



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-SEVENTH GENERAL ASSEMBLY

8TH LEGISLATIVE DAY

WEDNESDAY, FEBRUARY 16, 2011

11:10 O'CLOCK A.M.

SENATE
Daily Journal Index
8th Legislative Day

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The Senate met pursuant to adjournment.
Senator Kimberly A. Lightford, Maywood, Illinois, presiding.
Prayer by Senator Koehler.
Senator Jacobs led the Senate in the Pledge of Allegiance.

Senator Crotty moved that reading and approval of the Journal of Tuesday, February 15, 2011, be postponed, pending arrival of the printed Journal.
The motion prevailed.

REPORT RECEIVED

The Secretary placed before the Senate the following report:

Illinois Health Facilities and Services Review Board 2010 Report of Ex parte Communications, submitted by the Illinois Health Facilities and Services Review Board.

The foregoing report was ordered received and placed on file in the Secretary's Office.

LEGISLATIVE MEASURE FILED

The following Floor amendment to the Senate Bill listed below has been filed with the Secretary and referred to the Committee on Assignments:

Senate Floor Amendment No. 1 to Senate Bill 153

PRESENTATION OF RESOLUTION

Senator Koehler offered the following Senate Resolution, which was referred to the Committee on Assignments:

SENATE RESOLUTION NO. 58

WHEREAS, Parkinson's disease is a progressive neurological movement disorder of the central nervous system, which has a unique impact on each patient; and

WHEREAS, According to the Parkinson's Action Network, the Parkinson's Disease Foundation, the National Parkinson Foundation, the American Parkinson Disease Association, and the National Institutes of Health, there are over one million Americans living with Parkinson's disease; and

WHEREAS, The symptoms of Parkinson's include slowness, tremors, difficulty with balance and speaking, rigidity, and cognitive and memory problems; and

WHEREAS, Although new medicines and therapies may enhance life for some time for people with Parkinson's, more work is needed for a cure; and

WHEREAS, Increased education and research are needed to help find more effective treatments with fewer side effects, and ultimately, a cure for Parkinson's disease; and

WHEREAS, A multidisciplinary approach to Parkinson's disease care includes local Wellness, Support, and Caregiver Groups; and

WHEREAS, Millions of people around the world will recognize April as Parkinson's Awareness Month, recognizing the need for more research and help in dealing with the devastating effects of Parkinson's disease; therefore, be it

[February 16, 2011]

RESOLVED, BY THE SENATE OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that April is proclaimed as Parkinson's Disease Awareness Month in the State of Illinois; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the Central Illinois Parkinson Support Group with our sincere appreciation for their efforts.

REPORT FROM STANDING COMMITTEE

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred **Appointment Messages Numbered 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 and 22 and the Governor's Message filed during the 96th General Assembly dated April 6, 2009**, reported the same back with the recommendation that the Senate do advise and consent.

Under the rules, the foregoing appointment messages are eligible for consideration by the Senate.

MOTION IN WRITING

Senator Muñoz submitted the following Motion in Writing:

Pursuant to Senate Rule 10-1(c), as the Chairman of the Executive Appointments Committee, I move to compile the following Appointment Messages to be acted on together by a single vote of the Senate:

AM's 3, 4, and 5 (University of Illinois Board of Trustees)

and

AM's 15, 16, 17, 18, 19, 20, 21, and 22 (Health Information Exchange Authority)

Date: 16 February, 2011

s/Antonio Muñoz

Assistant Majority Leader Antonio Muñoz
Chair, Executive Appointments Committee

The foregoing Motion in Writing was filed with the Secretary and ordered placed on the Senate Calendar.

MESSAGE FROM THE HOUSE

A message from the House by

Mr. Mahoney, Clerk:

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

HOUSE JOINT RESOLUTION NO. 10

BE IT RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the two Houses shall convene in Joint Session on Wednesday, February 16, 2011 at the hour of 12:00 o'clock noon for the purpose of hearing his Excellency Governor Pat Quinn present to the General Assembly his Budget Message for the Fiscal Year 2012, as required by Chapter 15, Section 20/50-5 of the Illinois Compiled Statutes.

Adopted by the House, February 15, 2011.

MARK MAHONEY, Clerk of the House

[February 16, 2011]

By unanimous consent, on motion of Senator Harmon, the foregoing message reporting House Joint Resolution No. 10 was taken up for immediate consideration.

Senator Harmon moved that the Senate concur with the House in the adoption of the resolution.

The motion prevailed.

And the Senate concurred with the House in the adoption of the resolution.

Ordered that the Secretary inform the House of Representatives thereof.

READING BILLS OF THE SENATE A SECOND TIME

On motion of Senator Kotowski, **Senate Bill No. 107** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on State Government and Veterans Affairs, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 107

AMENDMENT NO. 1. Amend Senate Bill 107 as follows:

on page 1, line 11, by replacing "3%" with "2%"; and

on page 1, line 15, by replacing "3%" with "2%".

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Frerichs, **Senate Bill No. 154**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Jacobs, **Senate Bill No. 165**, having been printed, was taken up, read by title a second time and ordered to a third reading.

ANNOUNCEMENT ON ATTENDANCE

Senator Murphy announced for the record that Senator Althoff was absent.

COMMITTEE OF ESCORT

The Chair appointed the following members to the committee of escort to wait upon the Governor: Senators Collins, Maloney, Steans, McCann and Schmidt.

At the hour of 11:33 o'clock a.m., the Chair announced the Senate stand at recess for the purpose of proceeding to the House of Representatives to meet in a joint session pursuant to House Joint Resolution No. 10.

JOINT SESSION 12:00 O'CLOCK P.M.

The hour having arrived, the time heretofore fixed by Joint Resolution adopted by the Senate and the House of Representatives, the Joint Session convened for the purpose of receiving the Governor to deliver his Budget Message for Fiscal Year 2012 in person to the Ninety-Seventh General Assembly. The Senate, preceded by the Honorable President Cullerton and Members of the Senate, appeared in the Hall of the House of Representatives and, by direction of the Speaker, took the seats assigned to them.

The two Houses being convened in Joint Session, President Cullerton of the Senate announced that a quorum of the Senate was present.

Speaker Madigan, of the House of Representatives, announced that a quorum of the House was present.

[February 16, 2011]

A majority of each House of the General Assembly being present, the Speaker of the House announced the Joint Session duly formed.

Representative Currie offered the following resolution and moved its adoption.

JOINT SESSION RESOLUTION NO. 1

RESOLVED, That a committee of ten be appointed, five from the House, by the Speaker of the House, and five from the Senate, by the President of the Senate, to wait upon his Excellency Governor Pat Quinn and invite him to address the Joint Assembly.

Representative Lisa Dugan
 Representative Greg Harris
 Representative Dwight Kay
 Representative Donald Moffitt
 Representative André Thapedi
 Senator Jacqueline Collins
 Senator Edward Maloney
 Senator Wm. Sam McCann
 Senator Suzi Schmidt
 Senator Heather Steans

The motion prevailed, and the resolution was adopted.

His Excellency Governor Patrick Quinn was admitted into the Hall of the House of Representatives and was presented to the General Assembly to deliver his message in person as follows:

**Fiscal Year 2012 Budget Address
 Governor Patrick J. Quinn**

Welcome

Welcome honored members of the Illinois General Assembly, Senate President Cullerton, Speaker Madigan, Leader Radogno, Leader Cross, Lt. Governor Simon, Attorney General Madigan, Comptroller Topinka, Treasurer Rutherford, and guests - thank you for your presence here today.

At the outset, we must never forget the honorable men and women that wear the uniform of our country.

This year, as we remember the 10th anniversary of September 11, 2001, we owe a profound debt to those who volunteer for our military and protect our democracy.

In particular, we send a special salute the 440 Illinois national guardsmen who are in the Sinai Desert of Egypt as we speak.

In the same vein, we should not forget that just 2 weeks ago we had a severe weather crisis in Illinois.

We had to deploy the workers of our state government to protect the lives of 13 million people.

Many state departments including IEMA, IDOT, ISP, Illinois National Guard, IDNR, Illinois State Toll Highway Authority, Illinois State Fire Marshal, worked as a team to plow 16,800 of miles of roads, working around the clock, in whiteout conditions, to keep our people safe.

We should give a round of applause to those heroic state workers that got the job done.

This is your state government at its best.

Stability/Financial House in Order – A Call to Action

When I spoke to you a year ago, we stood on the brink of economic disaster.

[February 16, 2011]

We had just come through the worst financial crisis since the Great Depression, thousands of Illinois families were still suffering the effects of unemployment, and, after three decades of fiscal mismanagement, our state's financial house was on fire.

In the past year Illinois has begun an impressive recovery.

And we have taken important steps to rescue our state's finances.

We must have financial stability in Illinois.

Our Plan for Stability

Budget stability is crucial for the success of businesses, families and the state of Illinois. It is a critical factor in attracting business investment and creating jobs.

It is how we will lead Illinois citizens to economic prosperity and maintain our role as a global economic powerhouse.

We have taken the first steps to stabilize our budget – with a comprehensive plan to restrain spending and reform state government.

Restraint

The first part of this plan is budget restraint – finding new ways to reduce unnecessary state spending.

Since taking office, I have reduced our spending every year.

No area is above review.

Last year, we enacted a landmark pension reform law – the most far-reaching public pension reform in our nation's history.

Over the next generation, we will save the people of Illinois \$220 billion.

Just last month, I signed into law historic caps on state spending.

Our commitment to taxpayers is simple: we will only use tax dollars to provide necessary state services.

All unnecessary state spending will be eliminated.

Reform

We are looking at programs in a new way - saving taxpayer dollars while improving the services we deliver.

For example: last month, we passed comprehensive Medicaid reform, which will save us millions of dollars.

But it will also improve health outcomes for Medicaid patients - decreasing ineffective reliance on emergency rooms by providing patients with a medical home, and focusing on preventive care to keep people from getting sick in the first place.

We need to keep investing in essential, necessary services while cutting programs that don't work.

This means continued support for cost-effective programs that do work, such as: homecare for those with disabilities, childcare for working families, and community care for our seniors.

This new approach is called 'budgeting for results'.

[February 16, 2011]

The spending reductions and program reforms I am talking about today are the result of our budgeting for results process. And I want to thank Senator Dan Kotowski for his leadership on this issue.

FY2012 Spending Reductions

While we have taken strong action to stabilize our budget, we are still in a tough fiscal situation. As a result, the spending reductions I am presenting today are tough, as well.

The difficult choices we make today will ensure that we are able to provide essential services to families and businesses across the state.

This year we have looked for savings in a number of areas – here are a few examples of a long list of cuts:

We are reducing the Medicaid reimbursement rate for hospitals, nursing homes, saving taxpayers \$550 million dollars this year alone.

Illinois currently has 868 school districts, and our fiscal reality demands consolidation.

I am proposing the formation of a commission that will review the number of school districts in our state.

Consolidation lowers administrative overhead, improves efficiency and will save taxpayers \$100 million.

I am also proposing eliminating state funding for the salaries and office costs for regional school superintendents.

The \$13 million annual savings will be spent in the classroom, rather than on administration.

And I have heard an excellent suggestion from Rep. Anthony Delucca for a special commission to examine additional cuts to unnecessary government spending, a suggestion I look forward to working with you on.

Revenue/Debt Restructuring

This year, we began facing up to our obligations. We enacted a new revenue law to help eliminate our long-standing structural deficit.

But that is only half the solution. We have \$8.7 billion in overdue bills.

We need to restructure our debt, a plan that will allow us to pay our outstanding bills to vendors and return to a prompt payment cycle.

Currently, Illinois pays its bills six to eight months behind schedule. We force our universities, our service agencies and our companies doing business with the state to bear the burden of slow pay.

For example, Illinois' backlog of payments to the state's transit systems is now more than \$280 million.

Millions of people living and working in Illinois rely on our mass transit systems, including 2 million trips per day in Northeastern Illinois alone.

Delayed payments to the Regional Transportation Authority for CTA, for Metra, and for PACE harms the ability of our people to get to work.

In addition, the state has been forced to pay more for procurement contracts, simply because we do not pay on time.

[February 16, 2011]

Vendors are not bidding competitively – our bids are 6 to 10 percent higher than they should be – because those contracting with the state expect long delays in payment.

This is not insignificant; we pay 700 million to a billion dollars extra per year as a result.

Even with our new revenues, if we do not restructure our debt it will take decades for us to return to the prompt payment cycle of a fiscally responsible government.

Legislation currently pending in the General Assembly would allow us to pay off our bills **today** – though a debt restructuring plan.

This is not ‘new’ borrowing. Billions of dollars of existing bills will not go away by magic.

With debt restructuring legislation, we have the opportunity to jumpstart our economy by paying our vendors today – an immediate injection of billions into our economy.

We will also see lower interest costs to the state and vendors willing to bid competitively.

If you don’t agree with our debt restructuring plan, tell us which programs you would eliminate to pay \$8.7 billion in overdue bills today.

Put it out there for all to see. Saying no is not enough unless you are willing to offer real alternatives.

Economic Growth and Jobs

Rebuilding our fiscal house and paying our bills will have a positive effect on our economy and jobs across Illinois.

Job Statistics

In 2010, Illinois added more jobs than any other state in the Midwest – and we were fourth in the nation in job growth.

Don’t forget Illinois is the 18th largest economy in the world with a state domestic product of 2/3 of a trillion dollars.

We’ve had nine straight months of declining unemployment.

In fact, the unemployment rate fell in every county of Illinois for the first time since 1974.

Incentives for Business

One of best ways to create jobs is to help the private sector grow and develop.

Thanks to the public/private investments we have made, companies like Ford, Fiat/Chrysler, Navistar, Mitsubishi, Boeing and dozens of others have chosen to relocate and grow their operations in Illinois.

Our EDGE tax credits helped Ford add 1200 jobs at its Torrance Ave plant in Chicago. And we saved 1,950 jobs at Chrysler in Belvidere.

Ten days ago, Mitsubishi announced– thanks to our investment – that they will be saving 1,200 jobs at the company’s Normal facility.

We are also investing in green technologies and manufacturing that are driving the jobs of today and tomorrow.

Last year, we helped develop the Rockford Solar Project, the largest solar power generator in the Midwest and one of the largest in the United States.

[February 16, 2011]

We're also working with manufacturing companies, like A. Lucas and Sons in Peoria and Brad Foote Gear Works in Cicero, helping them retool their operations and produce parts for wind turbines, an expanding Illinois industry.

We are helping Ingersoll Machine Tools shift their manufacturing business from aviation to wind, creating 87 jobs and saving another 69.

Modern Tech/Technology Boom

Because of our efforts Illinois is a national leader in technology businesses.

Last year, I signed legislation to encourage more broadband and wireless investment across Illinois.

These investments are creating a tech boom across our state. Companies like Threadless, Peapod, Careerbuilder, Grubhub, and Orbitz are using these investments to grow and become the next generation of household names.

In addition, our efforts to bring cutting-edge companies and jobs to Illinois are bearing fruit.

Last year, we invested in a company called Groupon.

Forbes magazine has called them “the fastest growing company- EVER.” Groupon started with six employees in 2008 and now employs 1500 people in Illinois – in just three years.

And, thanks to our partnership, they’re going to keep growing right here in Illinois.

Innovation

For more than 150 years, our state has been a world leader in entrepreneurship, technology and innovation.

Illinois built the first silo, changing the way farmers store their crops.

We built the first skyscraper – Chicago’s Home Insurance Building– allowing our cities to climb into the sky.

We created the first commercial cell phone, we invented LED energy-efficient lighting, and we are home to the world’s fastest super computer.

But as any entrepreneur will tell you, a great idea is not enough.

Entrepreneurs need access to capital to carry out their vision.

We must support a vibrant entrepreneurial culture that capitalizes on Illinois’ strengths: our strong work ethic, our history of innovation, and our world-class universities and research institutions – including Argonne and Fermi Lab.

Today, I am announcing the formation of the Illinois Innovation Council.

Convening the best minds in business, academia, and research and development, this group will identify strategies our state should pursue to foster innovation and economic growth.

The Council will be led by Brad Keywell, a business leader with a record of spotting good ideas and attracting the investment to make them work.

He is a co-founder of Groupon, and will bring innovative business sense.

By harnessing our resources and coordinating our efforts, by putting scientists and inventors in touch with businesses and investors, we will create the jobs of today and tomorrow right here in Illinois.

[February 16, 2011]

Foreign Investment

Illinois is a major player on the global stage.

Our current exports support more than a half a million Illinois jobs.

In 2010, our state's exports went up by nearly 20% to just under 50 billion dollars.

We are 6th in the nation in exports, and first in the Midwest.

As Governor, I pledge double our exports over the next five years.

To meet this goal, we will be reorganizing our foreign trade offices –working with representatives from international markets to develop new trading relationships and enhance the ones already in place.

For example: we recently hosted the president of China and his delegation of trade officials. These meetings resulted in \$1.8 billion in agreements that will sell 25 percent of Illinois' soybean crop to China.

In 2010, exports from Illinois to China increased by nearly 30 percent.

And more than 30 Chinese companies have already invested in Illinois, employing thousands of Illinois workers.

Engaging Business

Creating a good environment for business, economic growth and jobs requires connecting with the private sector.

My administration continues to meet and engage with leaders of large and small businesses throughout the state.

I will be hosting a Business Roundtable this Friday, February 18th. I will sit down with business leaders to hear their thoughts.

One thing we've already heard is the need for workers' compensation reform.

We are taking the lead on that issue.

We need to build a system that understands the needs of business while protecting the rights and safety of workers.

Employer Training Investment Program

In tackling the challenges of competing in a global marketplace, we should never lose sight of the fact that our greatest asset is our human capital.

Illinois' workers are smart, resourceful, and hardworking.

But we can't become complacent.

We must invest in our state's workforce to meet the changing needs of business, so that Illinois workers always have the education, training and skills necessary to compete with anyone around the world.

That's why I am proposing to increase support for the Employer Training Investment Program.

We are also continuing to invest in the infrastructure that has made Illinois the inland port of America.

[February 16, 2011]

Public Works

Shortly after I became Governor, we enacted our job recovery initiative - *Illinois Jobs Now!* – a \$31 billion job recovery program to rebuild our roads, bridges, water systems, railroads, airports, and schools.

We are in the middle of the largest road-building program in the history of the State of Illinois. So far, we have repaired 4,800 miles of roads and 500 bridges - with a lot more to come.

We are creating jobs. Capital projects to date have created 142,000 short-term and permanent jobs.

Altogether we will create and retain more than 400,000 jobs over the course of the program.

We are also leading the nation in building a robust and efficient high-speed rail network. Demand for passenger rail is at an all-time high in Illinois, reaching a record 2 million riders on Amtrak last year.

The promise of high-speed rail has already brought new manufacturers to Illinois and new private investment to our communities. And we are working to get more federal funding for high-speed rail.

And today, I am reaffirming my commitment to build a third airport at Peotone in Chicago's south suburbs as fast as humanly possible.

We must expand our investment in a third airport to help companies move products and people in and out of our state.

Airport investment, rail investment, and road investment will pay substantial dividends today and over the next generation. We are the only state in the nation that is making this kind of investment in jobs and transportation infrastructure.

Education

We must also keep improving our education infrastructure – the system that develops the minds of our children and prepares them for a productive life.

We don't want any state to out-educate Illinois.

Just over a year ago, I appointed the members of the first P-20 Council in Illinois including business leaders, teachers and parents from across the state.

We must ensure that everyone acquires the skills demanded by the 21st century workplace.

In today's world, that means that our high school students must be prepared for post-secondary education.

Children born this year will be in high school in 2025. We must begin at birth to provide the foundation that is needed to prepare our children for high school and success in college and careers.

We also need to revamp our higher education system to increase access for all students.

Therefore, we will increase funding for the monetary assistance program, which provides scholarships for qualified needy students, with a particular focus on community college students.

We should abolish the legislative scholarship program.

College scholarships -paid for by Illinois taxpayers - should only go to those that have true financial need for them.

Tax Relief and Reform

[February 16, 2011]

We must be a state that has a dynamic, growing economy. We must provide a first-class education for our people and training that helps our workers succeed at all levels.
But we must also be a state with a tax system that is fair and responsible.

For too long Illinois has had a tax code that is not fair. It is regressive and is not based on ability to pay.

We can do better.

For this reason, I will appoint an Illinois Revenue Reform Commission—and charge the members with recommending a plan to write a 21st century tax code for Illinois that focuses on fairness and promotes economic growth.

My vision for Illinois is a state that looks to the future by making reforms and sacrifices in the present.

In my Illinois – our children go to safe, top-notch schools that prepare them for the rigors of the global economy. The parents of Illinois earn a decent wage, and their employers give them the opportunity to have a good, middle-class standard of living.

Our homes are energy-efficient, technology-connected and are easy to maintain thanks to Illinois innovations.

Everybody in, nobody left out when it comes to building a better Illinois.

Working together, in good faith, we can overcome any challenge, and make the will of the people the law of the land.

Thank you.

At the hour of 12:36 o'clock p.m., President Cullerton moved that the Joint Assembly do now arise.

The motion prevailed.

AFTER RECESS

At the hour of 1:43 o'clock p.m., the Senate returned to the Senate Chambers and resumed consideration of business.

Senator Crotty, presiding.

MESSAGES FROM THE PRESIDENT

OFFICE OF THE SENATE PRESIDENT STATE OF ILLINOIS

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706
217-782-2728

February 16, 2011

Ms. Jillayne Rock
Secretary of the Senate
Room 401 State House
Springfield, IL 62706

Dear Madam Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator Terry Link to temporarily replace Senator Rickey Hendon as a member of the Senate Executive Committee. This appointment will automatically expire upon adjournment of the Senate Executive Committee.

[February 16, 2011]

Sincerely,
s/John J. Cullerton
John J. Cullerton
Senate President

cc: Senate Minority Leader Christine Radogno

**OFFICE OF THE SENATE PRESIDENT
STATE OF ILLINOIS**

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706
217-782-2728

February 16, 2011

Ms. Jillayne Rock
Secretary of the Senate
Room 401 State House
Springfield, IL 62706

Dear Madam Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator William Haine to temporarily replace Senator Ira Silverstein as a member of the Senate Executive Committee. This appointment will automatically expire upon adjournment of the Senate Executive Committee.

Sincerely,
s/John J. Cullerton
John J. Cullerton
Senate President

cc: Senate Minority Leader Christine Radogno

**OFFICE OF THE SENATE PRESIDENT
STATE OF ILLINOIS**

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706
217-782-2728

February 16, 2011

Ms. Jillayne Rock
Secretary of the Senate
Room 401 State House
Springfield, IL 62706

Dear Madam Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator A.J. Wilhelmi to temporarily replace Senator Steven Landek as a member of the Senate Local Government Committee. This appointment will automatically expire upon adjournment of the Senate Local Government Committee.

Sincerely,
s/John J. Cullerton
John J. Cullerton
Senate President

[February 16, 2011]

cc: Senate Minority Leader Christine Radogno

Senator Trotter asked and obtained unanimous consent to recess for the purpose of a Democrat caucus.

At the hour of 1:44 o'clock p.m., the Chair announced that the Senate stand at recess subject to the call of the Chair.

AFTER RECESS

At the hour of 5:09 o'clock p.m., the Senate resumed consideration of business.
Senator Crotty, presiding.

COMMITTEE REPORT CORRECTION

The following Appointment Messages were reported recommended advise and consent from the Senate Executive Appointment Committee, Appointment Messages 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22.

This Committee Report replaces the Committee Report previously read on February 16, 2011.

REPORTS FROM STANDING COMMITTEES

Senator Koehler, Chairperson of the Committee on Local Government, to which was referred **Senate Bills Numbered 41 and 42**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Forby, Chairperson of the Committee on Labor, to which was referred **Senate Bill No. 115**, reported the same back with the recommendation that the bill do pass.

Under the rules, the bill was ordered to a second reading.

Senator Meeks, Chairperson of the Committee on Education, to which was referred **Senate Bill No. 1226**, reported the same back with the recommendation that the bill do pass.

Under the rules, the bill was ordered to a second reading.

Senator Steans, Chairperson of the Committee on Appropriations I, to which was referred **Senate Bill No. 24**, reported the same back with the recommendation that the bill do pass.

Under the rules, the bill was ordered to a second reading.

Senator Harmon, Chairperson of the Committee on Executive, to which was referred **Senate Joint Resolution Constitutional Amendment No. 13**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Joint Resolution Constitutional Amendment No. 13** was placed on the Secretary's Desk on the order of first reading.

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 60

Offered by Senator Forby and all Senators:

[February 16, 2011]

Mourns the death of Jerry D. Vick of Johnston City.

SENATE RESOLUTION NO. 61

Offered by Senator Forby and all Senators:

Mourns the death of Geraldine M. "Gerry" Maleski of Herrin.

SENATE RESOLUTION NO. 62

Offered by Senator Link and all Senators:

Mourns the death of Sandra J. "Sandy" Connor of Springfield.

By unanimous consent, the foregoing resolutions were referred to the Resolutions Consent Calendar.

Senator McCann offered the following Senate Resolution, which was referred to the Committee on Assignments:

SENATE RESOLUTION NO. 59

WHEREAS, Recent media reports indicate that since 2008, nearly \$10 million in State taxpayer funds has been awarded in workers' compensation payments to more than 230 employees at the Menard Correctional Center who contended they were injured through repetitive trauma caused by operating manual cell locking mechanisms; and

WHEREAS, Recent media reports also indicate that approximately 25% of the arbitrators employed by the Illinois Workers' Compensation Commission ("Commission") have received workers' compensation awards, including nearly \$50,000 to the arbitrator who approved many of the workers' compensation settlements to the guards at the Menard Correctional Center; and

WHEREAS, According to the Illinois Workers' Compensation Commission, many of these payments were "uncontested settlements" and information regarding the payments or process of awarding the payments is not included in a database maintained by the Commission, therefore, the public did not have access to these awards; and

WHEREAS, The Department of Central Management Services, Risk Management Division has statutory responsibility to administer the Workers' Compensation Program for State of Illinois agencies; and

WHEREAS, The Office of the Illinois Attorney General is responsible for the defense of claims arising from work-related injuries or diseases affecting State agency employees; and

WHEREAS, The Illinois Workers' Compensation Commission is required to approve settlement agreements for uncontested claims; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the Auditor General is directed pursuant to Section 3-2 of the Illinois State Auditing Act to conduct an audit of awards approved by the Illinois Workers' Compensation Commission for claims filed by employees of Menard Correctional Center and arbitrators employed by the Commission from 2008 to the present; and be it further

RESOLVED, That the audit include, but not be limited to, the following areas:

(1) A review of the processing of awards paid to employees of Menard Correctional Center and other correctional facilities, including procedures for determining compensability and proper negotiation and approval of settlements, and procedures followed to maintain records of such settlements;

(2) A review of the processing of awards for arbitrators of the Illinois Workers' Compensation Commission, including procedures for determining compensability and proper

[February 16, 2011]

negotiation and approval of settlements, and procedures followed to maintain records of such settlements;

(3) A review of "uncontested claims" procedures utilized by the Illinois Workers' Compensation Commission, including the roles of the Illinois Department of Central Management Services and the Illinois Attorney General, with respect to approval of awards paid to Menard Correctional Workers and Illinois Workers' Compensation Commission arbitrators;

(4) Whether procedures followed by the Commission, CMS, and the Attorney General's Office in processing workers' compensation claims of Menard Correctional Workers and Illinois Workers' Compensation Commission arbitrators comply with applicable State laws and administrative regulations;

(5) Whether appropriate safeguards are in place to mitigate against payment of taxpayer dollars for improper or fraudulent workers' compensation claims; and

(6) Whether procedures necessary to ensure public transparency and accountability were implemented with respect to the processing of the workers' compensation claims of Menard Correctional Workers and arbitrators employed by the Commission; and be it further

RESOLVED, That the Illinois Workers' Compensation Commission and any other State agency, entity, or person that may have information relevant to this audit cooperate fully and promptly with the process; and be it further

RESOLVED, That the Auditor General commence this audit as soon as possible and report his findings and recommendations upon completion in accordance with the provisions of Section 3-14 of the Illinois State Auditing Act.

READING CONSTITUTIONAL AMENDMENT A FIRST TIME

On motion of Senator Raoul, Senate Joint Resolution Constitutional Amendment No. 13 having been printed, was again taken, read in full a first time and ordered to a second reading.

At the hour of 5:25 o'clock p.m., the Chair announced the Senate stand adjourned until Thursday, February 17, 2011, at 10:30 o'clock a.m.