

STATE OF ILLINOIS  
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REGULAR SESSION  
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137th Legislative Day

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PRESIDING OFFICER: (SENATOR HARMON)

The regular Session 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 this morning will be given by Pastor Paul Olson from St. John's Lutheran Church.

PASTOR PAUL OLSON:

(Prayer by Pastor Paul Olson)

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Pastor. Please remain standing for the Pledge of Allegiance. Senator Sullivan, would you lead us in the Pledge this morning?

SENATOR SULLIVAN:

(Pledge of Allegiance, led by Senator Sullivan)

PRESIDING OFFICER: (SENATOR HARMON)

Madam Secretary, Reading and Approval of the Journal.

SECRETARY ROCK:

Senate Journal of Wednesday, December 1st, 2010.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hunter.

SENATOR HUNTER:

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

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hunter moves to postpone the reading and approval of the Journal, pending arrival of the printed transcript. There being no objection, so ordered. Blueroomstream.com seeks permission to videotape the proceedings. Is there any

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objection? Seeing no objection, leave is granted. Madam Secretary, Resolutions.

SECRETARY ROCK:

Senate Resolution 1081, offered by Senator Koehler and all Members.

Senate Resolution 1082, offered by Senator Koehler and all Members.

Senate Resolution 1083, offered by Senator Koehler and all Members.

They are death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR MALONEY:

Thank you, Mr. President. Yesterday, on Senate {sic} Bill 5154, I spoke in favor of the override of the amendatory veto, but apparently after looking at the roll call, I neglected to hit my button. I would like to be recorded as a Yes vote.

PRESIDING OFFICER: (SENATOR HARMON)

The record will reflect your intention to have voted Yes. Ladies and Gentlemen of the Senate, we are going to turn to the Order of Senate Bills 3rd Reading. This is final substantive action - final action. If all Members within the sound of my voice could be at their desks. On the top of page 2 on our printed Calendar, on the Order of Senate Bills 3rd Reading, is Senate Bill 458. Senator Koehler, do you wish to proceed? Senator Koehler seeks leave of the Body to return Senate Bill 458 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is Senate Bill 458. Madam Secretary, are

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there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 3, offered by Senator Koehler.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Koehler, to explain your amendment.

SENATOR KOEHLER:

The amendment is simply a technical change of wording to the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Senator Koehler moves for the adoption of Floor Amendment No. 3 to Senate Bill 458. All in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, have there been any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HARMON)

3rd Reading. Senator Koehler, you wish to proceed? Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 458.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Koehler.

SENATOR KOEHLER:

Yes, what this bill does is it streamlines the settlement process for property tax disputes that are appealed to the Property Tax Appeal Board where the assessed value in dispute is

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over a hundred thousand dollars. Currently, if a local board of review and the taxpayer want to settle the case, they have to wait for PTAB to send out a notice to appeal to the -- to the board of review. This can take over a year, and what the bill -- and the parties can agree -- when they can agree to settle the case without waiving {sic} this notice. The parties will not -- will still notify the affecting {sic} taxing districts. For a case to settle, the board of review, the taxpayer, the PTAB, and all the taxing districts have to agree upon the settlement amount. This was brought to me by a constituent, where the board of review and the taxpayer did settle and they had to wait for over a year for this process to take place. There are some concerns that have been raised by the Taxpayers' Federation. We've agreed that we will take a look at those once this gets to the House. But other than that, there is no opposition to this bill.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 458 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 51 voting Aye, none voting No, none voting Present. And Senate Bill 458, having received the required constitutional majority, is declared passed. Senator Righter, for what purpose do you seek recognition?

SENATOR RIGHTER:

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

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PRESIDING OFFICER: (SENATOR HARMON)

Please state your point, Senator.

SENATOR RIGHTER:

Mr. President, I simply want to extend my congratulations to Senator Koehler for the passage of the bill and the astounding number of votes he received on a bill, considering it did not appear that there were two-thirds that many bodies in the Chamber. But my congratulations to Senator Koehler.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Koehler's on a roll this week, Senator. Would all Senators within the sound of my voice be at their desks, so that Senator Righter may see you as you cast your votes? Could all Senators within the sound of my voice please be at their desks? Still on the Order of 3rd Reading, we have Senate Bill 597. Senator Sullivan. Senate Bill 598. Senator Wilhelmi. With leave of the Body, we will skip over Senate Bills 759 and 852. Senate Bill 3952. Senator Clayborne. Senator Clayborne seeks leave of the Body to return Senate Bill 3952 to the Order of 2nd Reading. Leave is granted. Now on the order of Senate Bill -- now on the Order of 2nd Reading is Senate Bill 3952. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 3, offered by Senator Raoul.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Raoul, are you prepared to proceed with the amendment?

SENATOR RAOUL:

Yes, Mr. President. Floor Amendment 3 replaces -- replaces

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all and becomes the bill. It maintains the language of the underlying bill, which was cleanup language. The amendment also permits the Calumet/Cermak TIF, which is close to McCormick Place, to be reinstated. Under current law, Chicago replaced the TIF in November because the project had not been started within the statutory time frame. This bill extends the deadline for additional two years for the TIF. The final goal of the TIF is to make McCormick Place more attractive to conventioners by getting a hotel in the area, which is closer to McCormick Place than downtown hotels. We've done a good job, earlier this year, of encouraging the -- the convention industry to -- to come to Chicago. This is continuing in that effort.

PRESIDING OFFICER: (SENATOR HARMON)

There any discussion? Any discussion? Senator Raoul has moved for the adoption of Floor Amendment No. 3 to Senate Bill 3952. All in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, have there been 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 Senate Bill 3952. Senator Clayborne, do you wish to proceed? While we're -- paperwork is catching up with us here, the Illinois Statehouse News seeks leave to film the proceedings today. Is there any objection? Seeing no objection, leave is granted. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 3952.



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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Clayborne, to explain the bill.

SENATOR CLAYBORNE:

Thank you, Mr. President. Basically, other than what Senator Raoul said, we passed a law a few years back to allow municipalities to impose up to a one percent sales tax for redevelopment in certain areas and all we're doing with this bill is allowing them to use that tax as a debt stream to issue bonds and pay up the projects upfront.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Senator Sandack, for what purpose do you seek recognition? Is there any discussion? Seeing none, the question is, shall Senate Bill 3952 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 51 voting Aye, none voting No, none voting Present. And Senate Bill 3952, having received the required constitutional majority, is declared passed. Still on the Order of Senate Bills 3rd Reading is Senate Bill 3973. Senator Silverstein, do you wish to proceed? Senator Silverstein seeks leave of the Body to return Senate Bill 3973 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading, Senate Bill 3973. Madam Secretary, have there been any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Silverstein.

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PRESIDING OFFICER: (SENATOR HARMON)

Senator Silverstein, to explain the amendment.

SENATOR SILVERSTEIN:

I'll explain the amendment on 3rd, if possible.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Silverstein has moved for the adoption of Floor Amendment No. 1 to Senate Bill 3973. All in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, have there been 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 Senate Bill 3973. Senator Silverstein. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 3973.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you, Mr. President. There's been some news lately regarding certain drinks that contain -- caffeinated alcohol beverages that combine alcohol and alcohol -- caffeine and alcohol. This would prohibit these. The FDA is also getting involved in prohibiting these. It will prohibit the production, manufacture, distribution of alcoholic drinks containing alcohol

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with caffeine, guarana, and other similar substance, known as caffeinated alcohol beverages. Take any questions.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 3973 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 51 voting Aye, none voting No, none voting Present. And Senate Bill 3973, having received the required constitutional majority, is declared passed. Senator Sullivan, for what purpose do you rise?

SENATOR SULLIVAN:

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

PRESIDING OFFICER: (SENATOR HARMON)

If you'll please give your attention to Senator Sullivan for a point of personal privilege, and before we do that, Senator, WLS-TV in Chicago seeks leave to videotape the proceedings. Is there any objection? Seeing no objection, leave is granted. Ladies and Gentlemen, if you could please give your attention to Senator Sullivan for an important point of personal privilege. We'll come back to Senator Sullivan. Senator Sullivan, do you wish to proceed?

SENATOR SULLIVAN:

Thank you. Thank you very much. Ladies and Gentlemen, kind of -- kind of difficult here, but we did lose a colleague yesterday, and a very -- very good friend of mine. Representative Rich Myers, of Colchester, passed away yesterday evening. Rich was a -- a good man, very dedicated to his

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family. His wife, Chris, and daughter, Alison, were at his side yesterday evening when he passed away. Rich worked very hard for his district. He really prided himself in constituent work, and we all know how important that is, but I know how difficult it is with a -- with a very large, sprawling, rural district like Rich and I shared and -- but Rich really worked hard. That was important to him to -- to take care of -- of his constituents. He was a -- a very strong supporter of education, especially his beloved Western Illinois University in Macomb. Rich lived just outside of Macomb in Colchester and he took great pride -- he was -- attended Western Illinois University and really worked hard for that university. You know, Rich and I worked together on -- on many, many issues. Not uncommon for, obviously, him to carry bills of mine over in the House and I carried bills for him here in the Senate. And we even did joint press releases, which is kind of unusual, because Rich was a Republican, I'm a Democrat, but that didn't matter because we both worked very hard for our constituents and many of the issues that we work on are not partisan issues. And we were able to set politics aside and -- and come together in trying to do good things for our constituents. Mr. President, I just would like to, if I could, request a moment of silence. And, you know, as we go through this holiday -- upcoming holiday season, keep in -- if I could, Mr. President, I'll try to finish here. I apologize. But keep in mind how precious life is and how important our families are to us. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

If all Members would please rise for a moment of silence for Representative Myers. (Moment of silence observed) Senator

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Jacobs, are you seeking recognition?

SENATOR JACOBS:

Thank you, Mr. President. I -- I rise in a similar vein today to eulogize a great public servant, a loyal friend, and dedicated man of Illinois, and that's former State Representative Joel Brunsvold. Representative Brunsvold passed recently. He left behind a beautiful family. Joel -- a lot of people don't know, but Joel was a heck of a baseball player and heck of a football player and actually played football and baseball at Augustana College. Later on, became -- mayor of Milan, Illinois, for two terms, serving with my father, and then a lot of us know Joel's son, Ted. Then Joel went on to a illustrious career in the Illinois State General Assembly. And Joel was an avid hunter. He was someone who cared about his community and his constituents, and he always fought hard for the Second Amendment. Joel was one of the first Democrats, I believe, in Illinois to be really supportive of sportsmen's rights, and he was eventually acknowledged for his strong position on the enjoyment of outdoors by being named the Director of Department of Natural Resources. And I just want to take a moment of silence too for Joel Brunsvold and his family and his long career and history of service to the people of Illinois. And, you know, this is a tough job and sometimes people don't realize how much you give of yourself. And I know, with Senator Sullivan speaking before me, his -- his loss is little fresher. Joel's -- passed a little while back. But the one thing I do know is, like the Representative before him, he was someone who loved his State, put his State above his own personal life and himself, like many of us do every day. And,

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you know, at a time when people look at politicians and think what -- that we're all crooks and think that we're all bad people, Joel was one of the good ones. I'd like to take a moment of silence in his honor.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Senator Delgado, are you seeking leave to speak on Senator Brunsvold -- Representative? If you could all stand at your desks in a moment of silence for Representative Brunsvold. (Moment of silence observed) Senator Delgado, for what purpose do you rise?

SENATOR DELGADO:

Thank you, Mr. President, for a personal privilege.

PRESIDING OFFICER: (SENATOR HARMON)

Please state your point, Senator.

SENATOR DELGADO:

Before I get into my -- to my personal point of privilege, I do want to join, as to having served with Representative Rich Myers for eight years in the House and serving on Education and understanding what a wonderful man and -- and a human being that he is. And, of course, Coach Joel Brunsvold, who adopted me quite a bit in the House and my former baseball coach there. But I come here today also with a heart for all of you, to thank you. My wife, Iris, and my son, Adam, who will graduate -- the University of -- of Illinois at Champaign on -- in December in sports management. And my twenty-three-year-old will come home next week and -- but as many of you know, I lost my older boy, Ruben, the teacher, who was supposed to be in Spain studying for his master's. Created the curriculum for advanced placement Spanish at Morton East High School. And all of your love has

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been warm balm for my soul and for my wife. I've dedicated my life to human services and public health, and I practiced it in the fields as a parole agent, as a certified DCFS worker in two states, as a community organizer, and as a neighbor, because I believe in the salt of the earth of America and I raised my boys that way. But thank God I have you, because all of you and the proclamations you -- resolutions you put out were in deep reflection, 'cause it was -- talk about a slippery slope. There's no guarantees in life, but there is a bigger plan. So I truly say that -- remember that we're -- have to ask yourself philosophically, are you human beings having a spiritual experience or are we spiritual beings having a human experience? Because at the end of the day, this twenty-seven-year-old man who -- is now in heaven with Joel and with Representative Rich Myers. But thank you, because your souls are so rich you've been able to bring healing to my family. And, for that, I speak for many of those families, because we're just like everyone else. We suffer the trauma that every sofa-sitting, backpacking, Jewel shopping mom or dad -- there's no difference. And once a year, we get together and play softball, and we try to illustrate that human side of us every time and then we come here and we do civil battle. But always remember that now on this holiday and for the Hanukkah and for Christmas and Kwanza and Día de los Reyes in Puerto Rico, my son will be part of all of that now, because he is part of the universe. God bless you, and on behalf of my wife, Iris - I've been with her since I was sixteen years old; we've been together thirty-seven years - and forever you will live in my heart, and for all of my colleagues, and -- and specifically Senate President John Cullerton, who

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shows that he is not only a great facilitator and President, but he sure knows how to help his Members in a moment of grief. And for you I humble myself and I -- and I thank you from the bottom of my heart. And God bless you all as this holiday will be one of celebration, because we will -- we always celebrate Ruben's life, and I thank all of you who have sent me guides and have sent me my spiritual guides, both scientifically and religiously. And yet I will continue to do my work in the field of public health and yet my -- and yet my son continued with some public health issues. But at the end of the day, this is very healthy for me, 'cause I didn't think -- I said to Senator Maloney I wanted to do this and I didn't know if I could get through it, and yesterday was a very emotional day around here, and I haven't gotten up to speak a lot around here lately in the Senate, because I'm busy trying to move justice. And thank you for bringing me justice with your love. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator Delgado. Is it all right if I invite the Members of the Senate to rise in a moment of silent honor to Ruben Delgado, a beloved member of our Senate family? (Moment of silence observed) Senator Hunter, for what purpose do you rise?

SENATOR HUNTER:

Personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

State your point, Senator.

SENATOR HUNTER:

I suppose this is the best time now for us to start



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venting. Representative Myers was a good friend of mine as well. He and I served on the Executive Committee of the Council on {sic} (of) State Government, and I saw him more at those conferences and -- and at those board meetings than I did here. And then in July, I believe it was -- no, in August, we had our conference up in Toronto and Representative Myers was there with his family, and I had the pleasure of having dinner -- first of all, getting to know his wife, as well as his children, and having dinner with them. And they're just such a great family, you know, such a loving, loving, caring family. And so I am going to miss him greatly. But also I'd like -- I never had the opportunity to thank all of my colleagues for the warmth that you've given me and my family. As you know, this year was very difficult for me, because I lost my brother, my father and my sister this year. And you all reached out to me, all of you. I don't know if I received more letters or cards from the Republicans as I did from the Democrats, you know. And -- ooh, boys, and it's been very difficult for me, because I really never had time to grieve because I'm like the anchor in my family and everyone looks up to me for everything, so I had to be strong for my family. But I'm -- we're doing better. We're healing. My sister's daughter just moved in with me. I've never been a mother before, so y'all are going to have to pray for me with that. Because she did something last week and I felt like ringing her neck. And I said, "Well I don't want -- I don't want to get involved with DCFS." So I said to myself, "Okay, you better calm down now. You -- you like being a mother. Just calm down." But I just wanted to say thank you to each and every one of you. Some of you wrote checks for

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donations, some sent flowers, some sent chocolates - and I believe I ate probably half of the chocolates that came. And I just want to say thank you, because, you know, people look at the Senate or elected officials and they'll say, "Well, those Democrats and those Republicans", you know. But -- and all of us, when it comes to voting on legislation, many of us vote our districts and some of them are voted down party lines. But when a tragedy occurs in this Chamber amongst us, we take off our Democratic hats, we take off of -- our Republican hats, and we're people, you know, and we wrap our arms around each other and we give all of -- all of the love that we can to one another. So, I just want to say thank you. I really appreciate it, and I really consider each and every one of you as -- as not only my Senate family, but as -- as my -- my extended family. Thank you, Senator Jones. So, thank you very much.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR RISINGER:

Thank you, Mr. President. I'd like to make a few comments about Rich Myers. This -- obviously, the General Assembly's going to miss Rich Myers, but I can tell you west central Illinois is going to really miss Rich Myers. Most of you know that I spent eleven years as district engineer at -- at IDOT, and that was in my highway district. The Representative and I spent a lot of hours talking about U.S. 34 and U.S. 67 and the needs in western Illinois, but Rich Myers beyond that was -- was just a caring person. He was a -- he was an honest person and he also was one that cared immensely about the area and the

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development of -- of west central Illinois. We would get together and talk about the issues down there and then we'd talk about family. We'd talk about things that were important in life to him. And, you know, there's a -- a few people that you dearly care about in this world, that you know that are -- are really good people. You get to know 'em well, and he is one of those guys that I'm truly going to miss because I think he did a great job for the citizens of Illinois. I certainly think that he represented his area well. And I know that he loved his family and -- and loved life and -- and is truly going to be missed. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Senator Muñoz, do you wish to proceed to the Order of Executive Appointments? To fulfill our responsibilities under Article V, Section 9 of the Constitution, we will now proceed to the Order of Advise and Consent. Senator Muñoz.

SENATOR MUÑOZ:

Thank you, Mr. President. I move that the Senate resolve itself into Executive Session for the purpose of acting on appointments set forth in the Messages from the Governor dated October 19th, December 17th, December 29th, 2009, and April 16th, April 26th, 2010.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Muñoz moves that the Senate resolve itself into Executive Session for the purpose of acting on the appointments set forth in the Messages from the Governor dated October 19th, December 17th, and December 29th, 2009, and April 16th and April 26th, 2010. All those in favor will vote Aye. Opposed, Nay.

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The Ayes have it, and the motion carries. The Senate is resolved into Executive Session. Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Muñoz, Chairman of the Committee on Executive Appointments, to which was referred the Governor's Message of April 16th, 2010, reported the same back with the recommendation that the Senate do advise and consent to the following appointment.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, with respect to the Governor's Message of April 16th, 2010, I will read the salaried appointment of which the Committee on Executive Appointments recommends that the Senate do advise and consent:

To be a member of the State Police Merit Board, for a term commencing April 16th, 2010, ending March 19, 2012: James V. Riley.

Mr. President, having read the salaried appointments from the Governor's Message of April 16th, 2010, I now seek leave to consider the appointment on a roll call. Will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? The question is, does the Senate... Seeing no discussion, the question is, does the Senate advise and consent to the appointment just read from the Governor's Message of April 16th. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish?

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Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 47 voting Aye, none voting Nay -- 1 voting Nay, 2 voting Present. A majority of Senators elected concurred -- concurring by record vote, the Senate does advise and consent to the appointment just read. Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Muñoz, Chairman of the Committee on Executive Appointments, to which was referred the Governor's Message of October 19th, 2009, reported the same back with the recommendation that the Senate do advise and consent to the following appointment.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, with respect to the Governor's Message of October 19th, 2009, I will read the non-salaried appointment of which the Committee on Executive Appointments recommends that the Senate do advise and consent:

To be a member of the Teachers' Retirement System's Board of Trustees, for a term commencing October 16, 2009, ending July 14, 2014: Marcia Boone.

Mr. President, having read the non-salaried appointment from the Governor's Message of October 19, 2009, I now seek leave to consider the appointments on a roll call. Will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? The question is, does the Senate advise and consent to the appointment just read from the

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Governor's Message of October 19th. 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 50 voting Aye, 1 voting No, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the appointment just read. Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Muñoz, Chairman of the Committee on Executive Appointments, to which was referred the Governor's Message of December 17th, 2009, reported the same back with the recommendation that the Senate do advise and consent to the following appointment.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, with respect to the Governor's Message of December 17th, 2009, I will read the non-salaried appointment of which the Committee on Executive Appointments recommends that the Senate do advise and consent:

To be the Public Administrator of Cook County, for a term commencing December 17th, 2009, and ending December 2nd, 2013: Nicholas Grapsas.

Having read the non-salaried appointment from the Governor's Message of December 17, 2009, I now seek leave to consider the appointment on a roll call. Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR SILVERSTEIN:

A point of clarification. Just for the record, Mr. President, I will not be voting on this appointment due to the fact that I have a conflict of interest. I'll sustain {sic} from voting. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

The record will so reflect. Is there any further discussion? The question is, does the Senate advise and consent to the appointment just read from the Governor's Message of December 17th. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 48 voting Aye, 1 voting No, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the appointment just read. Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Muñoz, Chairman of the Committee on Executive Appointments, to which was referred the Governor's Message of December 29th, 2009, reported the same back with the recommendation that the Senate do advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, with respect to the Governor's Message of December 29th, 2009, I will read the non-salaried appointments

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of which the Committee on Executive Appointments recommends that the Senate do advise and consent:

To be a member of the Community College Board, for a term commencing December 29th, 2009, ending June 30th, 2015: Victor Henderson.

To be a member of the Ohio River Valley Water Sanitation Commission, for a term commencing December 29th, 2009, ending January 3rd, 2012: Toby Frevert.

Mr. President, having read the non-salaried appointments from the Governor's Message of December 29th, 2009, I now seek leave to consider the appointments on a roll call. Will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Seeing none, the question is, does the Senate advise and consent to the appointments just read from the Governor's Message of December 29th. 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 52 voting Aye, none voting No, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the appointments just read. Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Muñoz, Chairman of the Committee on Executive Appointments, to which was referred the Governor's Message of April 16th, 2010, reported the same back with the recommendation that the Senate do advise and consent to the following appointment.



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PRESIDING OFFICER: (SENATOR HARMON)

Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, with respect to the Governor's Message of April 16th, 2010, I will read the non-salaried appointment of which the Committee on Executive Appointments recommends that the Senate do advise and consent:

To be a member of the State Medical Disciplinary Board, for a term commencing April 16, 2010, and ending January 1, 2014: Judy Gates {sic} (Cates).

Mr. President, having read the non-salaried appointment from the Governor's Message of April 16, 2010, I now seek leave to consider the appointment on a roll call. Will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Seeing none, the question is, shall the Senate advise and consent to the appointment just read from the Governor's Message of April 16th. 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 39 voting Aye, 10 voting No, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the appointment just read. Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Muñoz, Chairman of the Committee on Executive Appointments, to which was referred the Governor's Message of April 26th, 2010, reported the same back with the recommendation

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that the Senate do advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, with respect to the Governor's Message of April 26, 2010, I will read the non-salaried appointments of which the Committee on Executive Appointments recommends that the Senate do advise and consent:

To be the Public Administrator and Public Guardian of Lake County, for a term commencing April 26, 2010, ending December 2nd, 2013: Keith West.

To be the Public Administrator and Public Guardian of Knox County, for a term commencing April 26, 2010, ending December 2nd, 2013: Dawn Conolly.

To be the Public Administrator and Public Guardian of Warren County, for a term commencing April 26, 2010, ending December 1st, 2014: Dawn Conolly.

Mr. President, having read the non-salaried appointments from the Governor's Message of April 26, 2010, I now seek leave to consider the appointments on a roll call. Will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Seeing none, the question is, does the Senate advise and consent to the appointments just read from the Governor's Message of April 26. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 voting

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Aye, none voting Nay, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the appointments just read. Senator Muñoz.

SENATOR MUÑOZ:

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

PRESIDING OFFICER: (SENATOR HARMON)

Senator Muñoz moves that the Senate arise from Executive Session. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the motion carries. The Senate has arisen from Executive Session. Senator John Jones, are you seeking recognition?

SENATOR J. JONES:

Yes, Mr. President. Point of personal privilege.

PRESIDING OFFICER: (SENATOR HARMON)

Please state your point, Senator.

SENATOR J. JONES:

Thank you, Mr. President. Well, if I -- I could have the Body's attention for just a -- a couple of moments here, I have an announcement. For the last two years, I've had the privilege of -- of having Nancy Beaty. And I don't want to call her a secretary. I call 'em legislative assistants, really, because they do more work than you and I ever thought about doing as far as work for our constituents and the like. But -- but I've had the privilege for the last two years of having Nancy Beaty be my legislative assistant here in Springfield. And before that, she was Senator Frank Watson's secretary and Frank's up here in the gallery, our -- our former Republican Leader. She was his

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secretary for six years. She was Pate Philip's secretary. She was Stan Weaver's secretary, and -- and I can't even remember the others before that. In fact, Frank mentioned 'em to me this morning. But, you know, it's truly been an honor and a privilege for me to have Nancy be my assistant here in Springfield for the last two years. The good thing about it is I'm not going to -- to miss her too long. She is retiring this month, but she has agreed to come back on a contractual basis and work on Session days for me, at least for the next year or so. And so you're still going to see her face around here, but I just wanted to honor Nancy today for her service of forty-one years here to the State of Illinois. She's been a dedicated servant to the people of this State for -- for -- for a long time. And she will continue to be a supportive person of the State of Illinois. But she's with us here today, along with her daughter, who's expecting another grandchild here shortly. And her husband, Bill, just called me. He couldn't make it here in time because I didn't know exactly what time we would be able to do this and so he's listening over the Internet right now, because he works for Department -- Department of Public Health for the State of Illinois. But if you could, just -- I'd like to give -- you all to give Nancy a round of applause for her service to the State of Illinois for the last forty-one years.

PRESIDING OFFICER: (SENATOR HARMON)

Congratulations on your retirement, Nancy, and thank you for your service to the Senate. Senator Haine, for what purpose do you rise?

SENATOR HAINE:

Point of personal privilege, Mr. President.

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PRESIDING OFFICER: (SENATOR HARMON)

Please state your point, Senator.

SENATOR HAINE:

As we know, we're entering the holiday season - Hanukkah, Christmas, the New Year - a time of happiness and joy and I -- of comradeship. We sing Auld Lang Syne to remember all those who have gone before us; we drink a cup of kindness. This morning I walked into the office, said hello to my suitemate, Senator Silverstein, wished him a happy Hanukkah. Went next door and saw the saddest thing, the saddest thing I've seen yet this week. I saw an empty office, nothing on the walls, and that was Lou Viverito's office. A gentleman - and I know more will be said later - a war hero, a father, husband, distinguished servant of the people of his township, and he will soon be leaving this Chamber. And it just -- it struck me this morning that it was just a sad realization that he is entering his last days here, and I just want to take the time to wish him the best. And Godspeed, Lou Viverito, a great man of the Senate.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Viverito, are you rising? Well, I -- I haven't recognized you yet, Senator, and I'm quite worried you're going to ask that we move on to the ordinary Calendar here. So I think I'm going to recognize Senator Hendon for a moment, Senator Viverito.

SENATOR HENDON:

Thank you, Mr. President. Well, you know, Lou is my seatmate, and if you went by there and saw everything gone out of his office, that just means Lou stole all the furniture, took

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the desk, pulled up a U-Haul and took everything out of there. That's all. You know, I'm not going to be sad and all that when I see Lou leave. I understand his daughter is coming in his -- as his replacement and she's much better looking than Lou Viverito. So it will enhance this place. So I just had to rise because I'm not sad at all. Lou is going to be all right. I understand he's got all that money stashed away somewhere and I'm sure he's going to be in Bahamas or -- in Nassau with his beautiful wife enjoying himself. And, Lou, at least leave the desk or the chair in your office and everything will be fine. Lou, we love you, babe.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Senator Maloney, are you rising to compete with Senator Hendon?

SENATOR MALONEY:

I -- I would just like to say I don't think we should jump to conclusions here, because in January of 2003, when I was sworn in, I went over to Senator Viverito and I introduced myself and he said, "Eddie," he said, "I'd really like to help you out, but I'm not going to be here only a little longer." So -- so don't -- so he's been saying this for eight years, so don't expect him to -- to really leave. Congratulations, Lou, and thank you for all your help.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Viverito, are you seeking recognition?

SENATOR VIVERITO:

Yes, I am, Mr. President, and I'm a little bit shocked by this -- gracious remarks about me, which is a little bit exaggerated. I'm really not a hero. I'm really just a regular

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guy that has spent sixteen years in this magnificent facility. And I can tell you this from the bottom of my heart - I never believed that I would be a State Senator, because as most of you know, I was a little barber at 79th and Narragansett. And I was cutting hair, saying "Yes, sir", and "No, sir", for a dollar fifty, or I think it was a dollar seventy-five at that time. And I'd get about a quarter tip, those that did come to see me, which some days, you know, they didn't come too often. But then I got another barber and another barber and I just thought I was going to end up being a barber. Wasn't a bad thing, because I learned from people how it is when they go through good times and bad times. And that kind of helped me here in the Senate. But I've been so blessed to be able to say that I feel as though God has given me -- able to make a contribution that I never dreamed that I'd be able to do. But I've always said I married well. I married a woman that I've been with for fifty-nine years. And would you believe? This is a true story. The same woman - no -- no -- no new women in my life. So -- I'm an old-fashioned guy. And I went to grammar school with my wife. And she was a German Lutheran and I'm just a good old Catholic boy, and I was the Italian and she was of the German descent. I don't think they thought too highly of me at that time. But, you know, after fifty-nine years, they kind of like me now. And all those Lutherans like me now too. Even the Baptists like me. So I can tell you this, though, I was here with my gracious wife just a few weeks ago with the Township Officials of Illinois and that's probably the closest thing to my heart. I've been there for thirty-five years as a Township Supervisor and love being there with my little primary health care and helping the people

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every day in my life. And that's what I hope to be able to do when I go back home, is take care of those people to the best of my ability, no shenanigans, no funny business, and nobody comes to work that doesn't earn it. But you've taught me one thing here. We have such a variety of magnificent men and women, people that truly make contributions. And when people tell me that we're all bad people -- you feel the warmth, you feel the hospitality here, and you feel the honor to be here. It's a gift from God and thank you for allowing me to be your friend. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

Ladies and Gentlemen of the Senate, it has been pointed out to me that we still have some work to do today and folks do want us to tend to our business in an expeditious fashion. On your printed Calendar, on page 2, on the Order of House Bills 3rd Reading, House Bill 354. Senator Kotowski. Senate Bill -- House Bill 1450. Senator Bomke. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 1450.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Bomke.

SENATOR BOMKE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate {sic} Bill 1450 is virtually identical to Senate -- Senate Bill 2887 that we had before us about a year ago and passed and went to the House. It would require the Procurement



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Policy Board to review any proposed lease of real property of ten thousand or more square feet and any proposed lease of real property with -- with annual rent payments of a hundred thousand or more. The Procurement Policy Board shall have thirty days to review the proposed lease. If the Board does not object in writing within thirty days, then the proposed lease shall become effective according to its terms as submitted. And be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Any discussion? Seeing none, the question is, shall House Bill 1450 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 52 voting Aye, none voting No, none voting Present. And House Bill 1450, having received the required constitutional majority, is declared passed. Illinois Info Service seeks leave to videotape the proceeding. Is there any objection? Seeing no objection, leave is granted. Continuing on the Order of House Bills 3rd Reading, House Bill 1510. Senator Demuzio. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 1510.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Demuzio.

SENATOR DEMUZIO:

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

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House Bill 1510 is an initiative from the Illinois Department of Transportation which would allow IDOT to code contract obligation documents with other highway authorities as grants. What is presently happening is that -- the Comptroller's Office position is that these documents are -- are grants because IDOT is giving value to the highway authorities. What we're asking for and what they have come to agreement with is that -- the Comptroller's Office and IDOT has now reached an agreement to go ahead and code these and that will eliminate a backlog of about twenty million dollars in payments to the contractors. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Is there any discussion? Seeing none, the question is, shall House Bill 1510 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 53 voting Aye, none voting No, none voting Present. And House Bill 1510, having received the required constitutional majority, is declared passed. House Bill 1516. Senator Sandoval. Senate Bill -- House Bill 1617. Senator Dahl. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 1617.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Dahl.

SENATOR DAHL:

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Thank you, Mr. President. House Bill 1617 is a -- a bill that creates the Ottawa Port District within LaSalle County. It will be governed by a seven-member board, with four appointed by the Governor and three appointed by the mayor. The language in this bill is -- is taken from the other ten or eleven port districts that have been developed around the State. So the language is -- is the same as what we've passed through the Senate here numerous times. This bill passed out of State Government Committee 7 to 0. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Any discussion? Seeing none, the question is, shall House Bill 1617 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 -- 48 voting Aye, 3 voting No, none voting Present. And House Bill 1617, having received the required constitutional majority, is declared passed. On the top of page 3 of your printed Calendar, still on the Order of House Bills 3rd Reading, is House Bill 1720. Senator Steans. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 1720.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Steans.

SENATOR STEANS:

Thank you, Mr. President, Members of the Senate. House Bill 1720 amends the Hospital Licensing Act to enable a hospital

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in my district, Chicago Lakeshore Hospital, to acquire a facility that's within two hundred and fifty yards of its current facility, and that's defining it within the -- as the same definition under the federal Medicare regulations. That enables them to do this.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Any discussion? Seeing none, the question is, shall House Bill 1720 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 52 voting Aye, none voting Nay, none voting Present. And House Bill 1720, having received the required constitutional majority, is declared passed. House Bill 2263. Senator Kotowski. House Bill 2376. Senator Clayborne. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 2376.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you. This bill removes the county board from implementation of the tax. Under current law, a referendum is required to be authorized for the sales tax of school purposes. This allows the -- once the referendum is approved, then the tax will be imposed. I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR HARMON)

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Thank you, Senator. Is there any discussion? Senator Duffy, are you seeking recognition? Is there any discussion? Seeing none, the question is -- Senator Duffy, are you seeking recognition? I'm sorry.

SENATOR DUFFY:

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

PRESIDING OFFICER: (SENATOR HARMON)

To the bill.

SENATOR DUFFY:

I urge a No vote on this because -- I want to advise everyone that this eliminates a front-door referendum.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. The question is, shall House Bill 2376 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. House Bill 2376, having failed to receive the required constitutional majority, is declared failed. Senator Clayborne, for what purpose do you rise?

SENATOR CLAYBORNE:

Yes, I'd like a motion to postpone consideration.

PRESIDING OFFICER: (SENATOR HARMON)

Pursuant to Rule 7-19, section (b), Senator Clayborne has moved to place the -- House Bill 2376 on the Calendar on the Order of Postponed Consideration. It will be so -- so placed. House Bill 3217. House Bill 3806. Senator Koehler. House Bill 5057. Senator Cullerton. Madam Secretary, please read the bill. I'm sorry. Senator Cullerton seeks leave of the Body to return House Bill 5057 to the Order of 2nd Reading. Leave is

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granted. Now on the Order of 2nd Reading is House Bill 5057. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 2, offered by President Cullerton.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Cullerton, to explain the amendment.

SENATOR CULLERTON:

Yes, thank you, Mr. President. I'd like to adopt this amendment. It deals with the Senate confirmation process. And explain it on 3rd Reading after we adopt the amendment.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Cullerton moves to adopt Floor Amendment No. 2 to Senate Bill -- House Bill 5057. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, have there been any further amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 3, offered by President Cullerton.

PRESIDING OFFICER: (SENATOR HARMON)

Senator -- President Cullerton, on Floor Amendment No. 3.

SENATOR CULLERTON:

Yes, Floor Amendment No. 3 is a technical amendment that removes the -- from the underlying bill, the State Board of Elections, because that process -- those appointments are done in a different process. So, move for its adoption.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Cullerton moves for the adoption of Floor Amendment No. 3 to House Bill 5057. All those in favor will say Aye.

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Opposed, Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, have there been any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HARMON)

3rd Reading. WICS-TV seeks leave to videotape the proceeding. Is there any objection? Seeing no objection, leave is granted. Now on the Order of 3rd Reading is House Bill 5057. Senator Cullerton. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 5057.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Cullerton.

SENATOR CULLERTON:

Yes, I want to make sure before we pass this bill that -- I -- I think we've added the name of Senator Radogno as a hyphenated cosponsor on this bill. This is an important bill to our process here in the Senate. This would apply to appointees who are nominated by the Governor who are subject to Senate confirmation and who are either holding over an office after the expiration of their terms or who are temporarily [sic] or acting appointees. This bill limits the ability of appointees to hold over after the expiration of their terms to thirty days. They can certainly be reappointed. It also mirrors the Constitution and limits temporary or recess appointments to the next meeting of the Senate and limits acting appointments to thirty days.

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It's an important bill to the process. We have a great number of holdovers who have not been subject to Senate confirmation for years and that should end with the passage of this bill. And urge an Aye vote.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR RADOGNO:

Thank you, Mr. President. To the bill: I concur; this is an important bill for the process here. It's important that we, as the Senate, have the opportunity to do what we were elected to do, and that is to confirm appointments and require that the administration come before us so we have the opportunity to vet those appointments. So I appreciate the sponsor bringing this bill forward and urge an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Senator Millner, are you seeking recognition?

SENATOR MILLNER:

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

PRESIDING OFFICER: (SENATOR HARMON)

The sponsor indicates that he'll yield.

SENATOR MILLNER:

Thank you, Mr. President. Mr. President, I think -- how does the process work? I heard there were like seven hundred employees. I mean, can he just reappoint them now, if that's what he wants to do, and then it would get through the process over the next year? Or how would that work?

PRESIDING OFFICER: (SENATOR HARMON)



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Senator Cullerton.

SENATOR CULLERTON:

After the bill takes effect, the Governor will have thirty days to fill these positions where people have been holding over. These are only people who are subject to Senate confirmation. And he could certainly reappoint them, if he wished, and then we would -- that would toll the thirty days and we would then go through our normal process of having the -- the -- that Message read into the record and we would then send those to the -- the committee to have hearings on them.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Millner.

SENATOR MILLNER:

Thank you, Mr. President. So then, if we do that, we get into that process, just in terms of the process here, there's so many names, we'd be able to get through it, or would we be allowed to extend the process to, let's say, ninety days or whatever based on our schedule?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Cullerton.

SENATOR CULLERTON:

Right. The thirty days doesn't refer to how much time we have to confirm them. It's to simply -- urging the Governor to fill those vacancies within thirty days and then we'll take the time we need. But there -- there will be a lot of folks that will be subject to confirmation early on in the Session, and perhaps we can even have hearings in -- in Chicago to make it -- facilitate for some of the Members, if it's possible. So we -- we want to be practical, but we want to have these people who

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are in the Governor's cabinet, who we haven't seen in four or five years, have them come back and have us consider their qualifications.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any further discussion? Any further discussion? Senator Cullerton, do you wish to close?

SENATOR CULLERTON:

Yes. For purposes of this bill, for legislative intent, a meeting of the Senate does not include a perfunctory Session day as -- as designated by the Senate under its rules. That's an important clarification when we're counting the number of days. This is a -- a reform. This is an important issue. I hope that the Governor would sign this bill. I hope that we would unanimously pass it to prove that the Senate is a deliberative Body that -- which -- which would consider people's qualifications. We can't have a system where people can just hold over and the Governor can ignore us. So we would -- really hope that we would pass this bill, urge the House to do the same, and have the Governor sign it, so we can get on with the business of the State. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

The question is, shall House Bill 5057 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 52 voting Aye, none voting Nay, none voting Present. And House Bill 5057, having received the required constitutional majority, is declared passed. House Bill 5756. Senator Koehler. Madam Secretary, please read the bill.

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SECRETARY ROCK:

House Bill 5756.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Koehler.

SENATOR KOEHLER:

Thank you, Mr. President, Members of the Senate. 5756 permits the use of various portable locator devices that have been recently developed to locate missing adults and children with special needs. What this is, is a -- very narrow exemption that authorizes devices that can be used in connection with the 9-1-1 system. It very carefully -- it will not interfere with the 9-1-1 system. It's -- it's really to care for people with Alzheimer's, other, you know, diseases or impairments where they might truly be lost. And so this -- this helps the -- the families especially. So, I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Seeing none, the question is, shall House Bill 5756 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 53 voting Aye, none voting Nay, none voting Present. And House Bill 5756, having received the required constitutional majority, is declared passed. Continuing on the Order of House Bills 3rd Reading on page 3 of your printed Calendar is House Bill 5873. Senator Link. House Bill 6267. Senator Clayborne. Madam Secretary, please read the bill.

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SECRETARY ROCK:

House Bill 6267.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President. This... I'm going to take this out -- out of the record.

PRESIDING OFFICER: (SENATOR HARMON)

Madam Secretary, please take the bill out of the record. Ladies and Gentlemen of the Senate, on page 4 of your printed Calendar, at the top of the page, is the Order of House Bills 2nd Reading. House Bill 5420. Senator Cullerton. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 5420.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HARMON)

Have there been any Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HARMON)

3rd Reading. House Bill 5424. Senator Cullerton. Madam Secretary, please read the bill.

SECRETARY ROCK:

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House Bill 5424.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR HARMON)

Been any Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HARMON)

3rd Reading. Ladies and Gentlemen of the Senate, on page 5 of your printed Calendar begins the Order of Secretary's Desk, Concurrences. Of the bills on the Calendar, only one on page 6 of your printed Calendar, Senate Bill 3538, has a motion on file. Senator Link, 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 3538.

Filed by Senator Link.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Link, to explain your motion.

SENATOR LINK:

Thank you, Mr. President. I will read those on final reading.

PRESIDING OFFICER: (SENATOR HARMON)

Senator, this is a motion to concur.

SENATOR LINK:

Oh, I'm sorry. These amendments are benefit reforms. They include the increase of retirement for police and fire from the

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age of 50 to 55. Their COLAs would be reduced from three percent compounded to one and a half CPI increase to three percent -- from three percent compounded to one-half of CPI increase up to three percent. Final average salary would be calculated on a eight-year average, rather than last-day pay for downstate fire and police and a four-year average used by Chicago funds. The bill also includes funding reforms, putting all fire and police funds on a schedule to reach ninety percent funded level by 2041. This makes the payment more manageable for downstate funds, which currently must amortize their unfunded liability by 2033; however, Senate Bill 3538 also includes a compliance provision, allowing funds to request that the Comptroller divert State funds to the municipalities to fund if the city fails to make these payments. This provision is phased in gradually to give municipalities time to adjust. IMRF has a similar provision under current law. With Chicago, the new schedule won't take effect until 2015. And be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR ALTHOFF:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

To the bill, Senator.

SENATOR ALTHOFF:

Thank you very much. And as Senator Link had stated, this really is a phenomenal bill. It's been a work in progress for over three years. It provides the relief that the

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municipalities were so desperately speaking -- seeking, as well as the compliance provision that public safety individuals have been looking for for many years. We do anticipate further discussions, specifically with the compliance provision, particularly for the City of Chicago. You will be seeing a trailer bill. But, in closing, I would beg for an Aye vote. This does provide the pension reform that we were looking for for public safety employees, as we did with all of the five State pensions. And I'd like to also take a moment to thank the bill's sponsor, Senator Link, here in this Chamber, Representative McCarthy in the House, who really have dedicated their time and efforts to making sure this is a good bill; to the public safety unions for actually recognizing the fact, as difficult as it may have been, that benefit relief was needed; and to the many municipalities that actually came and spent their time down here; to those organizations; to the mayors; to the financial officers. Really, we thank you for coming to this particular point. And I would urge an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Senator Duffy, are you seeking recognition?

SENATOR DUFFY:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

To the bill, Senator.

SENATOR DUFFY:

I'd like to thank the sponsor and all the people that worked so hard on this bill, the people from -- in the Capitol here -- here and the people from all the towns and villages. I

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rise in strong support of this bill and it's definitely a step in the right direction.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR RAOUL:

To the bill, Mr. President. I'd like to commend the sponsor and Senator Althoff for their work on this bill. As you often say, Senator Harmon, you know, they're -- all parties affected by this bill, they're not pleased with all the provisions of the bill and they're pleased with some of the provisions of the bill, and -- and -- and that's the signs of a -- of a good bill. I don't state it as eloquent as you usually do it. But I know there was a lot of concerns for those of us who come from the City of Chicago with regards to the payment that would be required in the year 2015. I've spoken to the Senate President, I've spoken to the sponsor and others about the need for a trailer, and I -- I would personally put in the - - the -- the time and effort to work on that. And I would urge all of us in this Chamber, including all of us from the City of Chicago, to put a Yes vote on -- on this - another reform amongst the many that we have advanced on a bipartisan basis this year.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. The Associated Press seeks leave to photograph the proceedings. Is there any objection? Seeing no objection, leave is granted. Senator Muñoz, for what purpose do you rise?

SENATOR MUÑOZ:



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To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

To the bill, Senator.

SENATOR MUÑOZ:

I rise in opposition to this bill. I commend the sponsor and everyone who's worked hard. I know we need this bill for reform. But, Ladies and Gentlemen of the Senate, my colleagues have stated there -- they say there will be a trailer bill, but until that bill is for real -- and it's got to go back to the House and the House has to pass it. As of right now, we pass this bill and the Governor signs it, the City of Chicago homeowners and businessmen are on the hook for over five hundred million dollars. It doesn't start until 2015 - it's understandable - but in 2015, the beginning will be five hundred million for the next twenty-five years. And it's too much and it's too fast. I know we need the reform. Everybody needs that. We've done it for everyone else. Our first responders, the policemen and firemen - we should be very careful. We need to take care of 'em. But, again, I'm urging you to vote No. They say there's going to be a trailer bill, but we move this too fast and we're only coming back for three days the beginning of January. I initially asked, why do we have to move the bill now? We could have waited until we came back on the 3rd and 4th for the trailer bill for that to be corrected or try to get some type of agreement. I ask you to vote No.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Senator McCarter, are you seeking recognition? Our final speaker on the bill is President Cullerton.

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SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. I also want to thank Senator Link, Senator Althoff, Representative McCarthy, in working so hard over the last several months to achieve this -- this bill. I was also involved in the negotiations with the Speaker when we drafted this bill. There is one provision that Senator Muñoz addressed that I would like to revisit and I have raised this with Senator Althoff, Senator Radogno, and I think they're open to it, and we will come back in January. And I can just briefly explain that it does involve the City of Chicago. My understanding is that over the years, the downstate systems had a different formula than Chicago. They also had a date certain by which they had to be a hundred percent funded. And in this bill, we actually liberalized that date. We extend that date further out and we lower the amount that they have to fund their pension system from a hundred percent down to ninety percent. In the case of the City of Chicago, however, we are dramatically increasing the formula for them, so that they would have to pay a lot more in. And for the first time, we're establishing for them a date certain to get to ninety percent funded. So, it -- it -- it's -- one size fits all does not really apply to the City's system. That's why the City tells us that there will be this -- not a cliff, but a mountain of a increase in 2015 of something close to six hundred million dollars. So what I think what we should do - and I've met with the City representatives on this and this is what we want to work on in the next few weeks - is to see if there's a way to have a -- perhaps a longer period of time for the City to achieve this funding level. And I think it would be reasonable.

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We'll have actuarial studies to know exactly -- not only how much that would -- that would save, but also we'll have actuarial studies to know how much these reductions in future benefits will save and have that worked in as well. So I think that since we're doing this in -- in good faith that we can go ahead and call this bill today and pass it, with the understanding that we would come back with a trailer bill that is along these lines, which I think we can get agreement on. It'll give me some time to go over to the House and see if we can get an agreement with the House as well. So, for -- with that assurance, I'd like to see if we can support this bill now, pass it, and continue to work with the City to see if we can get some relief for their concerns. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Link, to close.

SENATOR LINK:

Thank you, Mr. President. Before I say my remarks in closing, I -- I also would like to thank Senator Althoff, Representative McCarthy, Representative Poe, because in this negotiation, we had all four caucuses together and talking about this. It was not easy and I also want to say one thing before I continue. I've got to say, you know, thank you to President Cullerton, because he called a meeting the other day to make sure we went over the final agreements on this bill and to try to get this as close as we could get to an agreed bill as possible. And I got to tell you one thing, I don't think we could've ever got this to a totally agreed bill, because we worked for hours and hours and hours trying to get everybody together, and I got to tell you, there was a lot of frustrating

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points and frustrating evenings on this. But we came as close as we possibly could get. And I want to thank the police and fire, because it's kind of hard to go to somebody and say, "We got a great deal for you. Would you give up this? Would you give up this? Would you give up this? And would give up this? But it's a good deal" - and they did it. And they -- they gave up a lot for their future -- future hires and went into a two-tier system and -- but it was something to stabilize the pension system. But we also turned to the municipalities and said, "You're going to get some compliance, because you're going to pay the bill." Everybody hollers at the State and say we haven't been paying our pension funds, and we haven't. We were violators for a lot of years, and we took that task on in the spring and we altered our pension system. Well, our task, when the President asked me to do this, was to make sure that everybody was in compliance when we got this done and this system was paid. So we put a very strong compliance in here to make sure that municipalities throughout this State were going to pay their dues into this system. And I think we were fair with them. We made sure we didn't put an undue burden onto the taxpayers of the State of Illinois. But we want to make sure that the bill is paid at the end of day so that these pension funds are adequately paid for the people that are paying into these funds. But I also want to say one thing in closing and on legislative intent to clear up something of a confusion about what applies to whether -- you know, on a calculation of -- a calculation of an average salary, that it is in my opinion and - - as the sponsor of this bill, that all compensation is a final average salary. And with that, I -- I say to my seatmate, I can

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say one thing about the President of this Senate, his word has always been golden and there will be a trailer bill and we will get it done in this Session. And I would ask everybody to put a green light on this bill. And I thank you.

PRESIDING OFFICER: (SENATOR HARMON)

The question is, shall the Senate concur in House Amendments 1 and 3 to Senate Bill 3538. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 46 voting Aye, 4 voting No, 2 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments No. 1 and 3 to Senate Bill 3538. And the bill is declared passed. With leave of the Body, Senator Sandoval has requested that we return to the Order of House Bills 3rd Reading to take up House Bill 1516. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 1516.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. -- thank you, Mr. President, Members of the Illinois Senate. The -- Senate Bill 15 -- House Bill 1516 is a financial management technical change that would allow us to access federal reimbursement for high speed rail, Amtrak, and CREATE projects here in the State of Illinois. I ask your

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favorable vote.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Any discussion? Seeing none, the question is, shall House Bill 1516 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 52 voting Aye, none voting Nay, none voting Present. And House Bill 1516, having received the required constitutional majority, is declared passed. Senator Emil Jones, for what purpose do you rise?

SENATOR E. JONES:

Thank you, Mr. President. I meant to be recorded as a Yes on Senate Bill 3538.

PRESIDING OFFICER: (SENATOR HARMON)

The record will so reflect your intent. Thank you, Senator. With leave of the Body, we're going to move to page 6 of our printed Calendar. At the bottom of the page, on the Order of Motions in Writing to Override the Specific Recommendations of the Governor on House Bills, we have a motion pending by Senator Murphy on House Bill 4836. Senator Murphy, you wish to proceed? Madam Secretary, please read the motion.

SECRETARY ROCK:

I move that House Bill 4836 do pass, notwithstanding the specific recommendations of the Governor.

Filed by Senator Murphy.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Murphy.

SENATOR MURPHY:

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Thank you, Mr. President. This -- underlying bill creates the Sunshine Commission. It's a bill that passed out of here unanimously. I think the Governor expanded it in a way that went beyond his authority and infringed on ours, and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hendon, are you seeking recognition on this motion?

SENATOR HENDON:

Yes, Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR HARMON)

The sponsor indicates that he'll yield.

SENATOR HENDON:

Senator Murphy, could you tell us a little bit more about the Governor's veto, because there's some uneasiness among some of us to vote with you and maybe vote No. And I'd like to at least get your opinion of why -- what the Governor's concerns are - not that you can speak for him, but I'm sure you've analyzed his position. Could you expound just a bit on that for us, please?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Murphy.

SENATOR MURPHY:

Certainly, Senator. The Sunshine Commission originally was intended to get outside -- people outside of government - get some fresh eyes on our thirteen-billion-dollar deficit. And we created -- we're looking for that business expertise to try and save some money, eliminate duplication and waste with -- to eliminate and reduce that thirteen-billion-dollar deficit. That's who we had in mind when we passed it out of this Chamber

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originally. The Governor, who has his own Sunshine Commission that he hasn't filled, decided that we should have a broader group of people in that Sunshine Commission - in the -- the legislative one. I think he has the opportunity to do that in his executive Sunshine Commission, but he has yet to fill those seats. We went with the idea of getting fresh set of eyes on this so we could try to come up with a different perspective in a way, hopefully to come up with some solutions. I think the expansion, again, goes beyond his constitutional authority and - and -- and, frankly, it goes against the -- the principle of what we passed.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hendon.

SENATOR HENDON:

Your Sunshine Commission, is it going to be made up of just bankers and business people, or will there be laypeople on it?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Murphy.

SENATOR MURPHY:

The Legislative Leaders are going to make the appointments. So, you know, President Cullerton, Leader Radogno, Speaker Madigan, Leader Cross will have the opportunity to determine who with that fiscal background, business experience is going to be the best -- be the best people to serve on this. And another point - I wanted to follow up to a point you had made earlier, Senator, with regard to the constitutionality of this amendatory veto - it's my understanding that even your staff acknowledges that this goes beyond the Governor's constitutional authority with the rewrite of this bill.



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PRESIDING OFFICER: (SENATOR HARMON)

Senator Hendon.

SENATOR HENDON:

Well, the staff is telling me just the opposite. But you know how staffs are. I'm sure your staff can tell you one thing. Our staff will tell us something different. I -- I'd rather, you know, go with the Governor's position, because he is a fair and honest man. I know he's not against sunshine. So, my question is, my final question, is couldn't you have just put a motion in writing to accept his amendatory veto, which really just expanded the Commission to include regular people and geographic equality and balance? Couldn't you have just done that? And then we all would be voting for you today.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Murphy.

SENATOR MURPHY:

I did not have that option. This is a House bill. The House sponsor moved to override. And -- and more importantly, for the consideration of the Members of this Chamber, I wouldn't have had that opportunity here either, based on the e-mail from Senate Democrat staff that this amendatory veto was noncompliant. So it's -- it's my understanding that the -- I would not have been authorized to move an unconstitutional amendatory veto in this Chamber. And even if I had wanted to, the House didn't afford me that opportunity because they override -- overrode the veto.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hendon.

SENATOR HENDON:

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I'll -- I'll conclude because, you know, we all would like to be on the road. I hear there's snow - different places in Chicago. But if -- if -- if you received an e-mail and I -- I believe you - you know, you're my friend; I believe you're telling the truth - you know, House staff errs sometime and -- and -- I mean, Senate staff errs sometime and they're not the Senators. They -- they are great people and good support people, but they are not the Senators. I urge a No vote and let's give Governor Quinn the opportunity to put a broader Sunshine Commission together, because he's for sunshine as well. He just wants it to be bright and illuminous, not dull. I urge a No vote.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Sullivan, are you seeking recognition?

SENATOR SULLIVAN:

Yes. Question of the sponsor.

PRESIDING OFFICER: (SENATOR HARMON)

Sponsor indicates he'll yield.

SENATOR SULLIVAN:

Senator Murphy, the -- as I look at the changes the Governor made, he adds four members to the Commission. Is that correct? And you -- see you nodded your head yes. What is the -- and I see under your original legislation you had a criteria as to what those members needed to meet. Were they -- kind of a background. Is the Governor's criteria for his members different?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Murphy.

SENATOR MURPHY:

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Yeah. It is different. You know, in the underlying bill, again, to get the fiscal expertise, we had banking-, financial-, accounting-type backgrounds. We want people who know numbers to try and help us to be able to fix our budget duplication and waste and get to the bottom line and be as lean and efficient as we can be. The Governor added four members who would be in the fields of social services, health care, labor, and education. We have a lot of people in those fields serving right now. The concept here was, let's get some fresh eyes, maybe some outside eyes, some trained people in numbers and budgets to see where we could save some money and get a little bit leaner. And -- and I would reiterate that the Governor has his own Sunshine Commission. He created it in 2009. If he wants to do one that way, he has the opportunity to, but he hasn't yet, and this was the Legislature trying to act in a way that would try and responsibly address the budget woes that we all recognize.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Senator Murphy. Also, you know, with the budget, as you all know, making up -- you know, the -- the additional members and the criteria that the Governor asked for, those individuals that he asked to be appointed are certainly affected by this -- by our budget and certainly bring -- I think that they could also bring a -- a perspective to -- to that Sunshine Commission as well. Additionally, I see that the Governor put in that it requires that there would be a number of hearings held around the -- the State - I think six of 'em, if I'm not mistaken. Do you have concerns with that? Or are you

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opposed to that?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Murphy.

SENATOR MURPHY:

No, I think the hearings are a great idea. I don't have any quarrel with that and -- and, you know, I think the members of the committee ought to and, for purposes of legislative intent, we can recommend that they have those hearings. In hindsight, probably would have been better to put that in the House bill in first place. But, you know, I don't see -- I don't see that as -- given the fact that we can cover that and we can get that commitment out of the members - again, our four Leaders are going to appoint the members to this Sunshine Commission - I don't see that as a reason to throw out the whole bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Mr. President. To the bill: Just, you know, it -- it -- as I read through the -- the Governor's changes, it -- they look like good changes to me. I think that he's tried to broaden it. There is -- I -- I certainly don't disagree with Senator Murphy on the fact that the Governor's -- his commission hasn't met, but hopefully that this will help move the whole process along, and I certainly encourage a No vote.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Murphy, do you have any interest in taking this bill out of the record so that our very able staffs, who should never be blamed in debate on the Senate Floor for any

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shortcomings, could work on a trailer bill that would address these concerns? Senator Righter, are you seeking recognition?

SENATOR RIGHTER:

Thank you, Mr. President. If I could speak to House Bill 4836, please.

PRESIDING OFFICER: (SENATOR HARMON)

To the motion.

SENATOR RIGHTER:

Thank you very much. Ladies and Gentlemen, not half an hour ago, we sat on this Floor and passed a bill that is a direct response to the Executive Branch not doing what it's supposed to do, and that had to do with the Senate confirmations. We just did that and it passed overwhelmingly in this Chamber. Now we have a situation that's somewhat similar, whereby you have the Executive Branch who said, "We're going to do this", and they've done nothing. Senator Murphy, on behalf of the Legislative Branch of government, has now moved on something. The Governor said, "No, I want to do it a different way." The House has chosen to override the Governor, saying, "No, Governor, you had your chance and now we're going to do it." And that's the position that Senator Murphy's in right now. This is an opportunity for the Senate and the Legislative Branch generally to stand up and say, "Governor, we gave you almost two years and you haven't done anything, so we're going to see that something gets done." Surely, surely, we are not going to be so tepid as to say, "No, Governor, we don't want to override you." Surely, on this issue -- and everyone talked about transparency in the campaigns. Everyone talked about accountability. Everyone said this should be a see-through

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government. This is a vote on having a see-through government. I would urge an Aye vote. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Raoul, for what purpose do you rise?

SENATOR RAOUL:

To the bill: You know, yesterday, I heard a lot about the need for hearings and the -- the need for posting stuff on the Internet, and it appears to me that that is exactly what is in the Governor's amendatory veto. We worked well together on a couple of bills -- on a few bills here today, on both sides of the aisle, and -- and we shouldn't be posting up the Legislative Branch against the Executive Branch of government. The Legislative Branch and the Executive Branch of government ought to work together, and that is exactly what the Governor is proposing in his amendatory veto. He's not eliminating the legislative appointments to the Sunshine Commission; he's adding additional members to the Commission. And he's adding it in a way that would create greater transparency on what is being offered here, with hearings and posting on the Internet. And so I would encourage a -- a No vote to this motion of override, because it does exactly what the folks on the other side of the aisle were advocating for yesterday.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Lauzen, are you seeking recognition?

SENATOR LAUZEN:

Yes, sir, Mr. President. Just a couple of questions, clarification. Certainly this idea of moving forward on budget work is essential, so I applaud the sponsor on this. Trying to figure out, well, what is the controversy here? You know, you

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go to what the Governor's objections are. And requiring six regional public meetings - that's no problem. Is that right, Senator?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Murphy, will you yield for a question? Senator Murphy.

SENATOR MURPHY:

That's correct. As I've indicated, I'd be happy to recommend for legislative intent that this -- that -- that this House bill include those six hearings.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Lauzen.

SENATOR LAUZEN:

So out of the Governor's three objections, we agree -- all of -- all of us, I would think, we agree on that -- on that -- one-third of 'em. The second one has to do with the Legislature has eight members of this Commission, the Executive Branch would get four. Is that the main objection?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Murphy.

SENATOR MURPHY:

My -- my main objection or the Governor's main objection?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Lauzen.

SENATOR LAUZEN:

I understand that what we're -- the vote that we're about to cast is, should we override the Governor's veto? I -- I believe implicit to that, my understanding, is that you feel that the Governor's veto is unreasonable in one or more of these

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three things. It's not the third thing. The first thing was the Legislature gets eight, the Executive Branch has four. Is that the reason why you want us to override the Governor's veto?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Murphy.

SENATOR MURPHY:

Well, first and foremost, as has been acknowledged I think on a bipartisan basis, this is an unconstitutional infringement on the Senate's authority. Next, I think that the measure we had, bringing in people from outside with fresh eyes that have experience in fiscal matters, that was the intention, and so expanding it beyond that, I think was improper.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Lauzen, do you have more questions?

SENATOR LAUZEN:

Just a clarification. So it was -- there -- there were three concerns. One was the Governor -- the Executive Branch is putting four on top of the eight, for a twelve-person commission. The second is that it expanded -- the Governor dramatically changed the private sector experience - I'm assuming for his or is it for all -- no, because the Leaders of the Legislative Chambers would be appointing their own. So, is the expansion to social services, health care, labor and education, would those only be on the Executive Branch appointments, as you understand the veto message?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Murphy.

SENATOR MURPHY:

It would not just be on the Executive. It would be on all



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of 'em.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Lauzen? Is there any further discussion? Any further discussion? Senator Murphy, do you wish to close?

SENATOR MURPHY:

I -- I do. Thank you, Mr. President. I just want to remind the Chamber, this passed -- the underlying bill - again, a House bill that I didn't draft, but I do think is an important measure - passed out of this Chamber unanimously. I think it passed out of this Chamber unanimously because we all recognize that we want to do anything and everything we can to get our arms around a record deficit. And to the extent we can get fresh eyes with expertise on our budget, wouldn't that possibly help us to be able to spend our taxpayers' dollars more efficiently and more effectively? That's why you voted for this bill in the first place. The expansion that the Governor provided is unconstitutional. Period. We heard earlier references to the authority constitutionally in this -- of this Chamber. We are the Senate. We are a coequal branch. We cannot stand for the Executive Branch infringing upon our constitutional authority. Talk about the type of people that this could potentially include, that Senate President Cullerton could appoint. He could appoint new Member John Mulroe with his accounting background - new to the Senate, new to this experience, new to our budget - with the background that would be helpful. That's the type of person who could be on this Commission. I guess at the end of the day you've got to ask yourself -- the Governor has had a chance for two years, as Senator Righter said, to create the Sunshine Commission and get

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fresh eyes on this problem and he hasn't filled it. The question is, are you going to miss the chance? Are you going to duck the chance to put fresh eyes on this budget problem and try to finally assure the people you represent that you're doing what you can to make sure their tax dollars are being spent wisely? I strongly urge a Yes vote on behalf of the people I represent and frankly on behalf of the people you represent. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. The question is, shall House Bill 4836 pass, notwithstanding the specific recommendations of the Governor. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 24 voting Aye, 23 voting Nay, none voting Present. And the motion fails. Madam Secretary, Messages from the House.

SECRETARY ROCK:

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

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

House Joint Resolution 125.

Offered by Senator Jacobs, and adopted by the House, November 16th, 2010. Mark Mahoney, Clerk of the House.

It is a death resolution, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Resolutions      Consent      Calendar.              Madam      Secretary,

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Resolutions.

SECRETARY ROCK:

Senate Resolution 1085, offered by Senator Bomke and all Members.

It is a death resolution, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Resolutions Consent Calendar. Senator Dillard, I apologize. We had a -- we had a motion to override tucked away on page 7 of the Calendar, and in all the excitement, I forgot to turn it over. Would you like to proceed? On page 7 of your printed Calendar, on the Order of Motions in Writing to Override Specific Recommendations of the Governor, is House Bill 5206. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move that House Bill 5206 do pass, notwithstanding the specific recommendations of the Governor.

Filed by Senator Dillard.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President and Members. The underlying bill, House Bill 5206, was a simple bill that said under the new electronic system for reporting death registrations, county clerks can now update and use that system for doing death certificates. Governor Quinn -- and -- and this override in the House of Representatives was unanimous - Governor Quinn added a -- you know, a noncompliant, unconstitutional provision that sets up a citizens' initiative for bringing matters dealing with ethics legislation, campaign finance reforms. It sets up a

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petition system where citizens, like California, can now start suggesting bills in the Illinois General Assembly. I don't have a problem with Governor Quinn trying to push that forward, but it's clearly an unconstitutional way that he added it to the amendatory veto. It's in the noncompliance memorandum that was discussed earlier, and I also believe it ought to be a constitutional amendment. It can't be done by statute. So I want to save the -- with -- with all due respect to Governor Quinn, he can introduce legislation or a constitutional amendment in January. He can find one -- somebody here to do it for him. I want to save the underlying bill and make sure that our electronic system, the new electronic systems, county clerks use for death certificates. We don't have to start from scratch there. So we don't have any confusion when it comes to death records in the State of Illinois. And I would move to override the Governor - his -- his recommendations for change. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Is there any discussion? Seeing none, the question is, shall House Bill 5206 pass, notwithstanding the specific recommendations of the Governor. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 voting Aye, none voting Nay, none voting Present. And House Bill 5206, having received the required three-fifths majority, is declared passed, notwithstanding the specific recommendations of the Governor. Ladies and Gentlemen of the Senate, on the Order of Resolutions is Senate Resolution No. 1084. Mr. Secretary,

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please read the resolution.

ACTING SECRETARY KAISER:

Senate Resolution 1084, offered by Senators Radogno, Cullerton and all Senators.

(Secretary reads SR No. 1084)

PRESIDING OFFICER: (SENATOR HARMON)

Senator Radogno moves to suspend all rules for the immediate consideration of Senate Resolution 1084. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and all notice and posting requirements have been waived. Senator Radogno, to explain your resolution.

SENATOR RADOGNO:

Thank you, Mr. President. To this resolution: First of all, congratulations to Dan on winning the Treasurer's Office. And we are thrilled - I'm sure all of us. You worked so hard for this. I can't imagine anyone else who I've seen work harder for something like this. You so richly deserve it. Having said that, I have to say I'm going to just hate this on a personal level. Dan has become such a good friend in so many ways. I mean, starting with teaching me that I always have to have my nametag, carry my cards. He's made me a much better legislator. And he's not afraid to tell -- he's not afraid to tell you if you need to have a breath mint - you know, all the important things in life. He's willing to say, "I think we need to take a walk around the block" in the middle of a heated day and take a little break from things. I mean, he's just been such a wonderful friend. He loves to go to Saputo's, although I do take a little bit of credit in having expanded his restaurant horizons by at least one, maybe two. But that's a hard sell

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because Dan is kind of a dug-in guy when it comes to different things. You know, all of you know how technologically oriented Dan is, and if you've ever seen his office in Pontiac and this unbelievable system that he has for getting e-mails and letters out -- I mean, he just -- he is an absolute machine. But the thing I always like to out him on a little bit is the fact the guy doesn't text. So my goal for Dan is to get him texting at some point in his life. Dan's a guy -- we did a fly around on the prison closure issue, and any of you that have done that know how grueling that can be. I mean, it's just -- it's a miserable schedule. Dan made it so much fun. I mean, we have pictures that just -- you just couldn't avoid the -- the great time that we were having. He -- he made the whole thing enjoyable and fun. He's a detail guy like you would not believe. He could definitely be a cruise director if this Treasurer thing does not work out for him. So he has a lot of potential. So -- he has assured me, though, as much as I'm going to hate this, that his office is basically right under mine and that we're going to have a system and if I, like, knock on the floor three times, he'll just come right up, and so it really won't be all that different. It won't be quite like having him one door down, where I can run in and have some Jimmy John's or some nice salty snacks and cool beverages. But he'll come up quickly and I'm -- I'm sure we can get that going again. But aside from my personal feelings about Dan and how much I'm going to miss him just being a floor away, I can't stress how much this institution is going to miss him. Anybody that's worked with him on either side of the aisle knows that he's willing to put his heart and soul in issues, difficult issues,

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one that -- ones that really require you to dig in. He's very thoughtful. I can't tell you how many times in Leadership when, all of a sudden, we all start to go one direction and Dan will say, "Well, now, wait a minute here", you know, and -- and sort of reel us back and say, "We need to be a little more thoughtful about this." And he's almost always right. He has a terrific perspective and always a policy-oriented perspective, never just pure politics. And he's a delight to work with. I know any of you that have worked with him have found that he's always very affable and just a great guy to work with. So, Dan, we are going to miss you. It's -- it's hard -- I can't even believe this is your -- your last day here. So I wish you nothing but success and I will be pounding on that floor with great frequency. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Righter, for what purpose do you rise?

SENATOR RIGHTER:

Thank you, Mr. President. To address the resolution, if I might. Ladies and Gentlemen of the Senate, when I became a Member of the General Assembly in September of 1997, after coming to Springfield and kind of getting the initial bath that we all get, seeing all the flurry that's around us, I remember going back to my district office and the first person who was a Member of the General Assembly who came to see me after that was then Representative Dan Rutherford. And I remember sitting down with Representative Rutherford and him inculcating me with all that he knew about the way a district office should be run, and it was like he was the Tasmanian devil of legislative and district office activity. There was this big whirlwind that

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came through my office, and when he left, we all kind of looked around and said, "What was that?" Fortunately we'd taken notes, and many of the good tips that Dan gave us that day - and he's continued to give myself and I know other Members of this Chamber and this General Assembly have given - are practices that we put in place to help me better serve my constituents. This is oftentimes, Mr. President, a time for stories. I'm going to wait until Senator Rutherford is a much more powerful individual in State government than he is now before I begin to roll those out. Dan Rutherford, like many of us in this Chamber, has many attributes that make him good at what he does, but two in particular stand out to me. One, he is truly bipartisan. Now, I don't mean bipartisan as the word appears in a press release. I don't mean bipartisan in ways of standing up at a press conference with someone from the other party and saying we're all going to work together and then kind of walking out of the room and then going back to your party's huddle. That's not the kind of bipartisanship I'm talking about. I'm talking about real bipartisanship - the kind of bipartisanship that really doesn't care from where you come or for which party you affiliate yourself. If he believes in your cause, then he will make it his cause with equal fervor. And we've seen him do that in this Chamber for eight years and he did it for years in the House before that. The second attribute is really just a part of -- that's a part of that, and that is he is something that we all seek to be in this Chamber and that is a truly conscientious servant of the people that he was sent here to represent. Nobody who has spent much time with Dan Rutherford has been able to sit in a meeting or have a conversation with



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him or listen to something he's had to say in committee or on the Floor and not listen to him talk about his district and the people that he represents. Now, one thing that we have in abundance here in this Chamber and in the House, in State government generally, is studies, facts and figures. Anyone can get up -- anyone can get up and give a speech and say, "Well, according to COGFA, this" or "according to this committee, this", but we know that the most effective speeches and the most effective points are made when a Member of this General Assembly talks about something at home, something that they're personally familiar with. And Dan Rutherford has done that over the years with stunning effectiveness, whether it was an issue of what was obviously, from the very start, one of enormous magnitude, such as equalizing funding for the State's nursing homes and the MDS formula. How many times did we hear Senator Rutherford talk about his grandmother and the people like her in these nursing homes? Or something that at first seemed like almost a joke, literally almost a joke that -- that a sitting Member of the General Assembly would bring before the General Assembly, but turned into an enormously important issue, and that is potluck dinners. How many times did we hear Dan Rutherford talk about the little old ladies in the churches and all across our districts and the fact that they're not going to be able to do their potluck dinners were we not to change the law. And we changed the law. And we changed the law because Dan Rutherford reminded us that there are thousands of people in every one of our districts who shared that concern. But I'm not sure we would have gotten that had Dan not put it in that way. This General Assembly and this Chamber are losing an enormous asset

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in someone who has always been willing to lend an ear and lend a hand to a cause that he thought was legitimate, regardless of where that came from. Dan, thank you for your service to the people of your district and to this Illinois General Assembly, and thank you for your friendship to me.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Collins, are you seeking recognition?

SENATOR COLLINS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Let me speak to the resolution. As Chair of the Senate Financial Institutions Committee, I've had the honor and privilege, really, of serving on that Committee. Dan has been the Minority Spokesperson on the Senate Financial Institutions Committee. And let me just say, besides being a valued colleague, I consider Dan a friend and a staunch supporter. And like many of the attributes that have been mentioned previously, Dan is a person of class, character, courage, and I think most of all, civility. And the courage comes in when I look at some of the legislative initiatives that I've sponsored. Dan has been one of my more avid advocates and I see that as indicative of his capacity and a man of uncommon sense and sensibilities. And I just want to thank Dan for being there for me. And he is someone who places -- in reference to the civility, he is a person that places policy over politics and partisanship. We need more public servants of the caliber of Dan. And I look forward to working with you as you rise or ascend to the Treasurer's Office. There's many things we can do in reference to helping our citizens and our small businesses, as well as preventing more predatory lending and preying on our citizens.

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And I thank you, Dan, for being such a sterling example of what it means to be a public servant.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR BURZYNSKI:

Thank you, Mr. President. To the resolution: Yeah, I don't know where to start. You know, we -- we look at Dan and -- and we all know how active he's been and we all know how proficient he is on remembering dates and little things that go on. And I don't know how many of you have ever received a birthday card or greeting from Dan, but I got a little disappointed, because this year during the -- the election process, he forgot my wife's birthday. I mean, how could he do that? Because, I mean -- well, obviously, it wasn't a solicitation. So... But, you know -- I mean, you know, for years we get these little notes, you know, and congratulations and happy birthday and all of this stuff. And so I made a comment to Dan. I said, "Dan," I said, "I -- I don't know, you know, my wife was disappointed. She didn't receive a card from you on her birthday or anything." And the very next day, in the mail, there was the -- the happy birthday card. And he apologized for being late. Now, you know, it's -- it's a humorous story and we've all got those about Dan, but certainly he is proficient at what he does, and we're going to expect that in that Treasurer's Office as well. And I know that we'll -- we'll get that. And, certainly, we're going to miss his expertise here on the Senate Floor and in committees when we talk about that. But I personally will miss his expertise in JCAR, where Dan and I have

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both served, I think, close to fifteen years now and served on JCAR to get -- longest-serving guys on JCAR, I believe. It doesn't bode well for me, does it? But certainly going to miss his expertise, as he's been able to sift through, literally, the mountains of information and -- that we receive from individuals on a monthly basis relative to rules that are being put in place. And so, Dan, every once in a while, I might knock on your door and say, "Hey, do you know anything?" - especially if it affects your office. I will ask you for your opinion and, in particular, to explain what your rules mean, because I know that they'll be somewhat convoluted. But we do wish you the best on the second floor and certainly we'll miss you here. And thank you so much for your friendship and for what you've meant to this institution.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR KOEHLER:

Mr. President, to the resolution. I've really appreciated the friendship that we've developed just in the past few years, and we share parts of Tazewell County in central Illinois together and so it's always been really a delight to work with you in -- in conjunction with that. But I often use you as an example of what is really healthy and right about the two-party system, because oftentimes, in talking to classes or others about just what happens in the Senate here, I -- I use you as an example personally. Because we don't always agree, we don't have the same political philosophies, but I never doubt your sincerity. And I talk about the healthiness of being able to be truly good friends and have differences and being able to talk

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about them. Now we agree on a lot of things as well. But I really value that kind of a friendship, because it means something to -- to me personally, but it also means something, I think, to our system. And I told you yesterday that I don't doubt that the -- that the -- that the Treasurer's Office is going to be in good hands and the people of Illinois are going to be well-served, because you deserve it. And -- and we deserve having a public servant like you, because you are a principled man. You are a man of deep character, and that's important to us. And I will say that you've had a profound effect upon me as well in some other areas. Every time that I bring a bill about a specialized license plate to this Senate Floor, I feel guilty about that, because... And every time I do that in the future, I'm going to have that little twinge of consciousness. But, my friend, I -- I look forward to continuing to work with you in your new capacity and -- and I wish you well.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Crotty.

SENATOR CROTTY:

Thank you. Serving with you, Dan, both in the House and in the Senate, has been a privilege, but really working with you all these years in JCAR as Co-chair of a group of men and women that really come together as a group and work for honesty in the legislation that we've passed and making sure that agencies truly follow the letter of the law as it was written. And Dan has brought a lot of expertise over all these years to me as the Co-chair and many of the members. So I can honestly say, Dan, you're going to be missed. You're a great legislator and you're

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going to be a great Treasurer and I look forward to working with you. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Senator Dillard, you're seeking recognition?

SENATOR DILLARD:

Thank you. To not say goodbye, but to just say a couple of words about a good friend, an old friend. Dan and I go back to the Thompson administration together, right after Dan was President of Illinois State University. And Jim Thompson did many things well, but one of the things that Governor Thompson prided himself in was looking and developing bright, young leaders. And in Dan Rutherford, Jim Thompson saw a superstar. And Jim Thompson and Dan Rutherford continue to be good friends today. But Dan Rutherford, in the Thompson administration, was a rising superstar. I also, as the State Senator, and Ron Sandack, the Mayor of Downers Grove, is our new colleague here - - Dan for many years was a vice president of the ServiceMaster Corporation in Downers Grove, Illinois, headquartered in Ron's hometown, in my area. And I got to see Dan as a international businessman as well. And that will serve our State greatly, as he is our State Treasurer. But Dan, we should never forget, was a businessman as well and will bring those skills to the Treasurer's Office. Now Senator Radogno mentions Dan doesn't -- he doesn't text and that's probably because he's too busy. But he does have some of the best Facebook and best twittering going on. And, Dan, I want to know when you're putting that soup in your, you know, your freezer and those kinds of things. But, you know, you're right downstairs and we don't have to follow

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you on Facebook and -- and Twitter. One other real attribute that I really admire in Dan, and there are so many, is if you ever see Dan, he is always surrounded by young people, college students - Eureka College, Illinois State University. And I think that is a great quality, that Senator Rutherford is somebody like the Pied Piper that attracts bright, new, young people and keeps them interested in government at a very, very cynical time. So, Dan, you know, you're just going to be right downstairs, but we need you now around the Legislature probably more than ever. We need your demeanor. We need your input. And most of all, we need your classiness around this place. And congratulations. You will be a great State Treasurer.

PRESIDING OFFICER: (SENATOR HARMON)

We have two speakers still seeking recognition. Senator Raoul.

SENATOR RAOUL:

Well, Dan, I don't know what everybody's making such a big fuss about. You're just going right downstairs, and I got to say, you know, I'm -- I'm happy that you are, 'cause, you know, one of the things that Senator Wilhelmi and I share is we -- we -- our seats are right here by the bathroom and -- and I've had to start doing push-ups to strengthen my arms because every time Dan comes by he just hits you on the arm real hard and -- and, you know, glad to see you go 'cause my arms have weakened since my surgery. But people have spoken about, you know, a need for civility in -- in government and Senator Righter talked about how you are truly bipartisan, and I think you are an example of the -- the -- the civility that people wish for more widely in government. It was just a couple of days ago that some -- I

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forget who, and the last couple of days have seemed like a couple of years, but I forget who it was that said something to me about a panel that we were on together at the -- I believe it was the Chicago Bar Association, and they referred to the fact that somebody was asking some pretty quirky questions, and -- inappropriate, and they -- they said how our interaction was encouraging and -- and made them feel about -- better about government in Illinois. And I -- I think the Treasurer's Office is lucky to have you at the helm so you can continue to -- to demonstrate the example of how civility can -- can indeed be what is demonstrated in -- in government, notwithstanding the fact that we may have differences of opinion sometimes. So, I'm not -- I'm not sad to see you go, 'cause my arms will be -- be better off. But I'm happy that you'll be where -- where you are. Congratulations.

PRESIDING OFFICER: (SENATOR HARMON)

Our final speaker is Senator Murphy.

SENATOR MURPHY:

Thank you, Mr. Chairman {sic}. To the motion: I just wanted a second. There have been a lot of wonderful comments. I think we've established pretty well that we know Dan pretty well. But I had to add in what's truly special and unique about Dan. And some of you on the other side of the aisle and some of us on this side spent a lot of time going all over the State campaigning over the last year or year and a half - Dan's done that for years. And Dan has done it harder, probably, than anybody I've ever witnessed. I mean, the guy went everywhere. He saw everybody. His commitment to what we all do, his passion for this place, is special. And when a Chamber like this loses



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somebody special, it's a loss. And we're glad to have him on the second floor. We're glad he's still involved in State government. But it is a sad day for the Senate. You'll be missed here. Congratulations on a career in the Legislature that was truly special.

PRESIDING OFFICER: (SENATOR HARMON)

And I'm sorry, Ladies and Gentlemen, Senator Lightford was seeking recognition before I called on Senator Murphy, but I did not see you, Senator. So -- so my apologies.

SENATOR LIGHTFORD:

Thank you, Mr. President, for allowing me the opportunity to congratulate Dan. He was actually one of the first legislators that I met on becoming a Senator because he represents Pontiac. So he knew exactly what to do. He would have this great welcome party for legislators who came into town to tour the Pontiac institution. He was so gracious to me and my district office staff at that time that we kept that relationship going. Four years after that, I was remapped, as you know, Mr. President, out of my district office to welcome you in town, and I had this new great open house at my new district office in Westchester and, lo and behold, walks in Dan Rutherford to my open house. And he's -- he's always -- you know, you never know what to expect from Senator Rutherford. And then he and I had the opportunity to serve on the Financial Institutions Committee together, I as Chairman at one point and he as Minority Spokesperson, and we always had this level of respect for one another. We always worked really well together. And I'm just so happy for you, Dan, that you're able to grow and -- and sprout and spread your wings throughout the State. I

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wish you nothing but the best.

PRESIDING OFFICER: (SENATOR HARMON)

The question is, shall the Senate adopt Senate Resolution 1084. Will all Members in favor please rise? The resolution is declared adopted. Senator Rutherford.

SENATOR RUTHERFORD:

Mr. President, thank you. I hope you all listened real carefully to that resolution, 'cause it took me almost all night to write that thing. And I didn't know if they were -- if Don was going to turn the clock on the whole doggone thing or not, but I appreciate it. Thank you. And to my colleagues that rose, thank you. Some of you I've known here for an awfully, awfully long time and some of you I've gotten to know just because of our fraternity that we now call the Illinois Senate. And to my friends on the other side of the aisle, I want you to know that each of you that rose and those that didn't have the opportunity now, but have spoken to me personally, I want you to know that that means an awful lot to me. The twenty-two of us here as Republicans do get together in that little hallway down there and we kind of have this little collegiality, 'cause you put a whole bunch of elephants into the same room together, you sort of get a little collegiality. But for my donkey friends, I just want you to know how much I really do value you and I appreciate you. And what I have just gone through on a statewide campaign trail, as only so few do -- have that opportunity, and how rough and tough it is and how you make good friends out of it all, you were extremely gracious and respectful and I want you to know that I do value that. To the -- to the staff, I've had great staff work with me, both on the

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Senate staff and in my district operation, and some of 'em are here with me now. And for those that help and work with us on the committees, you are talented, you're great, and I'm going to say all the good stuff about you. But I also want to accolade my friends on the other side of the aisle, and particularly in our Financial Services {sic} Committee, Jacqui and Kimberly. Your Democratic staff and our Republican staff work so very closely together, with us and for us, to do what I think was good in public policy, and I respect -- many other committees may well have that opportunity and value and so forth, but this is the one I happen to be in the closest -- the closest to. You know, as I reflect back now -- and I'm not all mushy and sad about leaving here, 'cause I literally am just going downstairs and I'm going to have to -- you know, I'm going to come before you anyway with some legislation, so I want to make sure that -- that I say all kinds of nice stuff about each one of you individually, so... But I -- as I reflect back, and -- and Lou Viverito, I -- he was here a little bit ago - there, he's still here. You know, one of the -- one of the quirky things about legislation is the life that it takes or it doesn't take. So I read in my local newspaper that in -- I think, Billy, there was one in Minonk, I think one in Colfax and one other place, that the -- the county public health inspector was closing down the potluck. Now think about this. So -- Heather, you don't live in a little bitty town. But you got these little bitty towns. You got a church and on a Sunday, they're bringing in the meatballs. They're going to have a little bowl of spaghetti and then they got -- a tuna noodle casserole. And they're going to have the radio going and they're going to have social time for

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seniors or, you know, folks don't have anything -- the taverns are closed on Sunday. And they were going to close down the potluck. And I said, "What in the world are you doing?" And I got ahold of the county public health inspector. He says, "Well, they're, you know, they -- they -- they -- it's not inspected." I said, "No, it's a potluck." So, man, we went through all kinds of stuff and finally we got the Illinois Department of Public Health engaged in this thing and they came on board and -- and we had this bill - I can't believe we had to go through, Lou, what we went through. And -- and I say this with reverence and respect to my friend, Lou, because he has a local public health inspector that had a little bit of difference of opinion about the meatballs and the tuna noodle casserole. So we got that doggone bill passed, but here's the cool thing about it. It goes to the Senate Public Health Committee. Now, first of all, I'm a little shy about walking into the Illinois Senate bringing a bill that's going to say it's okay to have a potluck if you don't charge money. I'm thinking, this just is not what government needs to be going through, but government needed to go through it. So I walk in. The City of Chicago walks in to testify. And I thought, man, have I just stuck a stick in this -- in the beehive. So the City of Chicago comes in and testifies and we started to work through it all. "Well, this doesn't mean the large festivals that you're going to sell tickets to?" I said, "No, it doesn't mean that. We'll amend it." Go through all those kind of things. And then we had the Forest Preserve of Cook County weighing in on this stuff. I'm thinking this is meatballs at the post-funeral lunch at the church that they are now not

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...serving because they're afraid the public health inspector is going to close 'em down. So we went through the whole thing. We finally got this thing done and it -- and it got all passed out of there and the Chairman of Illinois Public Health -- Public Health Committee said, "Well, Senator Rutherford, I think that's a great bill. I want to help you with that. I'll help you shepherd it through the Senate." I said, "Well, thank you very much, Senator Obama." So the President of the United States and I have now got the -- the joint effort to have brought the safety and sanctity of potlucks here in the State of Illinois. Regardless of those folks up north there, Lou, we got that thing done. So it's now a law. And there's another night and another detail about why it finally took -- Leader of the Senate, Frank Watson, to have to work with some others to get it on that last roll call time if you remember that thing. But we got that thing taken care of. And -- and as I look back at my days in the House and my friends, Dale, and the others I served with, you know, I think about how -- you know, the intensity of legislation, and all of us remember our first time in -- in -- to bring a bill forward. Well, my first one was over there and this was a time when maybe the collegiality wasn't quite like we all wanted to. It's like, "Well, let's sit on their bill. We won't let them have any bills out of Rules Committee." You know, one of those nasty times, they're going to really -- they're going to really make a statement by not letting you pass a bill, which is crazy. Well, it got to be the end of my first year of my freshman Member time in the Illinois House and I was like, "I've got to have a bill." "I got to have a bill." So our staff was gracious enough to go find me a bill. So I became

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the lead sponsor of a bill with co- -- hyphenated sponsors of Monique Davis and Clem Balanoff. Now, any of you know Monique Davis and Clem Balanoff, Dan Rutherford probably was one of the most unique hyphenated as they've ever seen go on a piece of legislation with those two. Well, it was -- dealt with something extremely important, like what you had to print on the back of a lottery ticket. We got that thing passed. It came over here to the Senate and the sponsor for me in the Illinois Senate, for my only first, autographed by everybody in the Illinois House, hanging in my office today, was Frank Watson. Never got it out of Rules Committee in the Senate. So I got this autographed roll call that never got out of the Senate with Clem Balanoff and Monique Davis as my sponsors on that thing. But one of -- then -- then you get into the real sum and substance to us - and Ira Silverstein and I spoke a little bit ago; he had to leave and I know that and -- and he -- he gave me good wishes - but the importance of what we deal with in this institution and in particular with regards to the frail and those with challenges and the elderly. For three years, while in the Illinois House - for three years - we worked on a process to change from the inspection of care to the Minimum Data Set. Now anybody in the balconies or around that are listening and getting the big old yawn, that is essentially the mechanism that we fund the reimbursement rate for long-term care. We moved away from a geographic location to the physical need of the resident. Finally we got it -- got it over here in the Senate and I had joined this institution and been very, very involved with that. And I -- I do reach out to my friends in the long-term care industry and business and to my friend, Ira

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Silverstein, and others that have worked closely on it. We have not fulfilled and succeeded in that area yet. And I've made it clear that as the Treasurer of the State of Illinois that is going to be working with each of you men and women in this fine Body to help try to bring that thing to a full funding level. It is essential. We talked a bit about the collegiality here. There's tough times. Wear it on your sleeve, go home angry, but then, again, there is the collegiality to it. And, John, I was listening to you referring to our friend, Rich Myers, earlier. He was my seatmate when we served together in the Illinois House and I know he was very active in the Farm Bureau. And one of the things that I appreciate so much, what our Illinois Farm Bureau has done, is the Adopt a Legislator Program. And because of that, my friend, Tony Muñoz, has been very involved. He's got to -- he's got to feed a calf out of a bottle and ride a tractor in Livingston County. And my good friend, David Miller, who is a Adopt a Legislator in the Mclean County area and you -- you -- you do things like that. So I commend that association number one, but I commend that whole sense of touching my life, seeing my district type of collegiality is -- is so important, as we -- as we look to do the things here to try to help people. I also wanted -- I also want to compliment that -- the piece of the history book that Senator Radogno has brought to the august Body of the Illinois General Assembly, and particularly the Senate. When Senator Radogno ran for Leader of the Senate Republicans - and -- and I have good friends that were involved in that race - but when Senator Radogno became the Leader of the Republican Caucus to become the first female ever to lead any of the Chambers' caucuses, I felt a real pride in what this Body

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did and particularly, and I say this with respect, to what my Republican colleagues did. So beyond the -- the accolades you deserve to receive, Senator Radogno, on -- on breaking that glass ceiling, the thing that I will miss most is the fact that I'm just down the hall from you and we won't be able to perhaps look down and see where you're at, at that time, but assuredly the second floor is just a -- a poke with a broomstick to get your attention up there. But I want to thank you for your leadership and what you've done and what you've accomplished. It's been -- it's been outstanding. We refer to our friend Rich Myers. And some of you that are relatively new here may not know it; the reason that I am able to be here is because the Lord had a different design for another Senator. That was my good friend, John Maitland. And when John had a very debilitating stroke -- and keep in mind this man was a Marine, jogged all the time, drank good Scotch. I mean, he was -- he had it all right and the Lord had a different design for him. And today, John is -- is my constituent. I am his Senator. So we don't know what the Lord will have in store for us and whether it's serving as the Treasurer downstairs; a colleague of ours, we get the phone call he passed last night; or you get the really terrifying, devastating call that your friend, your great friend, John Maitland, had a debilitating stroke. So as each of us have the moment in time that the people have blessed us to serve, that the Lord has allowed us this opportunity, let's take advantage of it. And I know me leaving this institution, this board of directors of this wonderful State of Illinois, I leave a policy-making board. I understand the difference and I am going to miss that. When I go to the Executive Branch of



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government, I understand I'm an administrator, and it is different than what I do today and you will do tomorrow. And to that part, I am very, very sad, but the -- the advantage is this is not a goodbye. It's just I'll see you on the second floor. I want to thank you each individually for what you've contributed to my life, what you've allowed me to do to help what I think is important for Illinois and what I know you're going to continue to do to help that same mission be fulfilled. I want you to know how much I do appreciate you and look forward to working with you, and just to say God bless you for the opportunity to serve in the Illinois State Senate.

PRESIDING OFFICER: (SENATOR HARMON)

Ladies and Gentlemen of the Senate, I regret to inform you we still have a little bit of lingering business to attend to here. ...Steans, do you wish to proceed with your resolution? Ladies and Gentlemen of the Senate, on page 5 of your printed Calendar, on the Order of Secretary's Desk, Resolutions, is Senate Resolution 1047. Senator Steans. Madam Secretary, please read the resolution.

SECRETARY ROCK:

Senate Resolution 1047, offered by Senator Steans.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Steans, to briefly explain your resolution.

SENATOR STEANS:

Yeah. This resolution just proclaims November Lung Cancer Month {sic} (Awareness Month).

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Seeing none, the question is, shall Senate Resolution 1047 pass. All those in favor will vote

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Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Turning to the Order of House Bills 1st Reading. Madam Secretary.

SECRETARY ROCK:

House Bill 1410, offered by Senator Harmon.

(Secretary reads title of bill)

House Bill 1512, offered by Senator Demuzio.

(Secretary reads title of bill)

House Bill 1525, offered by Senator Link.

(Secretary reads title of bill)

House Bill 1565, offered by Senator Bomke.

(Secretary reads title of bill)

House Bill 1721, offered by Senator Haine.

(Secretary reads title of bill)

House Bill 1935, offered by Senator Frerichs.

(Secretary reads title of bill)

House Bill 6881, offered by Senator Raoul.

(Secretary reads title of bill)

House Bill 6908.

(Secretary reads title of bill)

Offered by Senator Cullerton.

1st Reading of these House bills.

PRESIDING OFFICER: (SENATOR HARMON)

Madam Secretary, Resolutions Consent Calendar. We will now proceed to the Order of Resolutions Consent Calendar. With leave of the Body, all those resolutions read in today will be added to the Consent Calendar. Madam Secretary, have there been any objections filed to any resolution on the Consent Calendar?

SECRETARY ROCK:

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No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? If not, the question is, shall the resolutions on the Consent Calendar be adopted. All those in favor, say Aye. Opposed, Nay. The Ayes have it. The motion carries, and the resolutions are adopted. On the Order of Resolutions is House Joint Resolution 128. Madam Secretary, please read the resolution. I apologize, Madam Secretary. I misspoke. It's House... Madam Secretary, Messages from the House.

SECRETARY ROCK:

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

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

House Joint Resolution 129.

Offered by Senator Lightford.

(Secretary reads HJR No. 129)

It was adopted by the House, December 1st, 2010. Mark Mahoney, Clerk of the House.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Lightford moves to suspend the rules for the purpose of the immediate consideration and adoption of House Joint Resolution 129. Those in favor will say Aye. Opposed, Nay. The Ayes have it, and the rules are suspended. Senator Lightford moves for the adoption of House Joint Resolution 129. All in favor will say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. There being no further business to

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come before the Senate, the Senate stands adjourned until the hour of noon on the 4th day of January, 2011. The Senate stands adjourned.