



# **SENATE JOURNAL**

**STATE OF ILLINOIS**

**NINETY-SEVENTH GENERAL ASSEMBLY**

**83RD LEGISLATIVE DAY**

**WEDNESDAY, FEBRUARY 22, 2012**

**11:25 O'CLOCK A.M.**

**SENATE**  
**Daily Journal Index**  
**83rd Legislative Day**

<b>Action</b>	<b>Page(s)</b>
Budget Address.....	15
Joint Session .....	15
Legislative Measure(s) Filed.....	3, 4, 26
Message from the House .....	7, 15
Message from the President .....	24
Presentation of Senate Joint Resolution No. 56.....	6
Presentation of Senate Resolution No. 621.....	5
Presentation of Senate Resolutions No'd. 616-620 .....	4
Report from Assignments Committee.....	24, 25
Report from Standing Committee(s).....	7
Report(s) Received .....	3

<b>Bill Number</b>	<b>Legislative Action</b>	<b>Page(s)</b>
SJR 0056	Committee on Assignments.....	6
SR 0620	Committee on Assignments .....	4
SR 0621	Committee on Assignments .....	5
HB 3948	First Reading.....	7

The Senate met pursuant to adjournment.  
 Senator M. Maggie Crotty, Oak Forest, Illinois, presiding.  
 Prayer by Pastor Michael Dye, Knox Knolls Free Methodist Church, Springfield, Illinois.  
 Senator Jacobs led the Senate in the Pledge of Allegiance.

The Journal of Tuesday, January 31, 2012, was being read when on motion of Senator Hunter, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

The Journal of Wednesday, February 1, 2012, was being read when on motion of Senator Hunter, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

The Journal of Tuesday, February 7, 2012, was being read when on motion of Senator Hunter, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

The Journal of Wednesday, February 8, 2012, was being read when on motion of Senator Hunter, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

The Journal of Thursday, February 9, 2012, was being read when on motion of Senator Hunter, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

The Journal of Friday, February 10, 2012, was being read when on motion of Senator Hunter, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

Senator Hunter moved that reading and approval of the Journal of Friday, February 17, 2012, be postponed, pending arrival of the printed Journal.

The motion prevailed.

### **REPORTS RECEIVED**

The Secretary placed before the Senate the following reports:

Report #11 Pursuant to the Taxpayer Accountability and Budget Stabilization Act, February 21, 2012, submitted by the Office of the Auditor General.

DCEO Affirmative Action Report, submitted by the Department of Commerce and Economic Opportunity.

The foregoing reports were ordered received and placed on file in the Secretary's Office.

### **LEGISLATIVE MEASURES 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. 2 to Senate Bill 2527

The following Committee amendments to the Senate Bills listed below have been filed with the Secretary and referred to the Committee on Assignments:

Senate Committee Amendment No. 1 to Senate Bill 2493

[February 22, 2012]

Senate Committee Amendment No. 1 to Senate Bill 2520  
Senate Committee Amendment No. 1 to Senate Bill 2522  
Senate Committee Amendment No. 1 to Senate Bill 2897  
Senate Committee Amendment No. 1 to Senate Bill 2962  
Senate Committee Amendment No. 1 to Senate Bill 3146  
Senate Committee Amendment No. 1 to Senate Bill 3214  
Senate Committee Amendment No. 1 to Senate Bill 3261  
Senate Committee Amendment No. 1 to Senate Bill 3315  
Senate Committee Amendment No. 1 to Senate Bill 3357  
Senate Committee Amendment No. 1 to Senate Bill 3358

The following Committee amendments to the House Bills listed below have been filed with the Secretary and referred to the Committee on Assignments:

Senate Committee Amendment No. 1 to House Bill 3129  
Senate Committee Amendment No. 1 to House Bill 3474

### **PRESENTATION OF RESOLUTIONS**

#### **SENATE RESOLUTION NO. 616**

Offered by Senator Radogno and all Senators:  
Mourns the death of Troy M. White of Springfield.

#### **SENATE RESOLUTION NO. 617**

Offered by Senator Link and all Senators:  
Mourns the death of Charles Knight of Lake Forest.

#### **SENATE RESOLUTION NO. 618**

Offered by Senator Link and all Senators:  
Mourns the death of Robert "Bobby" Ross of Waukegan.

#### **SENATE RESOLUTION NO. 619**

Offered by Senator Link and all Senators:  
Mourns the death of Lillian G. Jeep (nee Jacob).

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

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

#### **SENATE RESOLUTION NO. 620**

WHEREAS, The United States government launched the Visa Waiver Program (VWP) in 1986 to make it easier for tourists and business travelers from friendly nations to visit without a visa, as long as their homeland met stringent security and law-enforcement standards; and

WHEREAS, Poland is currently one of the few European nations to be excluded from the VWP, despite its nearly century-long diplomatic relationship with the United States; and

WHEREAS, The Polish government repealed its visa requirement for U.S. citizens traveling to Poland in 1991; and

WHEREAS, Poland has been one of the staunchest U.S. allies during the military campaigns in Iraq and Afghanistan, where 2,500 Polish soldiers are currently deployed; at least 24 Polish troops have been killed in action in Iraq and Afghanistan; and

[February 22, 2012]

WHEREAS, In his December 2010 meeting with Polish President Bronislaw Komorowski, President Barack Obama said he would make Poland's admission into the VWP a "priority", and pledged to complete that process expeditiously; and

WHEREAS, Expansion of the VWP would bring increased revenue to the travel industry, at a time when America's economy needs it the most; in 2008, the countries in the VWP generated more than 16 million visits to the U.S., accounting for 65% of all overseas arrivals that year; VWP travelers spent more than \$51 billion in the U.S., which generated an estimated 512,000 jobs, \$13 billion in payroll and \$7.8 billion in taxes for the U.S. economy; and

WHEREAS, The Secure Travel and Counterterrorism Partnership Program Act of 2011, currently under consideration in Congress, aims to update and modernize VWP requirements, ultimately making Poland and other U.S. allies eligible to participate in VWP; the Act would also enhance national security by encouraging information sharing between the United States and member countries; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge Congress to pass the Secure Travel and Counterterrorism Partnership Program Act of 2011 in an effort to improve our international diplomatic relationships, create jobs, stimulate the economy, and strengthen national security; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the Speaker and Minority Leader of the United States House of Representatives, the Majority and Minority Leaders of the United States Senate, and the members of the Illinois congressional delegation.

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

**SENATE RESOLUTION NO. 621**

WHEREAS, The Chicago Tribune investigative reports in the fall of 2009 identified severe problems in nursing homes that endangered residents; and

WHEREAS, The 96th General Assembly on May 7, 2010 passed Senate Bill 326 that included multiple provisions to improve safety in nursing homes; and

WHEREAS, A key provision in the legislation was a statutory increase in the staffing ratios for nursing homes; and

WHEREAS, Governor Quinn signed Senate Bill 326 into law as Public Act 96-1372 with an effective date of July 29, 2010; and

WHEREAS, The Office of the Attorney General has increased the enforcement of nursing home standards and the identification of criminals living in nursing homes; and

WHEREAS, The 96th General Assembly on January 11, 2010 passed Senate Bill 3088 which created a new nursing home bed tax to increase funding to nursing homes in order to support the higher staffing ratios required by Public Act 96-1372 and in order to fund the State's increased enforcement activities; and

WHEREAS, Governor Quinn signed Senate Bill 3088 as Public Act 96-1530 with an effective date of February 16, 2011; and

WHEREAS, Public Act 96-1530 did not contain any provisions directly linking the increased funding from the nursing home bed tax to higher standards or increased staffing; and

WHEREAS, It is in the best interests of the citizens of Illinois to ensure that the safety provisions in

[February 22, 2012]

Public Act 96-1372 are properly implemented and effective; and

WHEREAS, It is in the best interests of the citizens of Illinois to ensure that the funding from the nursing home bed tax is being used to improve nursing home safety; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the Auditor General is directed to conduct a performance audit of the Department of Public Health and the Department of Healthcare and Family Services to assess those Departments' efforts to implement the provisions under Public Act 96-1372 and Public Act 96-1530; and be it further

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

- (1) An analysis of problem nursing homes identified either in press reports by the Office of the Attorney General or by the Department of Public Health that have had safety issues, and the status of resident care before and after the provisions of Public Act 96-1372 and Public Act 96-1530 became effective; and
- (2) An analysis of the amount of the increased Medicaid rates funded by the bed tax established under Public Act 96-1530 that are being used for meeting the new staffing requirements under Public Act 96-1372; and
- (3) An assessment of whether the increased Medicaid funding has led to improvements in the problem nursing homes; and
- (4) An analysis of the Department of Healthcare and Family Services' administration and implementation of the new bed tax as it relates to items (1), (2), and (3) above; and
- (5) An analysis of the Department of Public Health's implementation of the provisions under Public Act 96-1372; and
- (6) A review of the amounts from the new bed tax used to fund State nursing home regulation enforcement activities and community based services; and be it further

RESOLVED, That the Office of the Governor, the Office of the Attorney General, the Department of Public Health, the Department of Healthcare and Family Services, and any other entity having information relevant to this audit shall cooperate fully and promptly with the Auditor General in the conduct of this audit; and be it further

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

RESOLVED, That copies of this resolution be delivered to the Auditor General, the Governor, the Attorney General, the Department of Public Health, and the Department of Healthcare and Family Services.

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

#### **SENATE JOINT RESOLUTION NO. 56**

WHEREAS, Municipalities continually struggle to maintain necessary funds for the compensation of full-time emergency responders; as such, municipalities turn to the aid of volunteers to supplement necessary services; and

WHEREAS, Volunteer emergency responders often go unappreciated for all of their long hours and incomprehensible skill sets; and

WHEREAS, Volunteer emergency responders endure hours of training in preparation of disasters and emergencies; and

[February 22, 2012]

WHEREAS, Emergency responders are required to become proficient in emergency medical training and numerous other skills; and

WHEREAS, These volunteer firefighters, emergency medical technicians (EMTs), divers, rescue squads, and response teams risk their lives daily to help the needs of their community; and

WHEREAS, These individuals respond to emergency calls at any moment, at any time of the day, often leaving their families and full-time jobs on a moment's notice; and

WHEREAS, Volunteer firefighters, EMTs, divers, rescue squads, and response teams risk their lives on emergency calls and are compensated by either small stipends or no pay at all; and

WHEREAS, The contributions and sacrifices of volunteer firefighters, EMTs, divers, rescue squads, and response teams and their families often go unrecognized; and

WHEREAS, There are over 30,000 people serving throughout the State of Illinois as volunteer firefighters and EMTs; and

WHEREAS, According to the United States Fire Administration, 60% of firefighter deaths in the United States in 2011 have been volunteer servicers; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that we honor these volunteer emergency responders, who serve without compensation, and constantly risk their lives on a daily basis to retain the safety of their communities, by proclaiming the third Thursday in May of 2012 as Volunteer Emergency Responder Appreciation Day in the State of Illinois.

#### REPORT FROM STANDING COMMITTEE

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred **Appointment Messages Numbered 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 188, 189, 190, 191, 193, 194, 195, 196, 197, 199, 200, 201, 202, 203, 204, 206, 207, 208, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 301 and 302**, 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.

#### READING BILL FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

**House Bill No. 3948**, sponsored by Senator Landek, was taken up, read by title a first time and referred to the Committee on Assignments.

#### MESSAGES FROM THE HOUSE

A message from the House by

Mr. Mapes, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 2073

A bill for AN ACT concerning revenue.

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

House Amendment No. 1 to SENATE BILL NO. 2073

House Amendment No. 6 to SENATE BILL NO. 2073

Passed the House, as amended, February 21, 2012.

TIMOTHY D. MAPES, Clerk of the House

[February 22, 2012]

**AMENDMENT NO. 1 TO SENATE BILL 2073**

AMENDMENT NO. 1. Amend Senate Bill 2073 by replacing everything after the enacting clause with the following:

"Section 5. The Property Tax Code is amended by changing Sections 27-25 and 27-30 as follows:  
(35 ILCS 200/27-25)

Sec. 27-25. Form of hearing notice. Taxes may be levied or imposed by the municipality or county in the special service area at a rate or amount of tax sufficient to produce revenues required to provide the special services. Prior to the first levy of taxes in the special service area, notice shall be given and a hearing shall be held under the provisions of Sections 27-30 and 27-35. For purposes of this Section the notice shall include:

(a) The time and place of hearing;

(b) The boundaries of the area by legal description and, where possible, by street location;

(c) The permanent tax index number of each parcel located within the area;

(d) The nature of the proposed special services to be provided within the special service area and a statement as to whether the proposed special services are for new construction, maintenance, or other purposes;

(e) A notification that all interested persons, including all persons owning taxable real property located within the special service area, will be given an opportunity to be heard at the hearing regarding the tax levy and an opportunity to file objections to the amount of the tax levy if the tax is a tax upon property; ~~and~~

(f) The maximum rate of taxes to be extended within the special service area in any year and the maximum number of years taxes will be levied if a maximum number of years is to be established;

(g) The proposed tax levy for special services for the initial year for which taxes will be levied;

(h) A statement of the estimated cost of each category of special services to be provided for the initial year for which taxes will be levied, including the administrative costs associated with establishing the special service area; and

(i) A tax impact statement containing estimates of the tax rate required for the proposed special service area and estimates of the tax increase for taxpayers within the proposed special service area for the initial year taxes will be levied. Tax rates shall be estimated based on the following factors: (i) the levy indicated in item (g) of this Section and the equalized assessed valuation of all property within the proposed special service area for the year preceding the levy year; (ii) the levy indicated in item (g) of this Section and the equalized assessed value of all property within the proposed special service area for the year preceding the levy year increased by 5%; (iii) the levy indicated in item (g) of this Section and the equalized assessed value of all property within the proposed special service area for the year preceding the levy year increased by 10%; (iv) the levy indicated in item (g) of this Section and the equalized assessed value of all property within the proposed special service area for the year preceding the levy year decreased by 5%; (v) the levy indicated in item (g) of this Section and the equalized assessed value of all property within the special service area for the year preceding the levy year decreased by 10%. Tax increases shall be estimated from the computation of the foregoing rates. For proposed special service areas containing no residential property, the value shall be applied to the median equalized assessed value of property within the proposed special service area. For proposed special service areas containing residential property, the rates shall be applied to the median equalized assessed value of residential property within the proposed special service area for the year preceding the levy year and the median equalized assessed value of all other property within the proposed special service area for the year preceding the levy year. For purposes of this Section, "residential property" means property for which at least one of the homestead exemptions enumerated in Article 15 of this Code has been applied in the year preceding the levy year.

After the first levy of taxes within the special service area, taxes may continue to be levied in subsequent years without the requirement of an additional public hearing if the tax rate does not exceed the rate specified in the notice for the original public hearing and the taxes are not extended for a longer period than the number of years specified in the notice if a number of years is specified. Tax rates may be increased and the period specified may be extended, if notice is given and new public hearings are held in accordance with Sections 27-30 and 27-35. A levy that includes an increase greater than the lesser of 5% of the extension of taxes for the preceding levy year for the special service area or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy

[February 22, 2012]



year may be extended only if notice is given and a public hearing is held in accordance with Sections 27-30 and 27-35. For purposes of this Section "Consumer Price Index" means the Consumer Price Index for All Urban Consumers for all items published by the United States Department of Labor.

(Source: P.A. 93-1013, eff. 8-24-04.)

(35 ILCS 200/27-30)

Sec. 27-30. Manner of notice. Prior to or within 60 days after the adoption of the ordinance proposing the establishment of a special service area the municipality or county shall fix a time and a place for a public hearing. To the extent practicable, the hearing shall be held within the boundaries of the proposed special service area. Notice of the hearing shall be given by publication and mailing, except that notice of a public hearing to propose the establishment of a special service area for weather modification purposes may be given by publication only. Notice by publication shall be given by publication at least once not less than 15 days prior to the hearing in a newspaper of general circulation within the municipality or county. Notice by mailing shall be given by depositing the notice in the United States mails addressed to the person or persons in whose name the general taxes for the last preceding year were paid on each property lying within the special service area. A notice shall be mailed not less than 10 days prior to the time set for the public hearing. In the event taxes for the last preceding year were not paid, the notice shall be sent to the person last listed on the tax rolls prior to that year as the owner of the property.

(Source: P.A. 82-282; 88-455.)

Section 99. Effective date. This Act takes effect January 1, 2012."

#### **AMENDMENT NO. 6 TO SENATE BILL 2073**

AMENDMENT NO. 6. Amend Senate Bill 2073, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Property Tax Code is amended by changing Sections 18-185 and 18-205 as follows:

(35 ILCS 200/18-185)

Sec. 18-185. Short title; definitions. This Division 5 may be cited as the Property Tax Extension Limitation Law. As used in this Division 5:

"Consumer Price Index" means the Consumer Price Index for All Urban Consumers for all items published by the United States Department of Labor.

"Extension limitation" means (a) the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year or (b) the rate of increase approved by voters under Section 18-205. Notwithstanding any other provision of law, if the total equalized assessed value of all taxable property in the taxing district for the current levy year (excluding new property, recovered tax increment value, and property that is annexed to or disconnected from the taxing district in the current levy year) is less than the total equalized assessed value of all taxable property in the taxing district for the previous levy year, then the extension limitation is (a) 0% or (b) the rate of increase approved by voters under Section 18-205.

"Affected county" means a county of 3,000,000 or more inhabitants or a county contiguous to a county of 3,000,000 or more inhabitants.

"Taxing district" has the same meaning provided in Section 1-150, except as otherwise provided in this Section. For the 1991 through 1994 levy years only, "taxing district" includes only each non-home rule taxing district having the majority of its 1990 equalized assessed value within any county or counties contiguous to a county with 3,000,000 or more inhabitants. Beginning with the 1995 levy year, "taxing district" includes only each non-home rule taxing district subject to this Law before the 1995 levy year and each non-home rule taxing district not subject to this Law before the 1995 levy year having the majority of its 1994 equalized assessed value in an affected county or counties. Beginning with the levy year in which this Law becomes applicable to a taxing district as provided in Section 18-213, "taxing district" also includes those taxing districts made subject to this Law as provided in Section 18-213.

"Aggregate extension" for taxing districts to which this Law applied before the 1995 levy year means the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before October 1, 1991; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before October 1, 1991; (d) made for any taxing district to pay interest or

[February 22, 2012]

principal on bonds issued to refund or continue to refund bonds issued after October 1, 1991 that were approved by referendum; (e) made for any taxing district to pay interest or principal on revenue bonds issued before October 1, 1991 for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before October 1, 1991, to pay for the building project; (g) made for payments due under installment contracts entered into before October 1, 1991; (h) made for payments of principal and interest on bonds issued under the Metropolitan Water Reclamation District Act to finance construction projects initiated before October 1, 1991; (i) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), (e), and (h) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum; (j) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (k) made by a school district that participates in the Special Education District of Lake County, created by special education joint agreement under Section 10-22.31 of the School Code, for payment of the school district's share of the amounts required to be contributed by the Special Education District of Lake County to the Illinois Municipal Retirement Fund under Article 7 of the Illinois Pension Code; the amount of any extension under this item (k) shall be certified by the school district to the county clerk; (l) made to fund expenses of providing joint recreational programs for the handicapped under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; (m) made for temporary relocation loan repayment purposes pursuant to Sections 2-3.77 and 17-2.2d of the School Code; (n) made for payment of principal and interest on any bonds issued under the authority of Section 17-2.2d of the School Code; (o) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code; and (p) made for road purposes in the first year after a township assumes the rights, powers, duties, assets, property, liabilities, obligations, and responsibilities of a road district abolished under the provisions of Section 6-133 of the Illinois Highway Code.

"Aggregate extension" for the taxing districts to which this Law did not apply before the 1995 levy year (except taxing districts subject to this Law in accordance with Section 18-213) means the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before March 1, 1995; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before March 1, 1995; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after March 1, 1995 that were approved by referendum; (e) made for any taxing district to pay interest or principal on revenue bonds issued before March 1, 1995 for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before March 1, 1995 to pay for the building project; (g) made for payments due under installment contracts entered into before March 1, 1995; (h) made for payments of principal and interest on bonds issued under the Metropolitan Water Reclamation District Act to finance construction projects initiated before October 1, 1991; (h-4) made for stormwater management purposes by the Metropolitan Water Reclamation District of Greater Chicago under Section 12 of the Metropolitan Water Reclamation District Act; (i) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), and (e) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum and bonds described in subsection (h) of this definition; (j) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (k) made for payments of principal and interest on bonds authorized by Public Act 88-503 and issued under Section 20a of the Chicago Park District Act for aquarium or museum projects; (l) made for payments of principal and interest on bonds authorized by Public Act 87-1191 or 93-601 and (i) issued pursuant to Section 21.2 of the Cook County Forest Preserve District Act, (ii) issued under Section 42 of the Cook County Forest Preserve District Act for zoological park projects, or (iii) issued under Section 44.1 of the

[February 22, 2012]

Cook County Forest Preserve District Act for botanical gardens projects; (m) made pursuant to Section 34-53.5 of the School Code, whether levied annually or not; (n) made to fund expenses of providing joint recreational programs for the handicapped under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; (o) made by the Chicago Park District for recreational programs for the handicapped under subsection (c) of Section 7.06 of the Chicago Park District Act; (p) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code; and (q) made by Ford Heights School District 169 under Section 17-9.02 of the School Code.

"Aggregate extension" for all taxing districts to which this Law applies in accordance with Section 18-213, except for those taxing districts subject to paragraph (2) of subsection (e) of Section 18-213, means the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before the date on which the referendum making this Law applicable to the taxing district is held; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before the date on which the referendum making this Law applicable to the taxing district is held; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after the date on which the referendum making this Law applicable to the taxing district is held if the bonds were approved by referendum after the date on which the referendum making this Law applicable to the taxing district is held; (e) made for any taxing district to pay interest or principal on revenue bonds issued before the date on which the referendum making this Law applicable to the taxing district is held for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before the date on which the referendum making this Law applicable to the taxing district is held to pay for the building project; (g) made for payments due under installment contracts entered into before the date on which the referendum making this Law applicable to the taxing district is held; (h) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), and (e) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum; (i) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (j) made for a qualified airport authority to pay interest or principal on general obligation bonds issued for the purpose of paying obligations due under, or financing airport facilities required to be acquired, constructed, installed or equipped pursuant to, contracts entered into before March 1, 1996 (but not including any amendments to such a contract taking effect on or after that date); (k) made to fund expenses of providing joint recreational programs for the handicapped under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; (l) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code; and (m) made for the taxing district to pay interest or principal on general obligation bonds issued pursuant to Section 19-3.10 of the School Code.

"Aggregate extension" for all taxing districts to which this Law applies in accordance with paragraph (2) of subsection (e) of Section 18-213 means the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before the effective date of this amendatory Act of 1997; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before the effective date of this amendatory Act of 1997; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after the effective date of this amendatory Act of 1997 if the bonds were approved by referendum after the effective date of this amendatory Act of 1997; (e) made for any taxing district to pay interest or principal on revenue bonds issued before the effective date of this amendatory Act of 1997 for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made

for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before the effective date of this amendatory Act of 1997 to pay for the building project; (g) made for payments due under installment contracts entered into before the effective date of this amendatory Act of 1997; (h) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), and (e) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum; (i) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (j) made for a qualified airport authority to pay interest or principal on general obligation bonds issued for the purpose of paying obligations due under, or financing airport facilities required to be acquired, constructed, installed or equipped pursuant to, contracts entered into before March 1, 1996 (but not including any amendments to such a contract taking effect on or after that date); (k) made to fund expenses of providing joint recreational programs for the handicapped under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; and (l) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code.

"Debt service extension base" means an amount equal to that portion of the extension for a taxing district for the 1994 levy year, or for those taxing districts subject to this Law in accordance with Section 18-213, except for those subject to paragraph (2) of subsection (e) of Section 18-213, for the levy year in which the referendum making this Law applicable to the taxing district is held, or for those taxing districts subject to this Law in accordance with paragraph (2) of subsection (e) of Section 18-213 for the 1996 levy year, constituting an extension for payment of principal and interest on bonds issued by the taxing district without referendum, but not including excluded non-referendum bonds. For park districts (i) that were first subject to this Law in 1991 or 1995 and (ii) whose extension for the 1994 levy year for the payment of principal and interest on bonds issued by the park district without referendum (but not including excluded non-referendum bonds) was less than 51% of the amount for the 1991 levy year constituting an extension for payment of principal and interest on bonds issued by the park district without referendum (but not including excluded non-referendum bonds), "debt service extension base" means an amount equal to that portion of the extension for the 1991 levy year constituting an extension for payment of principal and interest on bonds issued by the park district without referendum (but not including excluded non-referendum bonds). A debt service extension base established or increased at any time pursuant to any provision of this Law, except Section 18-212, shall be increased each year commencing with the later of (i) the 2009 levy year or (ii) the first levy year in which this Law becomes applicable to the taxing district, by the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year. The debt service extension base may be established or increased as provided under Section 18-212. "Excluded non-referendum bonds" means (i) bonds authorized by Public Act 88-503 and issued under Section 20a of the Chicago Park District Act for aquarium and museum projects; (ii) bonds issued under Section 15 of the Local Government Debt Reform Act; or (iii) refunding obligations issued to refund or to continue to refund obligations initially issued pursuant to referendum.

"Special purpose extensions" include, but are not limited to, extensions for levies made on an annual basis for unemployment and workers' compensation, self-insurance, contributions to pension plans, and extensions made pursuant to Section 6-601 of the Illinois Highway Code for a road district's permanent road fund whether levied annually or not. The extension for a special service area is not included in the aggregate extension.

"Aggregate extension base" means the taxing district's last preceding aggregate extension as adjusted under Sections 18-135, 18-215, and 18-230. An adjustment under Section 18-135 shall be made for the 2007 levy year and all subsequent levy years whenever one or more counties within which a taxing district is located (i) used estimated valuations or rates when extending taxes in the taxing district for the last preceding levy year that resulted in the over or under extension of taxes, or (ii) increased or decreased the tax extension for the last preceding levy year as required by Section 18-135(c). Whenever an adjustment is required under Section 18-135, the aggregate extension base of the taxing district shall be equal to the amount that the aggregate extension of the taxing district would have been for the last preceding levy year if either or both (i) actual, rather than estimated, valuations or rates had been used to calculate the extension of taxes for the last levy year, or (ii) the tax extension for the last preceding levy year had not been adjusted as required by subsection (c) of Section 18-135.

"Levy year" has the same meaning as "year" under Section 1-155.

"New property" means (i) the assessed value, after final board of review or board of appeals action, of new improvements or additions to existing improvements on any parcel of real property that increase the

assessed value of that real property during the levy year multiplied by the equalization factor issued by the Department under Section 17-30, (ii) the assessed value, after final board of review or board of appeals action, of real property not exempt from real estate taxation, which real property was exempt from real estate taxation for any portion of the immediately preceding levy year, multiplied by the equalization factor issued by the Department under Section 17-30, including the assessed value, upon final stabilization of occupancy after new construction is complete, of any real property located within the boundaries of an otherwise or previously exempt military reservation that is intended for residential use and owned by or leased to a private corporation or other entity, and (iii) in counties that classify in accordance with Section 4 of Article IX of the Illinois Constitution, an incentive property's additional assessed value resulting from a scheduled increase in the level of assessment as applied to the first year final board of review market value. In addition, the county clerk in a county containing a population of 3,000,000 or more shall include in the 1997 recovered tax increment value for any school district, any recovered tax increment value that was applicable to the 1995 tax year calculations.

"Qualified airport authority" means an airport authority organized under the Airport Authorities Act and located in a county bordering on the State of Wisconsin and having a population in excess of 200,000 and not greater than 500,000.

"Recovered tax increment value" means, except as otherwise provided in this paragraph, the amount of the current year's equalized assessed value, in the first year after a municipality terminates the designation of an area as a redevelopment project area previously established under the Tax Increment Allocation Development Act in the Illinois Municipal Code, previously established under the Industrial Jobs Recovery Law in the Illinois Municipal Code, previously established under the Economic Development Project Area Tax Increment Act of 1995, or previously established under the Economic Development Area Tax Increment Allocation Act, of each taxable lot, block, tract, or parcel of real property in the redevelopment project area over and above the initial equalized assessed value of each property in the redevelopment project area. For the taxes which are extended for the 1997 levy year, the recovered tax increment value for a non-home rule taxing district that first became subject to this Law for the 1995 levy year because a majority of its 1994 equalized assessed value was in an affected county or counties shall be increased if a municipality terminated the designation of an area in 1993 as a redevelopment project area previously established under the Tax Increment Allocation Development Act in the Illinois Municipal Code, previously established under the Industrial Jobs Recovery Law in the Illinois Municipal Code, or previously established under the Economic Development Area Tax Increment Allocation Act, by an amount equal to the 1994 equalized assessed value of each taxable lot, block, tract, or parcel of real property in the redevelopment project area over and above the initial equalized assessed value of each property in the redevelopment project area. In the first year after a municipality removes a taxable lot, block, tract, or parcel of real property from a redevelopment project area established under the Tax Increment Allocation Development Act in the Illinois Municipal Code, the Industrial Jobs Recovery Law in the Illinois Municipal Code, or the Economic Development Area Tax Increment Allocation Act, "recovered tax increment value" means the amount of the current year's equalized assessed value of each taxable lot, block, tract, or parcel of real property removed from the redevelopment project area over and above the initial equalized assessed value of that real property before removal from the redevelopment project area.

Except as otherwise provided in this Section, "limiting rate" means a fraction the numerator of which is the last preceding aggregate extension base times an amount equal to one plus the extension limitation defined in this Section and the denominator of which is the current year's equalized assessed value of all real property in the territory under the jurisdiction of the taxing district during the prior levy year. For those taxing districts that reduced their aggregate extension for the last preceding levy year, the highest aggregate extension in any of the last 3 preceding levy years shall be used for the purpose of computing the limiting rate. The denominator shall not include new property or the recovered tax increment value. If a new rate, a rate decrease, or a limiting rate increase has been approved at an election held after March 21, 2006, then (i) the otherwise applicable limiting rate shall be increased by the amount of the new rate or shall be reduced by the amount of the rate decrease, as the case may be, or (ii) in the case of a limiting rate increase, the limiting rate shall be equal to the rate set forth in the proposition approved by the voters for each of the years specified in the proposition, after which the limiting rate of the taxing district shall be calculated as otherwise provided.

(Source: P.A. 96-501, eff. 8-14-09; 96-517, eff. 8-14-09; 96-1000, eff. 7-2-10; 96-1202, eff. 7-22-10; 97-611, eff. 1-1-12.)

(35 ILCS 200/18-205)

Sec. 18-205. Referendum to increase the extension limitation. A taxing district is limited to an extension limitation as defined in Section 18-185 of 5% or the percentage increase in the Consumer

~~Price Index during the 12 month calendar year preceding the levy year, whichever is less.~~ A taxing district may increase its extension limitation for one or more levy years if that taxing district holds a referendum before the levy date for the first levy year at which a majority of voters voting on the issue approves adoption of a higher extension limitation. Referenda shall be conducted at a regularly scheduled election in accordance with the Election Code. The question shall be presented in substantially the following manner for all elections held after March 21, 2006:

Shall the extension limitation under the Property Tax Extension Limitation Law for (insert the legal name, number, if any, and county or counties of the taxing district and geographic or other common name by which a school or community college district is known and referred to), Illinois, be increased from (~~applicable extension limitation~~) ~~the lesser of 5% or the percentage increase in the Consumer Price Index over the prior levy year~~ to (insert the percentage of the proposed increase)% per year for (insert each levy year for which the increased extension limitation will apply)? The votes must be recorded as "Yes" or "No".

If a majority of voters voting on the issue approves the adoption of the increase, the increase shall be applicable for each levy year specified.

The ballot for any question submitted pursuant to this Section shall have printed thereon, but not as a part of the question submitted, only the following supplemental information (which shall be supplied to the election authority by the taxing district) in substantially the following form:

(1) For the (insert the first levy year for which the increased extension limitation will be applicable) levy year the approximate amount of the additional tax extendable against property containing a single family residence and having a fair market value at the time of the referendum of \$100,000 is estimated to be \$....

(2) Based upon an average annual percentage increase (or decrease) in the market value of such property of ...% (insert percentage equal to the average annual percentage increase or decrease for the prior 3 levy years, at the time the submission of the question is initiated by the taxing district, in the amount of (A) the equalized assessed value of the taxable property in the taxing district less (B) the new property included in the equalized assessed value), the approximate amount of the additional tax extendable against such property for the ... levy year is estimated to be \$... and for the ... levy year is estimated to be \$....

Paragraph (2) shall be included only if the increased extension limitation will be applicable for more than one year and shall list each levy year for which the increased extension limitation will be applicable. The additional tax shown for each levy year shall be the approximate dollar amount of the increase over the amount of the most recently completed extension at the time the submission of the question is initiated by the taxing district. The approximate amount of the additional tax extendable shall be calculated by using (A) either (i) the lesser of 5% or the percentage increase in the Consumer Price Index for the prior levy year (or an estimate of the percentage increase for the prior levy year if the increase is unavailable at the time the submission of the question is initiated by the taxing district) or (ii) 0%, as applicable. (B) the percentage increase proposed in the question, and (C) the last known equalized assessed value and aggregate extension base of the taxing district at the time the submission of the question is initiated by the taxing district. The approximate amount of the tax extendable shall be calculated (i) without regard to any property tax exemptions and (ii) based upon the percentage level of assessment prescribed for such property by statute or by ordinance of the county board in counties which classify property for purposes of taxation in accordance with Section 4 of Article IX of the Constitution. Any notice required to be published in connection with the submission of the question shall also contain this supplemental information and shall not contain any other supplemental information. Any error, miscalculation, or inaccuracy in computing any amount set forth on the ballot or in the notice that is not deliberate shall not invalidate or affect the validity of any proposition approved. Notice of the referendum shall be published and posted as otherwise required by law, and the submission of the question shall be initiated as provided by law.

(Source: P.A. 94-976, eff. 6-30-06.)

Section 99. Effective date. This Act takes effect upon becoming law."

Under the rules, the foregoing **Senate Bill No. 2073**, with House Amendments numbered 1 and 6, was referred to the Secretary's Desk.

A message from the House by  
Mr. Mapes, Clerk:

[February 22, 2012]

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

**HOUSE BILL 1927**

A bill for AN ACT concerning criminal law.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 1927

Concurred in by the House, February 21, 2012.

TIMOTHY D. MAPES, Clerk of the House

A message from the House by

Mr. Mapes, Clerk:

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

**HOUSE JOINT RESOLUTION NO. 61**

**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 22, 2012 at the hour of 12:00 o'clock noon for the purpose of hearing his Excellency Governor Patrick J. Quinn present to the General Assembly his Budget Message for the Fiscal Year 2013, as required by Chapter 15, Section 20/50-5 of the Illinois Compiled Statutes.

Adopted by the House, February 7, 2012.

TIMOTHY D. MAPES, Clerk of the House

By unanimous consent, on motion of Senator Harmon, the foregoing message reporting House Joint Resolution No. 61 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.

**COMMITTEE OF ESCORT**

The Chair appointed the following members to the committee of escort to wait upon the Governor: Senators Emil Jones III, M. Maggie Crotty, A.J. Wilhelmi, Thomas Johnson and Suzi Schmidt.

Senator Clayborne asked and obtained unanimous consent for a Democrat caucus to begin at 2:00 o'clock p.m.

At the hour of 11:36 o'clock a.m., the Chair announced that 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. 61.

**JOINT SESSION  
11:53 O'CLOCK A.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 2013 in person to the Ninety-Seventh General Assembly.

[February 22, 2012]

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.

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. 3**

**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 The Honorable Governor of the State of Illinois and invite him to address the Joint Assembly.

Representative Sara Feigenholtz  
 Representative Elizabeth Hernandez  
 Representative Sidney Mathias  
 Representative Donald Moffitt  
 Representative Scott Penny  
 Senator M. Maggie Crotty  
 Senator Thomas Johnson  
 Senator Emil Jones  
 Senator Suzi Schmidt  
 Senator A. J. Wilhelmi

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:

**Governor Pat Quinn**  
**Fiscal Year 2013 Budget Address**  
 February 22, 2012 - Remarks as prepared

President Cullerton, Speaker Madigan, Leaders Radogno and Cross, Lieutenant Governor Simon, Attorney General Madigan, Secretary White, Comptroller Topinka, Treasurer Rutherford, Members of the General Assembly, distinguished guests and fellow citizens of Illinois, I'm here today to submit to you our budget for fiscal year 2013.

I'm here today to tell you the truth.

This budget contains truths that may not be what you want to hear.

But these are truths that you do need to know.

And I believe you can handle the truth.

On November 2, 2010, the people of Illinois elected me to be honest and straight with them – and with you.

The truth is that over the past 35 years, too many governors and members of the General Assembly have clung to budget fantasies rather than confronting hard realities, especially with respect to pension and Medicaid investments.

Today, our rendezvous with reality has arrived.

[February 22, 2012]



We must navigate our budget out of past decades of poor fiscal management, deferring bills to the future and empty promises.

We must achieve fundamental and lasting budget reform.

And we must do it now.

In this budget, I am proposing serious spending reductions and efficiencies across state agencies and constitutional offices.

But for these reductions to work, we must also stabilize and strengthen our public pension systems once and for all.

We must fundamentally restructure our Medicaid program.

And we must rebalance and move our most vulnerable citizens from institutions to community care.

But cuts and reforms are not enough.

We must also grow and build our economy.

My paramount priority at all times is economic growth and jobs for the people of Illinois.

That's why this budget invests more in education from birth to university.

Jobs follow brainpower.

That's also why this budget emphasizes our commitment to public works.

Jobs follow solid infrastructure.

I want to thank the members of our new Budgeting for Results commission, comprised of my budget officers, legislators and volunteer citizens.

The Budgeting for Results process focused on our core priorities, and increased openness in the budget process.

Sen. Dan Kotowski is chairman of the commission and worked closely with Sen. Pam Althoff, Rep. Will Davis, Rep. Kent Gaffney, former budget director Steve Schorf, and many more including Roger Myerson, a recipient of the Nobel Prize for economics.

Like these commission members, I believe in a timeless American truth, there is no problem we cannot solve if we put our hearts and minds to it.

Since I've been Governor, we have already defied the doubters, by working together to enact landmark reforms.

Like no-nonsense ethics standards;

Like reforming the workers' compensation and unemployment insurance systems;

Like cutting red tape for employers who need environmental permits;

Like overhauling workplace rules at McCormick Place and like our new education reform law that is a model for the nation.

Each of these historic reforms demonstrated the power of bringing everyone to the table to repair broken systems.

[February 22, 2012]

Now we must apply this same collaborative approach to strengthening and stabilizing our public pension systems.

We took the first step in 2010 when we overhauled pension rules for new employees.

These changes will save taxpayers billions of dollars over the next generation.

But we have a lot more work to do.

Since I've been Governor, these last three years, we have paid exactly what the law required us to pay into the pension system.

But for decades—paying what's necessary for a stable pension system did not happen in Illinois.

Previous members of the General Assembly and previous governors did not invest the proper amount into the pension system.

Indeed, in the past, the General Assembly even increased retiree benefits without sufficient revenue to pay for these benefit increases.

Previous legislators and previous governors even awarded taxpayer funded health insurance benefits to themselves and 82,000 retirees, where 90 percent of them pay nothing on their insurance premiums.

This lack of fiscal accountability has cost us dearly today.

This year's general revenue fund payment for public pensions is \$5.2 billion; triple what it cost in Fiscal Year 2008.

Today, pension payments take up 15 percent of our entire general revenue fund, compared to 6 percent a few years ago.

We must stabilize and strengthen our pension systems to prevent them from swallowing up our core programs in education, health care, and public safety and to ensure that we can pay all our bills.

We need to do pension reform in a way that's meaningful, constitutional and fair to the employees who have faithfully contributed to the system.

We can do this in a way that does pass constitutional muster.

But everything has to be on the table.

Together, we've assembled a pension working group including Sen. Mike Noland, Sen. Bill Brady, Rep. Elaine Nekritz and Rep. Darlene Senger to work with our office to address the fiscal issues affecting our three major public pension systems.

At my direction, this group is working with all interested stakeholders to solidify a framework for solving our pension challenges.

I have set Tuesday, April 17 as the deadline for submitting their blueprint.

I want to repeat: Everything is on the table for our pension working group.

Historical funding practices, employer contributions, employee contributions, the retirement age, and the cost of living adjustment.

When it comes to solving our pension challenges, everybody must be in and nobody left out.

It should be noted that only 22 percent of the \$5.2 billion pension cost this year is actually for the retirement costs of state employees.

[February 22, 2012]

More than three quarters of this pension cost is for non-state employees—from suburban and downstate teachers, to our university and community college employees.

Every unit of government has a stake in this mission.

We must repair this broken system.

And we must do it now.

It is imperative to get the job done this year for our state to move forward.

We also need to move forward to fundamentally restructure our Medicaid program, which is on the brink of collapse.

Medicaid provides healthcare to 2.7 million people in Illinois.

Seniors, people with disabilities, young children and newborns are part of Medicaid.

More than half of Illinois babies born today are covered by Medicaid.

It is vitally important that we restructure Medicaid, so that it's always there for our neighbors who need it.

Unfortunately, at the end of the current fiscal year, Illinois will have \$1.9 billion in unpaid Medicaid bills.

Let's be clear.

Last year's appropriation by the General Assembly for Medicaid fell \$1.9 billion short of what Medicaid actually cost.

Illinois is the only state that intentionally kicks its current Medicaid bills into future fiscal years.

We cannot allow this to continue.

Look at the recent report of the Civic Federation. They reach the same conclusion. The Civic Federation projects \$21 billion in unpaid Medicaid bills by 2017 if fundamental restructuring is not implemented immediately.

To rescue Illinois' Medicaid program, we must reduce expenditures in the program by \$2.7 billion in the coming year.

In order to reduce cost pressures, we need to reconsider the groups who are eligible for Medicaid, the services we cover under the program, the utilization of these services and the way and amount we pay for them.

Let me repeat, we must address eligibility, services, utilization and payments to bring spending in line with appropriations.

AND we must protect against fraud and abuse in the Medicaid system.

I have the utmost respect for the doctors, clinics, hospitals, nursing homes, and pharmacists who provide care under the Illinois Medicaid program, often under very challenging circumstances.

But it is respect for these providers that motivates me to act to save the entire program from collapse.

We must ensure there will still be a Medicaid program in Illinois.

[February 22, 2012]

We have a Medicaid working group, consisting of Sen. Heather Steans, Sen. Dale Righter, Rep. Sara Feigenholtz, and Rep. Patti Bellock, along with Healthcare and Family Services Director Julie Hamos.

Together, we must follow our roadmap for Medicaid restructuring to find the right combination of liability reductions, modernized eligibility standards, utilization controls, rate reduction, acceleration of integrated managed care, and coordination of long-term programs in order to properly manage our Medicaid spending.

We will engage you every day until we create an affordable and high quality Medicaid program that's sustainable for this year and years to come.

Medicaid spending must be restructured to keep the system alive and well.

This is not something you can blithely delay for another year.

I believe in a decent quality of life for everyone in Illinois.

That's why we must fix our Medicaid system.

That's also why I'm committed to improving the quality of life for people with developmental disabilities and mental health challenges.

Our budget includes funding to ensure smooth transitions and coordinated care as individuals go from costly institutions to supportive community settings.

Illinois lags behind the rest of the nation in the utilization of person-centered, community-based care which has been demonstrated to allow people with developmental disabilities to lead more active and independent lives.

Over the next fiscal year, we will close two developmental disability centers: Jacksonville, as well as the Murray Developmental Center in Centralia.

We will close two mental health hospitals: Tinley Park, as well as Singer in Rockford.

The approach we are taking to rebalance our system will allow for the safe and smart transition to community care settings for some of our most vulnerable citizens.

We will comply with all court consent decrees.

We will provide individualized care.

And we will achieve savings for the people of Illinois.

In addition to providing more access to community care with these closures, our budget acknowledges fiscal reality by closing or consolidating 59 other state facilities.

In Juvenile Justice, Joliet and Murphysboro youth centers will be closed.

In the Department of Human Services, 24 local offices across the state will be consolidated.

In Agriculture, the department's Centralia lab will be consolidated with the lab in Galesburg.

The State Police forensic lab in Carbondale will be consolidated with the new forensic lab in Belleville, as soon as it is completed.

And the 20 State Police telecommunications centers will be consolidated to four centers in Chicago, Springfield, Sterling, and Du Quoin.

This will allow us to train 2 new State Police cadet classes in the coming fiscal year.

[February 22, 2012]

We will consolidate 4 state garages in Central Management Services and 3 offices in the Department of Children and Family Services.

The Department of Corrections will close 6 adult transition centers—Crossroads Chicago, West Side Chicago, Decatur, Aurora, Peoria, and Carbondale.

Finally, the Corrections Department will close 2 prisons—Tamms and Dwight.

These 59 closures and consolidations are hard but necessary.

They impact every region in our state, but the need for lower spending in our budget gives us no choice.

In times like these, we must be accountable and responsible.

Since taking office, I have reduced discretionary spending more than any Governor in recent memory.

The Civic Federation has pointed out that our general funds operating budget today is less than in Fiscal Year 2008.

This is the key area in the budget where the Governor has the most ability to cut spending.

We have already achieved close to \$200 million in annual savings by reducing the number of state employees.

There are 2,200 fewer state employees now than when I took office in January 2009.

And this year, we'll reduce the number of state employees even further.

In addition, we've consolidated and eliminated lease space, especially in the Chicago area, saving more than \$43 million a year and reducing leased space by nearly 2 million square feet.

More than 20 percent of state government's leased space has been totally eliminated since I took office.

When we talk about reductions, it is important to lead by example.

This year, I'm cutting the Governor's office budget by 9 percent.

And I've called on other constitutional officers to do the same.

Overall, our general revenue budget in the coming year calls for \$425 million less in agency spending than last year's budget.

But one area where we are not cutting is our budget for Veterans.

We are increasing direct care staff at our 4 veterans' homes at Manteno, LaSalle, Quincy and Anna.

And we're doing more to address post-traumatic stress disorder.

Illinois servicemembers and veterans are our heroes and the pride of our nation.

We have a duty on the home front to take good care of those who have borne the battle.

That is why I urge you to promptly pass the Hiring Veterans Tax Credit.

This tax credit will create jobs for our young Illinois veterans who have served our state and our country with exemplary honor.

It's our turn to serve them with a good job and decent health care.

[February 22, 2012]

Another area we are not cutting is education.

I believe in the power of education to create opportunity for everyone in our society.

This is why I have maintained our basic investment in education, despite extremely hard times.

No state is going to out-educate Illinois.

I believe in early childhood education, special education, bilingual education, kindergarten to 12th grade education, community college education, and university education.

This year's budget calls for close to \$9 billion in education spending with priorities on early childhood education and scholarships for qualified students who have been admitted to college, but have financial need.

At a time when student loan debt is more than credit card debt, too many deserving Illinois students are denied access to higher education because they cannot afford it.

That's why this budget allows for \$50 million in additional investment in our Monetary Assistance Program, to help our bright young students attend college.

While nearly 150,000 Illinois students received state MAP scholarships last year to attend college, just as many qualified applicants were denied because of lack of funding.

We must invest in their brainpower.

By the same token, we cannot overlook the importance of early childhood education.

Learning begins at birth, and those first years of a child's life are the most important.

Research has shown that without an early learning foundation, children fall behind in school.

Illinois, we can't leave our youngest behind.

You only get one chance to be 4 years old.

That's why my budget includes an additional \$20 million investment in early childhood education this year.

And to ensure that all students are receiving a quality education, we need to make sure they have quality schools.

Last Thursday, I announced our school construction and repair initiative for 2012.

As part of our Illinois Jobs Now! program, we are investing \$623 million in school districts across Illinois to update their facilities and make critical repairs.

Our school initiative will create 4,000 construction jobs and help students and teachers in: St. Charles, Wheaton, Harvard, Peoria, Huntley, Orland Park, Brookfield, LaGrange Park, Crete, Monee, Millstadt, Knoxville, Wilmington,, Berwyn, Trenton, Stark County, Virginia, Skokie, Burbank, Union County, Manhattan, Paris, Homer Glen, Gurnee, Raymond, Spring Valley, Rochelle, Ramsey, Mt. Vernon, Hazel Crest, Markham, Calumet Park, Marion and Chicago.

I urge you to authorize the rest of our *Illinois Jobs Now!* Capital Program so we can continue to build and repair our schools, our highways, and our bridges.

I look forward to working with you to find proper funding to meet our ongoing capital needs.

[February 22, 2012]

I also look forward to working with you to find revenue to pay our bills and provide targeted tax relief.

Let us begin with a thorough search for loopholes in the Illinois Revenue Code.

For too long, we've had a revenue code that looks like Swiss cheese, with plenty of loopholes for the powerful.

Many of these loopholes are based on politics, not economics.

Many are outdated and ineffective for job creation.

For example, why does Illinois give big oil companies the privilege of declaring their oil derricks in the Gulf of Mexico to be foreign countries?

They are not paying their fair share of Illinois corporate income tax.

This corporate tax loophole doesn't create any Illinois jobs but it does cost our state treasury \$75 million a year.

We want a tax code that fosters economic growth and fairness, not just windfalls for big oil companies.

That's why I have instructed my Revenue Director, Brian Hamer, to meet with legislative leaders of both houses and both parties to identify and close unnecessary loopholes.

Part of the loophole revenue can be used to provide targeted tax relief for hard-working families and businesses across Illinois.

By taking on the loophole lobby, we can find the revenue to permanently abolish the natural gas utility tax.

This tax relief helps both employers and consumers.

Who needs targeted tax relief more?

The loophole lobby?

Or the 1.4 million families in Illinois who will benefit from our proposed Child Tax Credit?

It's time to apply the same scrutiny to loopholes in the revenue code as we do for expenditures in the operating budget.

We all know that Illinois needs to pay down the backlog of bills that has accumulated over decades.

Why not a moratorium on unfair loopholes in the tax code as an important way to pay the bills faster?

We have major budget issues to squarely address in the coming weeks—pension stabilization, Medicaid restructuring, and fundamental tax reform.

The people of Illinois are counting on us to meet these challenges head-on and to get the job done.

Confronting hard truths is what public service is all about.

During World War II, my father served in the United States Navy for 3 years, 1 month, and 15 days.

The sailors had a motto: "We Stick—We Win!"

Americans know when we stick together and work for the common good, we all come out ahead. We all win.

[February 22, 2012]

Loyalty to the common good is far more important in Illinois today than loyalty to your caucus or loyalty to your lobbyist.

It's time to put progress ahead of politics in Illinois. And together we will make the will of the people the law of the land!

Thank you.

At the hour of 12:33 o'clock p.m., President Cullerton moved that the Joint Assembly do now arise.

The motion prevailed.

**AFTER RECESS**

At the hour of 2:03 o'clock p.m., the Senate returned to the Senate Chambers and resumed consideration of business.

Senator Harmon, presiding.

**MESSAGE FROM THE PRESIDENT**

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

JOHN J. CULLERTON  
SENATE PRESIDENT

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

February 22, 2012

Mr. Tim Anderson  
Secretary of the Senate  
Room 401 State House  
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to Rule 3-5(c), I hereby appoint Senator Terry Link to temporarily replace Senator Kimberly Lightford as a member of the Senate Committee on Assignments. This appointment will automatically expire upon adjournment of the Senate Committee on Assignments.

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

cc: Senate Minority Leader Christine Radogno

**ANNOUNCEMENT ON ATTENDANCE**

Senator Murphy announced for the record that Senator Millner was absent due to family illness.

**REPORTS FROM COMMITTEE ON ASSIGNMENTS**

[February 22, 2012]



Senator Clayborne, Chairperson of the Committee on Assignments, during its February 22, 2012 meeting, reported the following Senate Bills have been assigned to the indicated Standing Committees of the Senate:

Agriculture and Conservation: **Senate Bill No. 3616.**

Appropriations II: **Senate Bills Numbered 3263 and 3275.**

Criminal Law: **Senate Bills Numbered 3510, 3579, 3580, 3582, 3584, 3599, 3603, 3623, 3655, 3663, 3665, 3673, 3693 and 3697.**

Energy: **Senate Bills Numbered 3173, 3176 and 3591.**

Environment: **Senate Bills Numbered 3251, 3283, 3503, 3509, 3534 and 3672.**

Executive: **Senate Bills Numbered 3553, 3559, 3570, 3586, 3646, 3647, 3648, 3649, 3650, 3654, 3669, 3680, 3681 and 3686.**

Financial Institutions: **Senate Bills Numbered 3179, 3180, 3522, 3523, 3535 and 3583.**

Gaming: **Senate Bills Numbered 3542 and 3543.**

Higher Education: **Senate Bill No. 3635.**

Human Services: **Senate Bills Numbered 3517, 3546 and 3613.**

Insurance: **Senate Bills Numbered 2885 and 3661.**

Judiciary: **Senate Bills Numbered 3549, 3550, 3551, 3552, 3572, 3602, 3626, 3666 and 3677.**

Labor: **Senate Bills Numbered 3512, 3520, 3610, 3611, 3627, 3639 and 3695.**

Licensed Activities: **Senate Bills Numbered 2935, 3237, 3513, 3529, 3538, 3547, 3590, 3684 and 3685.**

Local Government: **Senate Bills Numbered 3182, 3183, 3518, 3536, 3539, 3548, 3633, 3645 and 3667.**

Pensions and Investments: **Senate Bills Numbered 3566, 3569, 3597, 3598, 3628, 3629 and 3630.**

Procurement: **Senate Bills Numbered 3235, 3511, 3615, 3634, 3659 and 3699.**

Public Health: **Senate Bills Numbered 3340, 3515, 3608, 3614 and 3700.**

Revenue: **Senate Bills Numbered 2886, 3236, 3507, 3528, 3562, 3596, 3600, 3607, 3664 and 3676.**

State Government and Veterans Affairs: **Senate Bills Numbered 3286, 3621, 3631, 3660, 3671, 3682, 3687 and 3694.**

Transportation: **Senate Bills Numbered 3318, 3502, 3504, 3506, 3530, 3555, 3557 and 3618.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its February 22, 2012 meeting, reported the following Senate Resolutions have been assigned to the indicated Standing Committee of the Senate:

Executive: **Senate Joint Resolution Constitutional Amendments Numbered 44, 47, 48, 49, 50, 52 and 55.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its February 22, 2012 meeting, reported that the Committee recommends that **Senate Bill No. 3280** be re-referred from the Committee on Agriculture and Conservation to the Committee on Environment.

Senator Clayborne, Chairperson of the Committee on Assignments, during its February 22, 2012 meeting, to which was referred **Senate Bill No. 963** on July 23, 2011, pursuant to Rule 3-9(b), reported that the Committee recommends that the bill be approved for consideration and returned to the calendar in its former position.

The report of the Committee was concurred in.  
And **Senate Bill No. 963** was returned to the order of third reading.

Senator Clayborne, Chairperson of the Committee on Assignments, during its February 22, 2012 meeting, to which was referred **House Bill No. 3636** on July 23, 2011, pursuant to Rule 3-9(b), reported that the Committee recommends that the bill be approved for consideration and returned to the calendar in its former position.

The report of the Committee was concurred in.  
And **House Bill No. 3636** was returned to the order of third reading.

Senator Clayborne, Chairperson of the Committee on Assignments, during its February 22, 2012 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Energy: **Senate Committee Amendment No. 2 to Senate Bill 2526; Senate Committee Amendment No. 1 to Senate Bill 3173.**

Executive: **Senate Floor Amendment No. 1 to Senate Bill 171; Senate Committee Amendment No. 1 to Senate Bill 2530.**

Human Services: **Senate Committee Amendment No. 1 to Senate Bill 2574; Senate Committee Amendment No. 1 to Senate Bill 2820; Senate Committee Amendment No. 1 to Senate Bill 3213.**

Judiciary: **Senate Committee Amendment No. 1 to Senate Bill 2569; Senate Committee Amendment No. 1 to Senate Bill 2897.**

Revenue: **Senate Committee Amendment No. 1 to Senate Bill 3148; Senate Committee Amendment No. 1 to Senate Bill 3250.**

State Government and Veterans Affairs: **Senate Committee Amendment No. 1 to Senate Bill 3181.**

Transportation: **Senate Committee Amendment No. 1 to Senate Bill 2579; Senate Committee Amendment No. 1 to Senate Bill 2822.**

#### LEGISLATIVE MEASURES FILED

The following Committee amendments to the Senate Bills listed below have been filed with the Secretary and referred to the Committee on Assignments:

Senate Committee Amendment No. 1 to Senate Bill 2514  
Senate Committee Amendment No. 1 to Senate Bill 3173  
Senate Committee Amendment No. 1 to Senate Bill 3239

[February 22, 2012]

The Chair announced that the Democrat caucus scheduled for 2:00 o'clock p.m. would begin immediately upon adjournment.

At the hour of 2:08 o'clock p.m., the Chair announced the Senate stand adjourned until Thursday, February 23, 2012, at 11:45 o'clock a.m.