the amendment on 2nd. I would...

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR LAUZEN:

Thank you, Mr. President.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lauzen, how are you this afternoon, sir?

SENATOR LAUZEN:

Wonderful.

PRESIDING OFFICER: (SENATOR DeLEO)

Very nice to see you.

SENATOR LAUZEN:

It's nice to see you, Mr. President. You are doing a wonderful job.

PRESIDING OFFICER: (SENATOR DeLEO)

...you.

SENATOR LAUZEN:

To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR LAUZEN:

The reason why this is so important for us to do is that - and -- and I know that all of us are sensitive to any potential expansion of pension benefits, but this is not an expansion - is that if we don't do this, then there are two penalties to encouraging State employees to taking furlough days - once when it's an unpaid day and another time when they lose the time on their pension benefit. So I think that it is a -- an important step forward. I appreciate the sponsor's work on it and I recommend an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any further discussion? Is there any further discussion? Seeing none, Ladies and Gentlemen, the question is, shall House Bill 4644 pass. All those in favor

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

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 53 Ayes, 0 voting Nay, 0 voting Present. House Bill 4644, having received the required constitutional majority, is declared passed. Continuing on House Bills 3rd Reading, on page 33 of your Calendar. Okay, Ladies and Gentlemen, Supplemental Calendar No. 2 has been printed and distributed. It should be on the Members' desks. We will go to House Bills 2nd Reading. On the top of Supplemental Calendar No. 2 is House Bills 2nd Reading. Senator Martinez, on House Bill 4788. Do you wish to proceed, ma'am? She indicates she wishes to proceed. Madam Secretary, read the lady's bill.

SECRETARY ROCK:

House Bill 4788.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Has there been any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. House Bill 5057. Senator Cullerton. Senator Hunter, as the -- co-sponsor, will present. Do you wish to proceed? She indicates she wishes to proceed. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

House Bill 5057.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

Are there any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Senator Schoenberg. Senator Jeff Schoenberg, on House Bill 5772, sir. Senator Schoenberg. Senator Schoenberg, on House Bill... Out of the record. Senator Harmon, on 6202, sir. Senator Harmon, on 6202, sir. Out of the record. ...on Supplemental Calendar No. 2 is the Secretary's Desk, Resolutions. Senator Luechtefeld, on Senate Resolution 673, sir. Do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, read the gentleman's resolution.

SECRETARY ROCK:

Senate Resolution 673, offered by Senator Luechtefeld.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Senator, to the resolution, sir.

SENATOR LUECHTEFELD:

Thank you, Mr. President, Members of the Senate. Senate Resolution 673 basically asks Congress to take a look at a tariff on magnesium that's forcing a company in my district and I think there's another company in Chicago that produces lightweight cast -- and this -- basically asking them to take a

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

look and adjust the tariff on -- on foreign magnesium. They can't compete with the Canadian companies who can look on the open market.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Thank you, Senator. Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall Senate Resolution 673 pass. 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 resolution is adopted. Continuing on the Resolutions is House Joint Resolution 86. Senator Righter. Senator Righter. Senator Righter. You're on the right side, Senator Righter. Do you wish to proceed with your resolution, sir? The gentleman indicates he wishes to proceed. Madam Secretary, read the gentleman's resolution.

SECRETARY ROCK:

House Joint Resolution 86, offered by Senator Righter.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Senator Righter, to the resolution, sir.

SENATOR RIGHTER:

Thank you, Mr. President, Ladies and Gentlemen of the Chamber. House Joint Resolution 86, if passed, would rename a rest area just south of Palestine, in Crawford County, in my district, after Congressional Medal of Honor winner Sammy L. Davis. Mr. Davis engaged in an act of heroism in August {sic} of 1967 during the Vietnam War when he saved several of his comrades by - believe it or not, Mr. President - firing a howitzer on his own several times to hold off the enemy while he was able to bring his fallen colleagues by his side. So we've

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

decided to honor him by renaming this rest area south of Palestine. I would be happy to answer any questions regarding the resolution.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much, Senator. Ladies and Gentlemen, can we hold the conversations down, please? Senator Trotter, for what reason do you rise, sir?

SENATOR TROTTER:

Question for the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question. Senator Trotter.

SENATOR TROTTER:

Thank -- thank you, Senator. And this is certainly not to diminish the heroics of -- of Mr. Davis -- of Sgt. Davis, but in reading, he's from Ohio, why are you and we honoring him here in Illinois?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

He is originally from Ohio, but has spent the overwhelming majority of his life in Illinois and in -- and, quite frankly, from -- he's from Crawford County.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Ladies and Gentlemen, seeing no further

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

discussion, the question is... ..told there's a possible expenditure of State funds, so that -- that -- therefore, Senator Righter, this will take a -- a -- a roll call. Ladies and Gentlemen, the question is, shall House Joint Resolution 86 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 58 Ayes, 0 voting Nay, 0 voting Present. House Joint Resolution 86, having received the required constitutional majority, is declared adopted. Okay, Ladies and Gentlemen, we're going to continue on Supplemental Calendar No. 2. We'll go to Senate Bill 1937. Senator Link, do you wish to proceed, sir? He indicates he wishes to proceed. 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 1937.

Filed by Senator Link.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. This basically codifies the Executive Order No. 5 of the Governor and has the Illinois Gaming Board separated from the Department of Revenue and makes it a separate entity.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1937. All those

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

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 52 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1937, concurring in House -- having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 1937, and the bill is declared passed. With leave of the Body, we're going to go back to -- on top of page -- of Supplemental Calendar No. 2. We're going back to House Bill 5772. Senator Schoenberg, do you wish proceed? He indicates he does. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

House Bill 5772.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR DeLEO)

Has there been any further Floor amendments approved for consideration, Madam Secretary?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Continuing on Concurrences, we've come to Senate Bill 3695. Senator Lightford, do you wish to proceed, ma'am? She indicates she would like to proceed with her motion. Madam Secretary, read -- read the lady's motion.

SECRETARY ROCK:

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

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

Amendment 2 and 3 to Senate Bill 3695.

Filed by Senator Lightford.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Lightford, nice to see you this afternoon. Please proceed with your motion, ma'am.

SENATOR LIGHTFORD:

Thank you, Mr. President. Pleasure's mine. Ladies and Gentlemen of the Senate, Amendment No. 2 and 3 retains the underlining {sic} bill that we sent over to the House that passed the Senate unanimously that created the State Police Operations Assistance Fund as a special fund in the State treasury to receive funds from fines and costs imposed in traffic and criminal cases. Moneys received in the fund are to be used for State Police operations. It creates an additional fee to be imposed upon convictions, plea of guilty or a sentence of supervision, in all traffic and criminal cases, and in an amount equal to and in addition to the amount currently imposed under the Clerks of Courts Act automatic record keeping fee. And what I've learned, Mr. President, during testimony, is that we have a crisis with our -- our fiscal situation here. Here's an opportunity that was identified to keep the layoffs from taking place from our State Police Department. This would keep operational dollars functioning so that four hundred and sixty State Police officers will not be laid off and five regional offices would not have to close. I'd be happy to answer questions and that's the -- the heart of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

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

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates she'll yield for a question, sir. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. First of all, Senator, we -- we like -- I like the underlying bill and I want to make sure that you know that and certainly have supported that, but there has been an issue that -- that has come up since the House amendments have been added on and comes back. And one of those, according to my circuit clerks and according to some of my local chiefs of police, is the fact that the State will now receive their portion, the local portion of the tickets that are written by the local police or the local municipality. We had some discussion about that and I don't know that that's your intent or that's really what you desire to do. But, is -- is that an accurate statement? I -- I mean, did I talk around that enough? I mean, it will take away from the local county or the local municipality that now collects these fines. Is that not correct?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

It -- it's a very small percentage and it's in certain cases. It's when the actual individual mails in a plea of guilty. The fines are maxed out at seventy-five dollars according to Supreme Court Rule - 25? - 529 {sic} (526) and so

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

then that would cause perhaps a decrease of moneys going to the county. All other individuals who show up in court, requesting supervision or wanting to attest to their sentence, the additional fee will be imposed on them -- not subtracting from the county fee. In testimony, we learned today that approximately seventeen percent, or the gentleman that testified on behalf of the counties did say about a hundred and sixty thousand dollars, opposed to the sixteen million dollars that this could raise. So it was a huge disparity between the support that will go to our State Police Department minus the support that would be taken away from the county.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Further discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. To the bill: First of all, Senator, thank you for that explanation. I'm not sure that I got quite the same explanation or heard the same kind of explanation that you heard, but I can appreciate that and -- but I do want to point out to my colleagues that, number one, there is a potential that your local municipalities will receive less money for local police protection than what they currently are receiving now if this bill passes with these amendments. There's also the possibility that your counties will also receive less funding. So that is a true statement. I just spoke with the State Police before I came back to the Chamber. So you need to be aware of that. Now, I guess on the other side of that is, we could have more State Police out on the roads. So you've got to weigh those. But I do think that there is an opportunity, or would have been an opportunity, to hold harmless

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

the tickets that were written and collected by the locals, rather than by the State Police. And that has not been done in this bill. One of the other provisions of the House amendments did indicate that the funds would not be subject to sweeps. However, just another word of caution, if one of the proposals that's been floating around the Capitol the last few days - the Emergency Budget Act - is passed, I think these would be under the sweeps provision. So, anyway, just word of caution to my colleagues. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR PANKAU:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

...bill, ma'am.

SENATOR PANKAU:

In testimony today in the Executive Committee, we asked to give us some idea of what the impact might be of -- to the counties and municipalities who would not be getting their -- all of their portion that they are currently getting. The only example that was able to be given us, because this came up rather quickly, was from Lake County. And they said basically that Lake County estimated that they would be losing a hundred and forty thousand dollars a year and that the municipalities in Lake County would be losing about a hundred thousand, if I remember the figures correctly. If I then look at Cook County, which is probably four or five times larger than Lake, and figure that you multiply that, you're looking at maybe half a

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

million dollars Cook County government might be losing and the City of Chicago might be losing four hundred, five hundred -- or a half a million dollars. I don't know if that's true or not because no one could get ahold of the proper sources to check it out. But in a time when the municipalities are saying to us, "Please don't hurt me anymore, Springfield, than you already have. You've given us unfunded mandates. You've added to our pension problems. You've done all these things to us, but please don't hurt us anymore" - now we're going to be taking some of their money away. Reluctantly, I urge a No vote on this. We need to keep our bases whole. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR HAINE:

Yes, sir, on the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine, nice to see you this afternoon, sir. To the bill, sir.

SENATOR HAINE:

It's a pleasure to be here in this Chamber with your distinguished self presiding.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. Senator Haine, to the bill, sir.

SENATOR HAINE:

And I -- would the -- let me direct these comments to the bill and -- and -- and explain my great esteem for this distinguished sponsor. And I -- I just looked at this and I -- I'm torn. There is a logic in what the sponsor wants to do in

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

imposing an extra cost on all criminal matters, even those in which the State's -- the State Police are not directly involved. The logic is that the State Police maintains extensive crime labs and forensic investigators. There's a -- so I can -- even though there'll be some resentment back home that the Alton police, for example, work up the majority, the vast majority, of -- of cases without any State Police input, but we have imposed an extra cost on -- on top of that. Of course, that'd be true for Chicago police, Rock Island, everyone else. But I can justify that because of the necessity to have these laboratories built and functioning and staffed, which they are not now. It is -- the backlog in the State Police laboratories is a disgrace to a modern state that's trying to prosecute criminals. So -- and I'm directing that at the Director of the State Police, wherever he is tonight - to quote Jimmy Durante {sic}. My second point is more troubling, Senator Lightford, and that is the Supreme Court has -- has capped the bailable amount to seventy-five dollars for an appearance payment. When you don't want to go -- go to court, you mail in, on a typical traffic case, seventy-five bucks. All the other local jurisdictions, as Senator Burzynski pointed out, takes its little share out of that. This now, because of our imposition, will take a chunk off the top, even though the State Police have nothing to do with the issuance of the ticket. There's going to be some unhappy campers back home when they hear about this. I would like to vote for this because of the needs which this sponsor has so eloquently stated to the Chamber. But I would like to have some assurance that we're going to have a resolution that would ask the Supreme Court of this State to raise this bail

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

amount on an appearance to a hundred and twenty-five bucks minimum. That's the inflationary amount. It might be far greater than that. That would solve all of these problems. It's been seventy-five dollars for I don't know how many years. But this is going -- this is going to cause a lot of resentment in my home county, and -- and they haven't added it up because it happened so quick. And I'm just -- I'm going back and forth, Senator. If you could raise my comfort level, as you do so often, I'd appreciate it. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

The State Police Director couldn't be here. He's attending his senior prom tonight. Senator Lightford, to close, ma'am.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen the Senate. I'd just like to quickly acknowledge Senator Haine's discomfort and to let him know that I will be more than happy to support a resolution increasing the amount, because I think that could clear up any of the concerns that may be there. But it -- it's -- it's over our jurisdiction. It's a Supreme Court ruling so we would have to go the route of a resolution. But I want to bring up that the State Police writes over a half a million tickets a year, sixteen million dollars' worth of revenue and the State Police gets nothing out of that. All of that money goes right to local government. It's time for them to share some of it in the extent that we don't want to lose four hundred and sixty troopers, Ladies and Gentlemen. Our safety is at risk here. That puts the department in a reactive mode versus a proactive mode and it will cause us a lot of distress. We have five regional headquarters that are at risk of being closed -

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

five. Those headquarters are in Senators Demuzio, Forby's, Frerichs', John Jones', Bivins', Syverson, Burzynski, Sullivan, Koehler districts, and also Senator Garrett's. And the one that's in Senator Garrett's district is for all of Cook County. So we have a huge obligation here. We have an opportunity to create some revenue to keep our State Police safe, to keep us safe. And I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, the question is, shall the Senate concur in House Amendment No. 2 and No. 3 to Senate Bill 3695. 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 35 Ayes, 20 voting Nay, 2 voting Present. Senate Bill -- 3695, having received the required constitutional majority, the Senate does concur in House Amendment No. 2 and No. 3 to Senate Bill 3695, and the bill is declared passed. Continuing on the Supplemental Calendar is -- Senate Bill 3803. Senator Holmes, do you wish to proceed, ma'am? She indicates she does. Madam Secretary, read the lady's motion, please.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 3803.

Filed by Senator Holmes.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Holmes, to the motion, ma'am.

SENATOR HOLMES:

Thank you so much, Mr. President. House Amendment 1

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

deletes everything and becomes the bill. As amended, it creates the fatal accident memorial marker program as a roadside marker program governed under the same rules of -- the sign size, the text and placement currently provided for the Roadside Memorial Act for DUIs. It allows the marker to be placed to commemorate one or more persons who dry -- who died through the operation of a motor vehicle. And the cost of fabricating, installing, and maintaining the marker is charged to the person requesting the marker. And we will have a report from the Department of Transportation to us in the General Assembly by October 1st, 2011, on the program. And we can -- repeal the program on December 31st, 2011.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 3803. 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 55 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 3803, having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 3803, and the bill is declared passed. WCIA requests permission to -- for stills and video of the proceedings. Seeing no objection, leave is granted. Senate will come to order. We can -- we can proceed now. Ladies and Gentlemen, I ask you to turn your attention to the printed Calendar. We will go to page 33. Page 33 on the printed Calendar. We will go to House Bill 4623. Senator Hendon, how

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

are you this afternoon, sir? Do you wish to proceed, my friend and colleague? He indicates he wishes to proceed. Madam Secretary -- oh, I understand that the gentleman is asking to recall the bill to the Order of 2nd Reading. Is that correct, sir? He indicates he'd like to. So Senator Hendon will seek leave of the Body to return -- return House Bill 4623 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is House Bill 4623. Madam Secretary, has there been any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 4, offered by Senator Hendon.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Hendon, to the amendment, sir.

SENATOR HENDON:

Thank -- thank you, Mr. President. The amendment deletes all and becomes the bill. It becomes the free rides for seniors program, which we are adjusting. The program will continue, but we're raising -- we're putting in a means test that the editorial boards have said we need to put in. And I'll be happy to answer any questions or explain it on 3rd.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, is there any discussion on the amendment? 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 Floor amendment is adopted. Are there any further Floor amendments approved for consideration, Madam Secretary?

SECRETARY ROCK:

No further amendments reported.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Now on the Order of 3rd Reading is House Bill 4623. My colleague and friend, Senator Hendon, do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

House Bill 4623.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR HENDON:

Thank -- thank you, Mr. President. I was looking for Senator Sandoval, who I thought was on the Senate Floor. Perhaps we could -- he will make it before I'm done. But this is the free rides for seniors program. I mentioned Senator Sandoval because, as the Chairman of the Transportation Committee, he helped negotiate these changes. What we're doing, we're simply putting a means test for someone to qualify for free rides for seniors. A hundred and fifty percent of the current assistance program that's -- for Circuit Breaker for an individual, which would bring that up to forty-one thousand; and a hundred and twenty-five percent of the Circuit Breaker for a family, a household of two or more {sic}, which brings that to fifty-seven {sic} thousand; and a household of -- of more than -- three or more, fifty-seven thousand. We just simply want to make sure that seniors who are wealthy will not take advantage of this program. Me, personally, I believe that all seniors

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

have paid a lot of taxes and deserve a break today, but some people feel like there are seniors who've taken advantage of the program who could otherwise afford to pay. So this will make sure that those seniors will -- will -- will pay. It was never our intention to have millionaire seniors riding for free, but to -- to act like today's dollar is the same as it used to be is just not the way to go. At first, it was at twenty-seven thousand dollars for a senior. That's just not the same money it used to be. Under this new adjusted program, CTA, RTA, and Metra, and PACE will all realize more money, but we can still have the seniors who are on a lower income -- can ride free. We want them to know that, and they will be able to spend that money that they have tucked away under the pillowcase or hidden in the coffee jar. We want them to continue to be out -- coming out and spending their money. For legislative intent, we want to make it very clear that the Governor's Office - Department of {sic} (on) Aging will promulgate the rules, so they have nothing to fear about this being an expansion of other programs, costing them any money. I want to make it perfectly clear, for legislative intent, the Seniors Ride Free Card will be an individual card, that people can just simply apply for that card and they don't have to apply for other programs if they don't wish. I'll be happy to answer any questions. Once again, I want to thank Senator Sandoval and President Cullerton, as well as Leader Radogno, who led me down the path to open-mindedness and the ability to see the light. I'd appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Leader Radogno, for what purpose do you rise, ma'am?

SENATOR RADOGNO:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

Thank you, Mr. President. I'd like to comment on the bill, please.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, ma'am.

SENATOR RADOGNO:

Well, first of all, I do think that the fact that we're voting on this today with you sponsoring it is a good step in the right direction. This is a program that -- that just makes common sense to every single person I've talked to that we ought to means test free rides for seniors. It doesn't make any sense with the State struggling the way it is to continue to provide free rides to people that can well afford them, when we have people that are struggling and not seniors who are paying. I would like to point out a couple of things about this bill however. When I had my bill that was based on the Circuit Breaker level - and this is a hundred and fifty percent of Circuit Breaker - Department of {sic} Aging said that it would cost thirty-one million dollars to implement. So, I'm assuming since this -- it -- we're including more people than just the Circuit Breaker folks, there will be an additional cost because the Circuit Breaker folks are still included. So implementation is thirty million; the savings is estimated to be twenty million. It probably would be a better bill if we were at the Circuit Breaker level in terms of savings. Nonetheless, I'm grateful that we are means testing this. Couple of other concerns I have is there's a two-year sunset on this bill. I think that if -- it's good policy to do means testing; it's good policy this year, next year and beyond that. That we -- that the -- I wish the sunset were not in there. I'm still going to

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

support the bill, because I do think, conceptually, it is absolutely the right thing to do. I only hope, though, that this -- that -- we all know this bill needs to go back over to the House. And if it's not approved, they will have a -- a bill sitting there that means tests senior rides and we have a bill sitting here in Assignments that means tests senior rides. I sure hope this isn't a shell game, once again, where each Chamber passes something, saying that they solved the problem, and absolutely nothing happens. But I intend to support the bill and hope others will as well.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Further discussion? Senator -- Senator Hendon.

SENATOR HENDON:

Mr. President, I just want to respond very briefly. Leader Radogno, if you recall, when your bill version of free rides for seniors was up and the Department of {sic} Aging said it was going to cost 'em thirty million dollars, you said that that number was inflated. If it was inflated on your bill, it's inflated on my bill. It will not cost them that -- a large amount of money to implement this program. They can -- allow people to keep the card they currently have and as long as they present -- make available where they can get free rides for seniors without anything else, because my bill doesn't make 'em do anything else, they'll be just fine. So, you know, the thirty million is just not an accurate number. Also, I want to point out that many seniors who do ride free, come out and spend that additional revenue, and the CTA gets a part of that money and -- and -- that sales tax. Finally, that same group that you're saying trust, because you don't want to sunset. A sunset

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

is so we can simply see what they do with the money. Why not see what they do with the money? I don't trust them. For instance, they were supposed to come and see me today. Guess what? I haven't seen 'em. They just want to take the money and run. We want to make sure -- with the sunset, at least we can see if they keep their word, because they may get this savings and get this money and then close more stations or layoff more people. And at least we can come back and say, all right, you didn't do the right thing, so we're going to take it back to the way it was previously.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Radogno, your name was used in debate, ma'am.

SENATOR RADOGNO:

It was. Thank...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator...

SENATOR RADOGNO:

...you. And I just want to say that I agree with Senator Hendon that those numbers put forth by the Department of {sic} Aging were wildly inflated. That was just nonsense and I'm glad you see that and this is the right thing to do to means tests these rides. I still wish that it didn't have the sunset and I hope that we actually get it done and it's not just a game. Thanks.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR SANDOVAL:

Purpose of the bill, Mr. President.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR SANDOVAL:

Will the -- will the sponsor yield?

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR SANDOVAL:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, I stand in -- in support of House Bill 4623. People in Illinois said it couldn't be done. In fact, there have been critics on both sides of the aisle and in both Chambers that said that -- that the Illinois General Assembly could not get it done. We could -- we would not be able to ever repeal the mistakes of Governor Rod Blagojevich, our former Governor, in regards to this bad public policy that he enacted just a few years ago. We all know -- we all know that in a -- difficult times that Illinoisans are facing today that every dollar counts. And we have all been impacted by the severe recession and the economic budget cuts of the State of Illinois as it relates to transportation. We know today, in our neighborhoods, in our municipalities, there are less buses being put on the road today, there are less trains on the track. In fact, the -- the unintended consequence is that seniors are not getting free rides because there are -- there are -- there are -- there are less buses and less trains on the tracks. So we have put at a disadvantage, actually, seniors as a result of this poor public policy. This policy -- and I'd like to applaud Leader Hendon for his leadership. I spent the last several weeks meeting with him, imploring on him and his reform-mindedness, as he is known

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

to have, that this is a good measure. It doesn't go far enough, but it goes halfway to making sure that rich seniors, the millionaire seniors, that could afford the bus and the trains don't get a free ride on the -- on the back of the taxpayers of Illinois. I want to also thank President Cullerton for his leadership in regards to sitting down with Senator Hendon and myself, the Chairman of Transportation, and working out a deal so that we can put this sad and -- story of Rod Blagojevich away and put seniors first. And let's put more buses and let's put more trains on the track. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

Thank you, Mr. President. Senator Hendon, your timing is impeccable. A little bit earlier today, I received a call from a senior citizen in my district about this very issue and they raised what I think is a fascinating question and I want to -- and I don't know how to respond to it so I'm going to ask you. I hope you'll give me an answer. I'll call my constituent back and tell 'em what you said. And here's what it is - if this becomes law, it's my understanding that if you're a disabled individual, you will have to meet the Circuit Breaker income criteria in order to qualify for a free ride. But if you are an able-bodied senior, you can make, obviously, more than that and

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

still qualify for the free ride. So the question is, are you troubled by the disparity that this sets up between an able-bodied senior and a disabled individual?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon.

SENATOR HENDON:

Leader Righter, I would do nothing to negatively affect or adversely affect the disabled. This has nothing to do -- it doesn't change that program whatsoever. I didn't want to do this to seniors, but, you know, I read the Trib, I read the Sun-Times, you know, and sometimes they're halfway right. This time they were halfway right. I gave my word I'd meet 'em halfway and I'm doing it. But it does not affect the disabled program at all.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Further discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Really, Senator Hendon, it wasn't my contention that it did, and if I -- if it came across that way, I apologize. I want to be more clear. The issue is the difference in the standard between how much money you can make and get a free ride if you're in a wheelchair, as opposed to how much money you can make and get a free ride once -- if you're a sixty-seven-year-old individual, able-bodied. Is that -- is that a -- does that disparity -- is that something that bothers you? Do you have a thought on that? Do you have a suggestion for what I should tell me constituent about that?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

SENATOR HENDON:

...tell your constituent that if I had my way and if I didn't listen to President Cullerton and Senator Sandoval and decide that I would trust -- or at least allow them to continue to trust CTA and RTA, I'd let all seniors ride free. All disabled should be able to ride free. All men and women who've put their lives on the line for this country should be able to ride free. But, since they're in such a -- one reason I put the sunset, I believe President Barack Obama's going to turn the economy around and CTA and RTA will be flush with money and then we can go back and let everybody ride free that's a senior or disabled or military, or police officer, in fact.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, being no further discussion, the question is, shall House Bill 4623 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 are 57 Ayes, 0 voting Nay, 0 voting Present. House Bill 4623, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, it's very, very, very late in the Session. We just had a bill pass out of here 57 to nothing. Can we condense the debate a little bit on some of these 57 to nothing roll calls? I'd really appreciate your indulgence on that matter. Okay, Ladies and Gentlemen, I'd ask you at this time -- we'd ask the Senate to stand at ease for a few minutes to allow the Committee on Assignments to meet. The members on the Committee on Assignments will please come to the President's Anteroom immediately. Before we do that, the Chair

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

would like to recognize Senator Harmon. Senator Harmon.
Senator Harmon, for what purpose do you rise, sir?

SENATOR HARMON:

Thank -- thank you, Mr. President. We have some special guests with us today, friends of yours and mine from back home, constituents of mine. Sitting over by Senator Millner's desk is Chris Stephens, the Director of the Rosemont Convention Center, and Billy Anderson, the former Chief of Police in Rosemont and now the Deputy Director at the Convention Center. And in the gallery behind me is Donald Stephens III, the current Chief of Police in Rosemont. So we're delighted to have our friends from back at home and I wanted to ask you all to join me in welcoming them to the Senate.

PRESIDING OFFICER: (SENATOR DeLEO)

Will our guests please rise and be recognized? Please stand and be recognized. Welcome. Welcome to the Illinois State Capitol. Welcome to Springfield. Thank you for attending the police memorial. Thank you very much. Okay, Ladies and Gentlemen, I'd ask the Senate to just stand at ease for a few minutes. I'd ask all the members of the Committee on Assignments, please report immediately to the President's Anteroom. And we'll stand at ease.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

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

SECRETARY ROCK:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to the Energy Committee - Floor Amendment 2 to House Bill 6202; refer to the Executive Committee - Motion to Concur with House Amendment 1 to Senate Bill 459, Floor Amendment 2 to Senate Bill 1888 and Floor Amendment 2 to House Bill 4788; refer to the Higher Education Committee - Motion to Concur with House Amendment 1 to Senate Bill 2538, Motion to Concur with House Amendment 1 and House Amendment 2 to Senate Bill 3547; refer to the State Government and Veterans Affairs Committee - Motion to Concur with House Amendment 1 to Senate Bill 3531; and Be Approved for Consideration - Floor Amendment 4 to House Bill 537 and Floor Amendment 3 to House Bill 4927.

Signed by Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, I'd ask you to go back to your printed Calendars, page 31 of your printed Calendar. House Bill 537. Senator Lightford. Senator Kimberly Lightford, on House Bill 537. Do you wish to proceed, ma'am? Senator Lightford, I believe, is seeking leave of the Body to return House Bill 537 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is House Bill 537. Madam Secretary, has there been any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Lightford.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford, to the amendment, please. How are you this afternoon, ma'am?

SENATOR LIGHTFORD:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

Thank you, Mr. President. I'm excited. We have a day of reform for payday loans. I'm doing very well, sir. Thank you. House Bill 537, Ladies and Gentlemen of the Senate, is our Payday Loan Reform Act that pretty much cleans up a -- a major loophole from our 2005 Act to regulate the payday loan industry. Floor Amendment No. 2 deletes all and becomes the bill. It creates two new small loan products and it sets limits on installment loan. The bill mainly addresses what is known as the "payday loan loophole". However, the Act defined the payday loan as having terms of one hundred and twenty days, and many lenders evaded that payday regulation by making consumer installment loans at a hundred and twenty-one days. So, basically, we close this loophole in 2005 that says you had to provide and live within certain restraints up to a hundred twenty days. The industry decided to then offer a product that exceeded a hundred twenty days and created a -- a new loan. That loan fell into the CILA Act, where you had consumer installment loan lenders who said, we're fine over here, we're - - we're doing background checks, we're checking everything out, and yet, now, this part of the industry pretty much are in our gray area of our space. Well, as a consumer, protecting myself, and as an advocate for what -- doing what's right -- the Egan Coalition, the Attorney General's Office, and the Governor's Office actually worked extremely hard with me for the past couple years trying to bring this too. I am so pleased to say that through negotiations over the last eight/nine months that the industry is in support of this legislation as well. We were able to address in this amendment all parts of the industry - the ones who say that they loan to the highest risk and those

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

who say, well, we deal with modest risk. But these are individuals who are consumers who find themselves in a position where they cannot get a -- a loan from a typical bank, credit union, and they're going to these payday loan stores for -- for that particular reason. I believe, Mr. President, Ladies and Gentlemen of the Senate, if you are put in that situation where you're in desperate needs of funding, that that resource be available to you, but that they do not take advantage of you and gouge you because they're aware of your circumstances. I'd be happy to answer any questions Members may have and I encourage an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion on Amendment No. 2? Seeing none, all those in favor of adopting Amendment No. 2 will say Aye. All those opposed will say Nay. It's the opinion of the Chair, the Ayes have it, and Floor Amendment No. 2 is adopted. Madam Secretary, has there been any other -- any other Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 3, offered by Senator Lightford.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Lightford, to Amendment No. 3, ma'am.

SENATOR LIGHTFORD:

Quickly, Amendment No. 3 only fixes drafting errors.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, is there any discussion on Floor Amendment No. 3? Seeing none, all those in favor of adopting Floor Amendment No. 3 will say Aye. All those opposed will say Nay. It's the opinion of the Chair, the Ayes have it, and Amendment No. 3 is

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

adopted. Madam Secretary, there been any further Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 4, offered by Senator Lightford.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. To Floor Amendment No. 4, Senator.

SENATOR LIGHTFORD:

...President, thank you very much. Amendment No. 4 also fixes drafting errors. But I do want to bring to the attention of the Body that we will need to do a trailer bill addressing any outstanding technical changes - only technical changes, no substantive - later on in Veto Session. Technical issues within the scope of the agreement that we already made. There will be a trailer bill only for technical changes.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, all those in favor -- seeing no discussion on Floor Amendment No. 4, 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 Floor Amendment No. 4 is adopted. Madam Secretary, is there 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 comes House Bill 537. Senator Lightford, do you wish to proceed, ma'am? She indicates she does. Madam Secretary, read the lady's bill.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

SECRETARY ROCK:

House Bill 537.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. Senator Lightford, to the bill, ma'am.

SENATOR LIGHTFORD:

Mr. President, to the bill: I'm pleased to present to the General Assembly House Bill 537 as a good consumer bill, as well as a good bill that balances the industry. It keeps all those in business. It keeps the resource available and it puts regulations that I believe we can all live in. Again, this was eight/nine months of negotiations. Currently, a total of two/three years trying to close a loophole from 2005. I've got to give kudos to the Egan Coalition, Citizens Action, Woodstock Institute, Protestants for the Common Good, Catholic Conference, Metropolitan Family Services. The list goes on and on. But, I'd also like to thank ISLA, IFSA, Cottonwood, all of the -- Brother Loan, AmeriCash, all of the financial industry who stayed at the table, stayed through the negotiations, came up with a bill that no one loves, but that's best for the consumer and what's right for the State of Illinois. I encourage an Aye vote and I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, thank you very much. Is there any discussion? Senator Rutherford, for what purpose do you rise, my friend and colleague?

SENATOR RUTHERFORD:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

Mr. -- Mr. President, thank you. If I could address the bill, please.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR RUTHERFORD:

Thank you, Mr. President. I'm going to stand in favor of Senator Lightford's legislation. Just as a reminder to the Body, we had adopted payday law and legislation in this State and we thought we had taken care of the issue, but we found, as things evolved over the years, some -- some issues needed to be further addressed. Two years ago, when Senator Lightford, I believe, was Chairman of the Financial Institutions Committee at the time and I was the Spokesman, we worked quite a bit and we had what was an agreed bill within this Chamber. We -- we had -- amendments yet needed to be adopted, but we had decided to send it over to the House to have them complete and fulfill. And as Senator Lightford and I reflect on this, the House got ahold of it and things sort of changed. Since that time, I commend Senator Lightford and Senator Collins, as now the Chairperson of Senate Financial Institutions, for being persistent. The parties have come to the table. The industry has come to the table. And I do believe that now we have, finally, a piece of legislation that we can send on and hopefully the Governor will sign. And to the participants in this process, I appreciate that and I do stand in support of this amended piece of legislation.

PRESIDING OFFICER: (SENATOR DeLEO)

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

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

SENATOR LAUZEN:

Good afternoon, Mr. President. Just a question for the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR LAUZEN:

If I understand the -- there's various products that are contained in this legislation. One of the products - something like a four-thousand-dollar short-term loan - has -- is it a maximum interest rate of thirty-six percent? Can you give us..

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

Actually, Senator Lauzen, that's for a small consumer loan that's over -- a consumer installment loan that's over four thousand.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lauzen.

SENATOR LAUZEN:

Okay. So that's one of the products. The -- the other products -- is there just a couple of categories? Can you tell me what the maximum rates are on each of the loans under this legislation?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

I can, Senator. The PLRA, which is the Payday Loan Reform Act, there's a fifteen dollar fifty cent per one hundred dollars that's borrowed. No other fee except for an insufficient fund

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

fee of twenty-five dollars on a ACH transaction and one dollar for database verification for small consumer loans and payday loans. Now the length of those loans were from thirteen to a hundred twenty days and the APR was at four hundred and thirty-five percent. It did have a balloon payment that we've preempt. The length of the indebtedness was up to forty-five days, followed by a seven-day cooling-off period. The maximum loan amount was one thousand or twenty-five percent of the borrower's monthly income on all payday loans, and there was a total of two payday loans or payday installment loans could be out at one time. So now the reforms for CILA -- prior to the reforms, there was no explicit definition. There was no capped rate. The -- delinquency fee of ten dollars on installments under two hundred and five percent of installments over two hundred. There was a deferment charge. Fees were paid to record, file, or release security. There was costs associated with the disbursements made in real estate transactions, attorney fees, twenty-five dollars insufficient funds plus any actual expense by the company because of the level of funds, and a twenty-five-dollar documentation fee. There was no definition on the length of the loan. There was no limit on the percentages. Installments were -- the -- equal monthly installments and interest bearing with interest charged on outstanding balance. There was no limit on the length of indebtedness. The maximum loans were at twenty-five thousand and there was no limit on how many loans could be taken out. So, we reformed that side of it to that extreme. Now we're dealing with an installment loan meeting the definition of a payday loan but with a minimum term - we're in between a hundred twelve days to a hundred and eighty

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

days now. Fifteen fifty per one hundred, which was in our original Act of PLRA, but the CILA loan now is capped at ninety-nine percent. So instead of it being an indefinite number or in triple digits, it's capped at ninety-nine percent. There is a two-day cooling-off period. The loan should not exceed one thousand dollars or 22.5 percent of the borrower's monthly income on all payday loans, and there's a total of two payday or payday installment loans out. So there's some significant changes, but it -- it will keep the industry in business. They could either be a CILA provider and provide CILA loans and auto title loans or they could be a payday loan provider with a dual license and also provide auto title loans, but no CILA loans.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Thank -- thank you to the sponsor. My concern at the thirty-six percent level is that by the Rule of 72s that amount doubles on a borrower in just two years. That was before, you know, your comprehensive explanation about a ninety-nine percent loan. Here's my question, do you have a concern - and I certainly appreciate the -- the tons of work that have -- that's gone into this bill - are you concerned that this law, this -- that the intention is to protect the consumer, may give a false sense of security? because at thirty-six percent and doubling the -- the cost or doubling the money that it costs a person at thirty-six percent - doubling what a person owes in one year at ninety-nine percent - are you concerned that there may be a false sense of security for anyone who would even consider the loans, where its -- it

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

really is impossible to get out of a hole -- a hole like this?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

Well, I'm concerned when there is no provisions, no caps, no regulations. The industry can impose interest fees at whatever rate they want to. That's where my concern previously existed. Now, if the individual can afford to borrow the four thousand, which means only 22.5 percent of their monthly income, then that's where the thirty-six percent comes in. Small loans, short-term, under four thousand are capped at ninety-nine percent. On average, they were about five hundred, six hundred, seven hundred percent. So I do believe there would be a substantial savings. There'd no longer be a balloon payment at the end. It will be amortized over the duration of the loan period. It will be set payment amounts that the individual will pay so they know what they're obligated to pay. And it pretty much protects them against all the attorney fees and all of the other additional fees. So, I don't know that it's the best service available. I prefer to go borrow from a friend or family member before I had to go to this industry, but that's not reality for everyone. That's not the -- the times that we're living in. And in order to keep them functioning and -- and -- and in business, and they're dealing with individuals who have bad credit, poor credit, bankruptcy, no credit whatsoever, here's an avenue for them if they have emergency restraints and need to borrow funds.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lauzen.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

SENATOR LAUZEN:

To -- and this is to the bill. Briefly.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR LAUZEN:

So, I -- I respect the sponsor's answer to that question that basically the idea here is that something is better than nothing and that there's some definite predictability to the parameters of one of these payday loans. I have to recommend to this Body -- I think that all of us recognize that -- I mean you're either -- under these kinds of loans, you're either dead or your deader, but you're still dead. I just hope that there's not a perception from this regulation that somehow -- a false sense of security. So I -- I'll respectfully be voting No on the bill because it's just -- I mean this -- this -- this -- this -- it's impossible to get forward -- to make your way financially with this kind of debt.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Collins, for what purpose do you seek recognition, ma'am?

SENATOR COLLINS:

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

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, ma'am.

SENATOR COLLINS:

Thank you. I just rise in strong support of this legislation and to commend the sponsor for her tenacity, her perseverance, and her forbearance over the years in working to

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

put forth a very progressive and proactive law to regulate how payday loans and CILA loans were administered. Let me also say, for a little bit of background information, over ten years ago, the late Monsignor John Egan convened a campaign to protect Illinoisans from predatory lending after hearing the story of one of his parishioners who was victimized by a payday loan. Monsignor Egan was outraged at the story and took on payday loan reform as one of his last fights for social justice. So, in memory of Monsignor Egan and for what he stood for, I rise, again, in support of Senator Lightford's legislation, which I feel goes a long way - not a perfect bill, but goes a long way in protecting consumers from Illinois' multimillion-dollar payday loan and CILA industry.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR LINK:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR LINK:

I have to commend the sponsor of this bill for probably taking on one of the toughest subject matters that there has been. I have been in contact with her. She said it's been eight or nine months, I think it's been eight or nine years, it's probably been done. But one of the things we talked about is we both agreed that the consumer had to win in this deal. What we talked about is that we may have done something that would be great but would've -- would hurt a lot of people that needed something like this, that could not go to banks, could

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

not go to savings and loans, could not go to credit unions. And we might force these people into doing something we didn't want 'em to do. And I got to say to the sponsor of this bill, she stood there and she listened and she worked for -- diligently with all these groups and brought 'em together to what, I think, is a remarkable result. Because when you can get all of these people to come out in favor of a bill, that speaks volumes in itself. And to Chairman Collins, you're right. Monsignor Egan would, I think, be very proud today with the results that came out of this bill. I don't think there's such a thing as a perfect bill that has ever come out of this building, but I'll tell you one thing, this is very close to one because we've helped -- Senator Lightford has helped the consumer considerably and yet has kept them to where they can do something that they unfortunately still have to do with these -- this industry, but now it won't be as -- quite as harmful as it had been in the past. And I respectfully hope that there is a lot - a lot - of green lights on this bill. And thank you for what you've done.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Seeing no further discussion, Senator Lightford, to close, ma'am - shortly.

SENATOR LIGHTFORD:

I'll be quite brief, Mr. President. Again, it's a good day for consumers in the State of Illinois. This legislation will put protectors in place so that they will not be gouged if they need to use the payday loan and CILA industry. And the payday loan and CILA industry can continue in business to provide this service as well for those that need it. I appreciate the comments that my colleagues have presented, including Senator

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

Lauzen's comments, because many years ago, Senator Lauzen, I would've loved to just eradicate the industry altogether, but I've learned in becoming a -- a better negotiator and a friend of business that it's really important that when you're protecting a consumer that you don't shut them out of resources that they too should be using and needing, but allow them the protectors that we should, as the State of Illinois, have in place. So, again, I thank the Egan Coalition, the Attorney General's Office, the Governor's Office, and all of my colleagues who have been pretty diligent in this fight to regulate this industry, and I really appreciate the industry for staying at the table and seeing this through. I encourage an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Ladies and Gentlemen, the question is, shall House Bill 537 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 58 Ayes, 1 voting Nay, 0 voting Present. House Bill 537, having received the required constitutional majority, is declared passed. Okay, Ladies and Gentlemen, I'd ask you to turn your printed Calendars to page 40 - to page 40. In the middle of page 40, we have Consideration Postponed. Comes House Bill 2332. Senator Crotty, do you wish to proceed, ma'am? She indicates she does. Madam Secretary, read the lady's bill.

SECRETARY ROCK:

House Bill 2332.

(Secretary reads title of bill)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Crotty, to the bill, ma'am. Senator Crotty.

SENATOR CROTTY:

Thank you very much. I think it was yesterday that we had House Bill 2332, which moves the date that newly elected township collectors, assessors and multi-township assessors take office to -- to the third Monday in May following their election in April. Currently, those positions take office the following January and that would be a lame-duck period of almost nine months. In the meantime, there were some questions that I went and got the answers to that really dealt with what happens when the assessor makes these assessments and then the reason why they're in office this long is to make sure that they can defend 'em. And in reality, is that the Illinois Department of Revenue will not get the certified numbers to the assessors until about May 1st. Most assessors wait to begin their calculations until they know what the Department expects of them from the sales ratio studies. By making this change, you -- today, in this bill, you now would have an assessor that will produce their assessments and then still are in office to defend those assessments when the tax bill comes out. Again, I want to remind my colleagues that in order to even run for this office, that a person needs to be certified with the Illinois Assessing - Assessor's Office with classes in math, mapping, appeal, commercial appraisals and property valuations, and pass the test in each one those. I would ask for an Aye vote to make sure that the public, when they come and they cast their vote, that in a timely fashion those persons take office. Thank you.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Let me remind the Members that we're on the Order of Postponed Consideration. As the bills on this Order have already been presented and debated on the Floor, debate on these bills will be limited to one proponent, one opponent, each speaking to the bill. Senator Jones, for what purpose do you rise, sir?

SENATOR J. JONES:

Thank you, Mr. President, as the opponent.

PRESIDING OFFICER: (SENATOR DeLEO)

Mr. Opponent, you have the Floor, sir.

SENATOR J. JONES:

Thank you, Mr. President. Well, first off, let me say, the vote that we took previously on this bill is the right vote. This bill needs to be defeated. If you have talked to your assessors - township, county - I don't care who they are - if you've talked to 'em, they'll tell you not to vote for this. Senator Gary Dahl just informed me that he's had twenty e-mails today saying, please do not support this bill. I -- I have a lot of respect for -- for my own township assessor, who happens to be a Democrat, happens to be a Democrat precinct committeewoman, and is just a super lady and does a super job as the assessor, but I want to read the e-mail that she sent me yesterday. "John - Help." "Help", she says. "I need you to please vote No against House Bill 2332, which was formerly House Bill 4327. What this does is change the term of office of the assessors back to the other elected officials. In essence, they want the assessor's term to begin in May instead of January the 1st, which does not let the assessor defend the assessments. If

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

a new assessor would be elected, that assessor would be trying to defend the previous assessor's work, not knowing the circumstances surrounding the assessment - not fair to the new assessor and certainly not to the taxpayers." I'm asking you, on behalf of Sherry Meadows, the Mount Vernon Township tax assessor in Jefferson County, and all the other tax assessors around over this State that opposes this bill, please vote No.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Crotty, to close, ma'am.

SENATOR CROTTY:

Well, I also want to mention that most and many of the chief county assessors that are over assessors are for the bill. And I'm -- I'm very happy to have a -- a township assessor with me today that has been in office for sixteen years and definitely feels the same way as -- as many of the chief assessors feel, that this is a good bill and it's a bill that's a long time coming. And I ask for your Aye votes. Thank you so much.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, the question is, shall House Bill 2332 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 32 Ayes, 23 Nays, 0 voting Present. House Bill 2332, having received the required constitutional majority, is declared passed. Senator Duffy, for what purpose do you rise, sir?

SENATOR DUFFY:

Can I have a verification, please?

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, the gentleman seeks a verification. I ask all Members to please be at their seats. Senator Duffy has requested a verification. All Members please be in their seats. I'd ask staff to retire to the rear of the Chamber. Madam Secretary, read the Members voting in the affirmative, please.

SECRETARY ROCK:

The following Members have voted in the affirmative: Bond, Clayborne, Collins, Crotty, DeLeo, Delgado, Forby, Garrett, Haine, Harmon, Hendon, Hunter, Hutchinson, Emil Jones, Koehler, Kotowski, Lightford, Link, Maloney, Martinez, McCarter, Meeks, Munoz, Noland, Righter, Sandoval, Schoenberg, Silverstein, Steans, Sullivan, Trotter and Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR DUFFY:

Senator Jones.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Emil Jones. Senator Emil Jones is in his chair, where he's always at, sir.

SENATOR DUFFY:

Senator Bond.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Michael Bond. Senator Bond? Senator Bond? Is the gentleman in the Chamber? Is Senator Bond in the Chamber? If not, Madam Secretary, strike the name. Senator Duffy, do you question any further Members voting in the affirmative, sir?

SENATOR DUFFY:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

No, I don't, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, on a verified roll call, there are 31 Ayes, 23 Nays, 0 voting Present. House Bill 2332 -- 2332, having received the required constitutional majority, is declared passed on a verified roll call. Senator Raoul, for what purpose do you rise, sir?

SENATOR RAOUL:

On the last bill, I'd like to be recorded as a Yes. I -- I -- I would have been by my switch, but I figured Senator Crotty really didn't need my vote.

PRESIDING OFFICER: (SENATOR DeLEO)

The record will so reflect your intentions. Senator Lauzen. Senator Lauzen, did you want to introduce your daughter? Okay, Ladies and Gentlemen, I'd ask you to turn your printed Calendars to page 34 - page 34. On the top of page 34 is House Bill 4927. Senator Link, do you wish to proceed, sir? But I think Senator Link is seeking leave of the Body to return House Bill 4927 back to the Order of 2nd Reading for purpose of amendment. Is that correct, Senator Link? Okay, leave is granted. House Bill 4927 now is on the Order of 2nd Reading. Now on the Order of 2nd Reading is House Bill 4927. Madam Secretary, has there been any Floor amendments approved for consideration, ma'am?

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Link.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Senator Link, to Amendment No. 2, sir.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

SENATOR LINK:

Floor Amendment 2 is just all substantive stuff that I will speak on on 3rd Reading.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion on Floor Amendment No. 2? Seeing none, all those in favor will say Aye. All those opposed will say No. And it's the opinion of the Chair, 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 Senator John Jones.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator John Jones, on Floor Amendment No. 3, sir.

SENATOR J. JONES:

Thank -- thank you, Mr. President. I'll give you a brief synopsis of Amendment No. 3. It takes out the sentence which excludes home schools from definition of a school. Secondly, it makes a technical correction on the amusement-only devices. And third, it allows for video gaming at VFWs in a dry county with a population of sixty-five hundred to seven thousand population.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator, for the explanation. Is there any discussion on Floor Amendment No. 3? Seeing none, all those in favor of adopting Floor Amendment No. 3 will say Aye. All those opposed will say Nay. It's the opinion of the Chair, the Ayes have it, and Floor Amendment No. 3 is adopted. Has there been any other -- further Floor amendments approved for consideration, Madam Secretary?

SECRETARY ROCK:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

...you. 3rd Reading. Now on the Order of 3rd Reading, on House Bill 4927. Senator Link, do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

House Bill 4927.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR LINK:

Thank you, Mr. President. This is basically the Video Gaming Act trailer bill. It clarifies what can be bet on, the limit -- limited liability companies, the central communications system, the software, the bonding rules, the emergency rules, manufacturer and distributors relationship, the hours of operation, the terminal insurance. What was added on in the amendments, the maximum payout percentage, the location restrictions, licensing prohibiting -- prohibition, definition of schools, requirements of eligible truck stops, and extended operations of amusement-only video gaming terminals. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, seeing no further discussion, nobody seeking recognition on this matter, the question is, shall House Bill 4927 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 42 Ayes, 11 Nays, 0 voting Present. House Bill 4927, having received the required constitutional majority, is declared passed. Can I have your attention please for purposes of an announcement? This could be very disappointing news. The Senate is going to stand in recess to the call of the Chair. We're going to stay open to receive some paperwork from the House. The Committee on Assignments will have to meet, but we'll be doing no further Floor action, so we'll not require Members to stay, except people for the Committee on Assignments. So we will -- we will reconvene for Committee Reports. And the Senate will stand -- Senator Righter, are you seeking recognition, sir?

SENATOR RIGHTER:

Mr. -- I am, Mr. President. An inquiry of the Chair, if I might.

PRESIDING OFFICER: (SENATOR DeLEO)

State your -- state your inquiry, sir.

SENATOR RIGHTER:

What time do you expect myself and my four friends on the Committee on Assignments to be meeting?

PRESIDING OFFICER: (SENATOR DeLEO)

Speaker Madigan, please. Thank -- thank you -- thank you -- thank you. Sometime this evening. The -- the Senate will stand in recess.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

PRESIDING OFFICER: (SENATOR DeLEO)

The Senate will come to order for purposes of an announcement. Ladies and Gentlemen, so, tomorrow morning -- this is what -- we're going to announce committees for tomorrow morning. Previously scheduled is Executive Appointments. That's scheduled in Room 212 at the hour of 8 a.m. - 212 at 8 a.m. State Government will meet in Room 409 at the hour of 9 a.m. - State Government and Veterans Affairs at 9 a.m. Higher Ed -- Higher Education will meet in Room 409 at the hour of 9:15. The Executive Committee will meet in Room 212 at the hour of 10 a.m. - at the hour of 10 a.m. And the last committee meeting will be in Room 212 prior to that. Energy will meet at 9:30. So, for -- for Floor action, we will come back to the Floor tomorrow morning after the Executive Committee meeting that is -- the Executive Committee is meeting at 10 a.m. and then we'll return immediately to the Floor for Floor action after that committee. Once again, we are going to stay open while we wait for Messages from the House. And before we adjourn this evening, we will announce the Senate Floor time after we've received all the Messages and paperwork from the House. So, once again, Ladies and Gentlemen, the Senate stands in recess.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR LIGHTFORD)

The Senate will come to order. Madam Secretary, Messages from the House.

SECRETARY ROCK:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

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 107.

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

House Amendment 1, House Amendment 3, House Amendment 4 and House Amendment 5.

We have received like Messages on Senate Bill 3762, with House Amendments 1 and 2.

They all passed the House, as amended, May 5th, 2010. Mark Mahoney, Clerk of the House.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

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 LIGHTFORD)

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 Appropriations II Committee - Floor Amendment 2 to House Bill 2270; refer to the Executive Committee

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

120th Legislative Day

5/5/2010

- Motion to Concur with House Amendment 1, House Amendment 3, House Amendment 4 and House Amendment 5 to Senate Bill 107, Motion to Concur with House Amendment 1 and House Amendment 2 to Senate Bill 3762, Floor Amendment 2 to House Bill 5873.

Signed by Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Committee announcements. The Executive Appointments Committee will convene at 8 a.m. tomorrow morning - 8 a.m. The Higher Education Committee will meet at 9:15 - 9:15. The Appropriations II Committee will meet at 9 a.m. The State Government and Veterans Affairs Committee will meet at 9 a.m. Energy will convene at 9:30 a.m. - the Energy Committee. Exec will meet at 10 a.m. - the Exec Committee. And Session will convene at 10:30 a.m. - 10:30 a.m. There being no further business to come before the Senate, the Senate stands adjourned until the hour of 10:30 a.m. on the 6th day of May, 2010. The Senate stands adjourned.