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100th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

16th Legislative Day

2/28/2017

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PRESIDING OFFICER: (SENATOR HARMON)

The regular Session of the 100th General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the galleries please rise? The invocation today will be given by the Reverend Robert Freeman, from Grace United Methodist Church, here in Springfield, Illinois. Reverend.

THE REVEREND ROBERT FREEMAN:

(Prayer by the Reverend Robert Freeman)

PRESIDING OFFICER: (SENATOR HARMON)

Please remain standing for the Pledge of Allegiance. Senator Cunningham, would you please lead us?

SENATOR CUNNINGHAM:

(Pledge of Allegiance, led by Senator Cunningham)

PRESIDING OFFICER: (SENATOR HARMON)

Ladies and Gentlemen of the Senate, the Illinois Times and Blueroomstream.com both request permission to take photographs and to videotape the proceedings respectively. Seeing no objection, permission is granted. Mr. Secretary.. Mr. Secretary, Reading and Approval of the Journal.

SECRETARY ANDERSON:

Senate Journals of Thursday, February 16th, and Wednesday, February 22nd, 2017.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hunter.

SENATOR HUNTER:

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

PRESIDING OFFICER: (SENATOR HARMON)

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

SECRETARY ANDERSON:

Senate Resolutions 213 and 214, offered by Senator Barickman {sic} (Anderson) and all Members.

Senate Resolution 215, offered by Senators Rezin, Barickman and all Members.

Senate Resolution 216, offered by Senator Haine and all Members.

Senate Resolution 218, offered by Senator Manar and all Members.

Senate Resolution 219, offered by Senator McGuire and all Members.

Senate Resolutions 221 through 224, offered by Senator Haine and all Members.

They're all death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Resolutions Consent Calendar.

SECRETARY ANDERSON:

Senate Resolution 212, offered by Senator Hastings.

Senate Resolution 217, offered by Senator McCann.

Senate Resolution 220, offered by Senator Mulroe.

Senate Resolution 225, offered by Senator Silverstein.

And Senate Resolution 226, offered by Senator Clayborne.

They are all substantive.

PRESIDING OFFICER: (SENATOR HARMON)

Mr. Secretary, Introduction of Senate Bills.

SECRETARY ANDERSON:

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Senate Bill 2168, offered by President Cullerton.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Mr. Secretary, Messages from the House.

SECRETARY ANDERSON:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bill 303.

We have received a like Message on House -- House Bill 305. Passed the House, February 22nd, 2017. Timothy D. Mapes, Clerk of the House.

Message from the House by Mr. Mapes, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bill 66.

We have received like Messages on House Bills 299, 395, 534, 622, 679, 703, 741, 743, 771, and 776. Passed the House, February 23rd, 2017. Timothy D. Mapes, Clerk of the House.

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:

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House Joint Resolution 35.

Offered by President Cullerton, and adopted by the House, February 23rd, 2017. Timothy D. Mapes, Clerk of the House. They are -- it is substantive, Mr. President.

Message from the House by Mr. Mapes, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bill 350.

We have received a like Message on House Bill 817. Passed the House, February 24th, 2017. Timothy D. Mapes, Clerk of the House.

PRESIDING OFFICER: (SENATOR HARMON)

Mr. Secretary, Appointment Messages.

SECRETARY ANDERSON:

Appointment Message 1000104

Comptroller's salaried appointment

Director of Human Resources

Michele R. Cusumano

Appointment Message 1000105

Comptroller's non-salaried appointment

Chairman, Merit Commission of -- for the Office of the Comptroller

Ron Cooley

Appointment Message 1000106

Governor's salaried appointment

Chairman, Employment Security Board of Review

Jack Calabro

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Appointment Message 1000107

Governor's salaried appointment

Member, Employment Security Board of Review

Carolyn Holder

Appointment Message 1000108

Governor's salaried appointment

Member, Employment Security Board of Review

Maria Perez

Appointment Message 1000109

Governor's salaried appointment

Member, Employment Security Board of Review

Henry Winfield

Appointment Message 1000110

Governor's salaried appointment

Assistant Secretary, Illinois Department of Human Services

Maria Bruni

Appointment Message 1000111

Governor's salaried appointment

Director, Illinois Department of Human Services {sic} (Public Health)

Nirav Shah

Appointment Message 1000112

Governor's non-salaried appointment

Member, Illinois Housing Development Authority

Jeff Tinervin

Appointment Message 1000113

Governor's non-salaried appointment

Trustee, Northeastern (Illinois) University Board of Trustees

Carlos Azcoitia

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Appointment Message 1000114

Governor's non-salaried appointment

Trustee, Northeastern Illinois University Board of Trustees
Sherry Eagle

Appointment Message 1000115

Governor's non-salaried appointment

Trustee, Northeastern Illinois University Board of Trustees
Eduardo Garza

Appointment Message 1000116

Governor's non-salaried appointment

Trustee, Northeastern Illinois University Board of Trustees
Jim Palos

Appointment Message 1000117

Governor's salaried appointment

Member, Illinois Workers' Compensation Commission
Elizabeth Coppoletti

Appointment Message 1000118

Governor's salaried appointment

Member, Illinois Workers' Compensation Commission
Deborah Simpson

PRESIDING OFFICER: (SENATOR HARMON)

Mr. Secretary, 1st Reading of House Bills.

SECRETARY ANDERSON:

House Bill 66, offered by Senator Althoff.

(Secretary reads title of bill)

House -- House Bill 299, offered by Senator Biss.

(Secretary reads title of bill)

House Bill 305, offered by Senator Barickman.

(Secretary reads title of bill)

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House Bill 350, offered by Senator Althoff.

(Secretary reads title of bill)

House Bill 395, offered by Senator Martinez.

(Secretary reads title of bill)

House Bill 534, offered by Senator Althoff.

(Secretary reads title of bill)

House Bill 622, offered by Senator Biss.

(Secretary reads title of bill)

House Bill 679, offered by Senator Mulroe.

(Secretary reads title of bill)

House Bill 741, offered by Senator Righter.

(Secretary reads title of bill)

House Bill 771, offered by Senator Schimpf.

(Secretary reads title of bill)

House Bill 776, offered by Senator Althoff.

(Secretary reads title of bill)

House Bill 817, offered by Senator Nybo.

(Secretary reads title of bill)

1st Reading of these House bills.

PRESIDING OFFICER: (SENATOR HARMON)

Mr. Secretary, do you have any motions?

SECRETARY ANDERSON:

Mr. President, I have motions on Senate Bills 3, 8 and 10.

PRESIDING OFFICER: (SENATOR HARMON)

Please place those on the Calendar, Mr. Secretary. Ladies and Gentlemen of the Senate, WAND and WCIA both request permission to videotape the proceedings. Seeing no objection, permission is granted. Senator Silverstein, for what purpose do you seek recognition?

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SENATOR SILVERSTEIN:

Point of an announcement, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Please state your point, Senator.

SENATOR SILVERSTEIN:

There will be a Democratic Caucus in the President's Office upon recess for approximately sixty minutes.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Althoff, for what purpose do you rise?

SENATOR ALTHOFF:

Thank you very much, Mr. President. The Republicans would also like to caucus immediately.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Both the Democratic and Republican Caucuses have requested a caucus meeting for sixty minutes. The Senate will stand in recess to the call of the Chair, returning immediately after the conclusion of both caucuses. The Senate stands in recess. Ladies and Gentlemen, I've been asked to clarify that when we return from caucuses, we will be returning for Floor action. We will be returning to the Senate for -- Floor for substantive action following caucuses. The Senate stands in recess.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR LINK)

The Senate will please come to order. Will all Members at the sound of my voice please come to the Senate Floor immediately? We will be going to final action. All Members at the sound of my

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voice, please come to the Senate Floor immediately. We will be going to final action. Mr. Secretary, Resolutions.

SECRETARY ANDERSON:

Senate Resolution 227, offered by Senator McConchie and all Members.

It is a death resolution, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

Resolution Consent Calendar. On your desk, recently, was Supplemental Calendar No. 1. We'll be going to that action immediately, so would all Members please come to the Senate Floor immediately? Mr. Secretary, please read the motion on Senate Bill 3.

SECRETARY ANDERSON:

Pursuant to Rule -- Senate Rule 7-15(a), having voted on the prevailing side, I move to reconsider the vote by which Senate Bill 3 passed.

Filed by Senator Tom Cullerton.

PRESIDING OFFICER: (SENATOR LINK)

Having voted on the prevailing side, Senator Cullerton moves to reconsider the vote by which Senate Bill 3 was passed. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the motion carries. And Senate Bill 3 is now returned to 3rd Reading. Mr. Secretary, Senate Bill 8.

SECRETARY ANDERSON:

Pursuant to Senate Rule 7-15(a), having voted on the prevailing side, I move to reconsider the vote by which Senate Bill 8 passed.

Signed by Senator Don Harmon.

PRESIDING OFFICER: (SENATOR LINK)

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Having voted on the prevailing side, Senator Harmon moves to reconsider the vote by which Senate Bill 8 was passed. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the motion carries. And Senate Bill 8 is returned to the Order of 3rd Reading. Mr. Secretary, Senate Bill 10.

SECRETARY ANDERSON:

Pursuant to Senate Rule 7-15(a), having voted on the prevailing side, I move to reconsider the vote by which Senate Bill 10 passed.

Signed by President Cullerton.

PRESIDING OFFICER: (SENATOR LINK)

Having voted on the prevailing side, President Cullerton moves to reconsider the vote by which Senate Bill 10 was passed. All those in favor will vote -- will say Aye. Opposed, Nay. The Ayes have it, and the motion carries. And Senate Bill 10 is returned to the Order of 3rd Reading. Senator Silverstein, for what purpose do you rise?

SENATOR SILVERSTEIN:

A point of personal privilege.

PRESIDING OFFICER: (SENATOR LINK)

State your point.

SENATOR SILVERSTEIN:

Thank you, Mr. President. And can I have the Body's attention for a second? I stand before you kind of humbly today to ask that -- I get your support regarding a resolution I filed this morning. The resolution deals with the wave of anti-Semitism that has occurred across the country in the last two months. Unfortunately, Illinois is not immune. Several weeks ago, the Loop Synagogue in Chicago was vandalized by an individual, who was caught on tape

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breaking windows and placing a anti-Semitic swastika on the synagogue. In Senator Raoul's district, the Hyde Park Jewish Community Center was -- received a bomb threat. Two weeks ago, a -- in St. Louis, Missouri, a -- a Jewish cemetery was vandalized and yesterday, in Philadelphia, another cemetery was vandalized. These images are unfortunately a reminder of what happened seventy years ago in Europe. I'm afraid to speculate what is causing this new rise in anti-Semitism; however, it's very troubling and we must stand together against this so our voices are heard. Hate has no place in our country. We must -- we must confront and defeat those acts of -- cowardly acts of anti-Semitism. I ask you to help me with cosponsors of this resolution. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

Will the Committee on Assignments please meet in the President's Anteroom immediately? The Committee on Assignments, please meet in the President's Anteroom immediately. (at ease) Mr. Secretary, Committee Reports.

SECRETARY ANDERSON:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Be Approved for Consideration - Floor Amendment 3 to Senate Bill 3, Floor Amendment 1 to Senate Bill 5, Floor Amendment 3 and 4 to Senate Bill 6, Floor Amendment 3 and 4 to Senate Bill 7, Floor Amendment 4 to Senate Bill 8, Floor Amendment 3 to Senate Bill 10, Floor Amendments 1 and 2 to Senate Bill 16, and Senate Resolution 226.

Signed by Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR LINK)

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Senator Clayborne, in the Chair.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Rich Saal, with The State Journal-Register, seeks leave to take photos. Seeing no objection, leave will be granted. We will be moving on to Supplemental Calendar, Senate Bills 3rd Reading. Senator Cullerton, on Senate Bill 3. There's an amendment. Senator Cullerton seeks leave of the Body to return Senate Bill 3 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 3. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 3, offered by Senator Tom Cullerton.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Cullerton, to explain.

SENATOR T. CULLERTON:

Thank you, Mr. President. This is just a technical change to adjust a number on the bill to fit in with the remainder of the "grand bargain" bills. I ask for adoption.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

3rd Reading. Senator Cullerton, do you wish to proceed? Senator Cullerton indicates he wishes to proceed. Mr. Secretary, please read the bill.

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SECRETARY ANDERSON:

Senate Bill 3.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Cullerton, to explain.

SENATOR T. CULLERTON:

Thank you, Mr. President. Senate Bill 3 I am bringing back again. As -- currently, Illinois has just under seven thousand units of local government. A few years back, with great support from my colleagues on the other side of the aisle, we passed a model for DuPage County. This is taking the model for DuPage County and utilizing it statewide. I'll be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, Senator Cullerton, to close? The question is, shall Senate Bill 3 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There are 42 voting Yea -- I'm sorry, 43 voting Yea, 14 voting Nay, none voting -- 2 voting Present. Senate Bill 3, having received the constitutionally required majority, is declared passed. We'll go to the order of Senate Bill 8. Senator Harmon. Senator Harmon seeks leave of the Body to return Senate Bill 8 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 8. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 4, offered by Senator Harmon.

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PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon, to explain.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Floor Amendment No. 4 is similar in character to the amendment Senator Cullerton adopted on his bill. It simply ties this bill to the correct bills in the package that we're considering today. I move for its adoption.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

3rd Reading. Now on the Order of 3rd Reading, Senator Harmon indicates he wishes to proceed. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 8.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon, to explain.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 8 is the comprehensive procurement reform bill that Senator Althoff and I negotiated with all interested stakeholders.

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I ask for your Aye votes and I look forward to it passing with an even more robust margin than it did a couple of weeks ago when we first considered it.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is -- is there any discussion? Senator Brady, what purpose do you seek to -- seek recognition?

SENATOR BRADY:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please.

SENATOR BRADY:

Thank you. Ladies and Gentlemen of the Chamber, I think I speak for some in -- in saying that this piece of legislation, like the previous ones, like some of those that we entertained a couple weeks ago, are not bad in -- in -- in their singularity, but they are part of an overall package that has not yet been completed in my mind, a package that, as it sits today, is not necessarily good for creating jobs or good for the taxpayers. I do want to say, with all due respect to President Cullerton and Senator Radogno and their efforts to move this Chamber toward a solution for Illinois, that I appreciate their efforts. But the fact that these bills are tied together and that some of them are not yet agreed to, nor do I believe their current status represents the best interests of the people of Illinois, I will be, for that reason, voting against some of -- some of these bills today.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Any further discussion? Senator Harmon, to close.

SENATOR HARMON:

If not now, when, Mr. President? I ask for your Aye votes.

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PRESIDING OFFICER: (SENATOR CLAYBORNE)

The question is, shall Senate Bill 8 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There are 41 voting Yea, 16 voting Nay, 2 voting Present. Senate Bill 8, having received the required constitutional majority, is declared passed. Senator -- President Cullerton, on Senate Bill 10. You wish to proceed? Mr. Secretary, please read the bill. I'm sorry, we will proceed -- Senator -- Senator Cullerton wishes to proceed. He seeks leave of the Body to return Senate Bill 10 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 10. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 3, offered by President Cullerton.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Cullerton, to explain.

SENATOR J. CULLERTON:

It's just a technical amendment. Would move for its adoption.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

3rd Reading. Now on the Order of 3rd Reading, the Senator

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indicates that he does -- President indicates he does wish to proceed. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 10.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Cullerton, to explain.

SENATOR J. CULLERTON:

Thank you, Mr. President. This bill, as amended, creates some mechanisms that allows home rule municipalities to dedicate tax revenues for bonds in order to secure a lower interest rate for borrowing. This will allow the home rule municipality to authorize the State to transfer the amount in the agreement to a trust-like fund - that's why it's called a special purpose entity - instead of to the municipality, the effect of which will be to save money for home rule municipalities. It's -- we adopted an amendment, suggested by the Republican staff, to make sure that it's clear that the State in no way is a guarantor of any debt or obligation. So with that, be happy to answer any questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates he'll yield, Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Mr. President, I want to -- I have

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some questions and I want to remove this bill, at least momentarily, from the drama pool that is the "grand bargain" for a second and -- and talk about a couple of provisions in the bill -- a couple provisions in the bill that are concerning. It's my understanding that the purpose of the bill is to allow home -- home rule municipalities to receive their moneys owed from the State without an appropriation. Is that correct?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Cullerton.

SENATOR J. CULLERTON:

Well, it can't flow from the State to the municipality with -- without having an appropriation, so I think that part -- the -- the way I understand that is the money has to be owed to the city to begin with. The process -- here's what I understand the process -- maybe this will -- will help -- the home rule municipality and an issuing entity -- someone that's issuing bonds -- accept an assignment agreement of some sales tax revenues. The home rule municipality approves the agreement by an ordinance. The home rule municipality has a bond sale and then revenue from the sales tax revenues from the assignment agreement bypass the general funds of the municipality and go directly to this trust-like fund, this special purpose entity. And just that change results in lower interest rates because the money is going directly into that trust fund. And I don't know how it works, but that's how it seems to work. And so the money still has to be appropriated, though, from the State in order to go in the first place.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

SENATOR RIGHTER:

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Thank you. I guess one of the things you said there toward the end, Mr. President, I think is key, is that you're being told it will lower interest rates. Now, what lowers interest rates in the financial market is the lessening of risk. So the issuers of the -- or -- or the holders of the debt then are going to somehow feel better that they are going to get their money, either in its entirety or more promptly because of this -- because of this arrangement. So I'm going to go back to my -- my -- my -- my question, which was, if this becomes law, will money that is owed to the municipality that is the subject of one of these agreements between the local government and the debt holder not have to be appropriated? In other words, will it simply flow directly from the State into this, what is basically an escrow fund, without the need of an appropriation?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Mr. President.

SENATOR J. CULLERTON:

Yeah, just to reassure you, my understanding is, it -- it does not -- it -- it still requires an appropriation from the State and we don't change that appropriation in any way. The money that would otherwise flow to this city continues to go there the same way it would go now. And -- and, again, it -- it -- this is patterned after actually what the State does right now. So we have the power to dedicate a percentage of sales tax revenues to Build Illinois bonds. So the Build Illinois bonds are backed by a percentage of the sales tax, and as a result, they receive a higher rating than the Illinois general obligation bonds. So this is the analogy that we're making and we're allowing this to happen at the local level.

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PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

SENATOR RIGHTER:

Fair point. Second -- second area of inquiry is, is that -- and I'm looking at, oh, Section 8-13-15 that has to do with the -- the agreements between the local government and the debt holder. This Section in a -- in a couple different areas basically says that once these agreements are entered into, so once the local government entered into an agreement with a debt holder that, hey, we're going to pay you this stream of income that we get from the State taxpayers, that once that's entered into, the State can't do anything in order to impair the flow -- or the value of that agreement, basically, the flow of that money. My question is, is that if this were to become law, and then the General Assembly were to do or want to do something like it did in 2011 when the temporary tax increase went into place - you remember we reduced the Local Governmental {sic} (Government) Distributive Fund percentage - but if there are agreements in place that say we're borrowing money based on that stream of income, does this Section not prohibit the State from entering into that kind of reform or, quite frankly, any other reform that would affect the distribution of dollars to local governments that may be the subject of these agreements.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

President Cullerton.

SENATOR J. CULLERTON:

Well, maybe that was a concern you had before we took an amendment. The amendment says "In no way shall the pledge and agreements of the State be interpreted to construe the State as a

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guarantor of any debt or obligation subject to an assignment agreement". And my understanding is, any money that is owed by the State to a city, once they get it, when they go through this new process, they -- they lower their interest rates. If the money -- if the laws change and the State doesn't owe the money to the city, then there's -- it -- it -- it -- it in no way restricts the State from not changing the law and sending less money to it. So I -- I really think that this is pretty straightforward that it doesn't cost the State any money. It -- it -- it doesn't increase any taxes. It just saves money for local governments, which is why it's in this package. That's what we're trying to do. Home rule units can now issue debt and pay less interest rates to save money for local governments. That's why it's here.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

SENATOR RIGHTER:

Mr. President, I -- I read actually the amendment that was adopted here and the effect of that amendment is to make sure that if the municipality defaults on the bonds, the State doesn't have to pay. I agree with that. I -- I completely agree with that. That's not what I'm talking about. I'm talking about an agreement that doesn't allow us to -- if we change the Local Governmental {sic} Distributive Fund, or this -- this language also covers local school districts. So if we were to want to lower the approp or not increase the approp by a certain amount, that could also affect the value of the agreement. I -- I don't want to belabor the point. I understand your responses, Mr. President. Ladies and Gentlemen, I appreciate this is the second time that this has gone through this Chamber. I would encourage you to take a look at

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this language. Absolutely, this could potentially save money for local governments, but only by reducing the risk, which means that the State in one way or another loses policy control on these reimbursements and I'm not -- just not sure that's something we want to give away. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

President Cullerton, to respond.

SENATOR J. CULLERTON:

Senator Righter asked some technical questions about the bill. I'm fairly certain we can answer it, but I don't want to take the time of the Senate to do that now, so we'll just take this out of the record. I have my bond counsel here that can come over and -- and talk to you about this and if you -- if there's a need for further clarification or further amendment, I'd be happy to entertain that. So let's take it out of the record for now so we can help answer Senator Righter.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Mr. Secretary, take it out of the record. Senate Bill 7. Senator Link. Senator Link seeks leave of the Body to return Senate Bill 7 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 7. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 3, offered by Senator Link.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Link, to explain. Thank you.

SENATOR LINK:

Thank you, Mr. President. I would ask for the adoption of the amendment and we'll discuss it on 3rd Reading.

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PRESIDING OFFICER: (SENATOR CLAYBORNE)

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

SECRETARY ANDERSON:

Floor Amendment No. 4, offered by Senator Link.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. Same thing. I would ask for its adoption and I will discuss it on 3rd Reading.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

3rd Reading. Now on the Order of 3rd Reading, Senator Link indicates that he wishes to proceed. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 7.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Link, to explain.

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SENATOR LINK:

Thank you, Mr. President. This is a comprehensive gaming bill that creates six new riverboats in Chicago, Rockford, Danville, south suburbs of Cook, Lake County, and unincorporated Williamson County. This bill also establishes a Chicago Casino Development Authority and a five-member Chicago Casino Development Board to oversee the development and promotion of the new Chicago casino. However, the Illinois Gaming Board still maintains a regulatory authority over the Chicago casino. This bill allows Chicago to have up -- four thousand positions. Also, this will allow new and existing casinos may have up to sixteen hundred gaming positions; however, casinos may purchase up to two thousand unused positions for other casinos. This bill also allows electronic gaming at racetracks. When the Chicago casinos begin operating, a privilege tax on casinos and electronic gaming will be decreased. Senate Bill 7 also adds a significant ethics provision for members of the Chicago Casino Development Board, the Illinois Racing Board, and the Illinois Gaming Board. The bill requires the establishment of diversity programs to increase the utilization of minority- and female-owned businesses. Finally, Senate Bill 7 makes various changes to promote standardbred racing and improve the efficiency of the Illinois Gaming Board's application process. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. First, to the bill and maybe a question. First, I want to thank Senator Link for his years of work on this. We have passed this bill a number of times out of

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here and appreciate your work and your willingness to work with this side in -- in compromising and coming up with a bill that really addresses a lot of concerns for a lot of individuals, but also addresses the issues that we've been concerned about, which is we're surrounded by five states that have all declared war on Illinois and they are building casinos on their borders, and if I'm not mistaken, last year about 1.6 billion dollars left Illinois just to go to the five surrounding states. 1.6 billion dollars, just to our surrounding states. And if you go into Indiana and look at some of their casinos, you'll see the majority of the cars there are -- have Illinois plates in those. This is a bill that helps keep our entertainment dollars here in Illinois. Second is, for Chicago, to be a -- a -- a tourist and a convention center like Chicago is, not to have a casino makes no sense. It would be a significant help to the City of Chicago, to their financial concerns, but also it's going to help them attract more conventions, it's going to help keep those dollars, again, in Chicago, which makes this -- this an important bill. And then third, this helps communities all around the State that are struggling, communities that are on -- border communities that are struggling, like Rockford and then Lake County and Danville, those communities that have neighboring states literally minutes away that are developing casinos that would devastate communities like ours in Rockford. The amount of construction that this brings, the amount of -- of jobs that this creates is significant for Illinois. And, again, these are dollars that are now currently leaving Illinois that we're talking about keeping here in this State. So I -- I -- again, I stand -- rise in support of this legislation. We have tried to address the concerns of -- from --

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from horsemen to -- to local communities, to existing casinos, to the new ones. And I think we've tried to address it in this -- in this legislation. So, again, Senator, thank you for your leadership on this and I hope we can get this -- this part of this "grand bargain" passed, so we can have at least this out of the way as we work on the rest of the program. So, thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator McCarter, for what purpose do you seek recognition?

SENATOR McCARTER:

...bill -- to the bill, please.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

...bill, Senator McCarter.

SENATOR McCARTER:

You know, I -- getting -- getting in shape, physically, is a difficult thing, but, you know, there's always a late-night gadget that you can strap around your waist and shock yourself or whatever it is to -- if you believe it's going to really work. But the truth is, you got to get up every day and you got to eat a little less and work hard and that's how it happens. This is not the fix for Illinois, and, you know, it's a little embarrassing that instead of doing the hard work of disciplining ourselves to lower our spending and reduce the size of this government, that's unaffordable to the people, we look to solutions like this. We hear we need to grow our way out of this mess, but instead, we're going to gamble our way out of this mess. This is wrong. You know, we need to make those tough choices and be honest with people as to much -- how -- how much we can do for them, how much money we can spend. And I think that the -- those things that are coming in the future besides just gambling, but a tax increase, which,

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again, is attached to this bill as well, would go over a lot better if people saw that we were making an effort to live within our means first, just as they are required to in their families and at their home. Gambling, video poker, video gaming, medical marijuana - it's -- it's unfortunate that this is the only thing that we have to offer to get our house in order, rather than being disciplined in our spending. I urge a No vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Link, to close.

SENATOR LINK:

Thank you, Mr. President. I -- I've been thinking a lot about this bill. As Senator Syverson said, I've -- I've introduced it, passed it numerous amount of times. People might have criticism of gaming in the State of Illinois. First of all, no one's forcing you to gamble. This is a -- this is a recreational objective that people can go to if they so see fit to. And Illinois is taking an opportunity to expand to help six different local communities. I use Chicago as the first example, when they're going to use their profits from this to pay police and fire pensions. I have heard it from that side and this side from people complaining why do we have to give more general revenue funds to the City of Chicago to pay for their police and fire pension? Well, guess what? Pass this bill and you won't have to worry about that in the future. The other thing, I'd like you to go to Danville, Rockford, up in Lake County, south suburbs, and tell those people that we don't want to have jobs and opportunities for people to strive in the future. I mean, when you talk to a person that's looking for a job and you're telling 'em, well, we could create a job, but it's probably not going to help you, because it's part of gaming. It'll

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help 'em, and you talk to the communities that have gaming in it and see how they have thrived -- strived in the future. I won't belabor this point, but I do want to say one thing, there is one business I want to put out of business and that's the busing companies that are taking people to Indiana and Wisconsin every day. And if you don't think that they aren't taking 'em, look at the size of those buses and they're not running empty. They're taking people to other states. They're taking our money from this State and, as Senator Syverson said, I think we could use 1.6 billion dollars in this State. I ask for an affirmative vote on this. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The question is, shall Senate Bill 7 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There are 31 voting Yea, 26 voting Nay, none voting Present. Senate Bill 7, having received the required constitutional majority, is declared passed. Senator Cullerton wishes to proceed on Senate Bill 6 -- 16. Yeah, President Cullerton. I'm sorry. President Cullerton. Senator -- Senator President Cullerton seeks leave of the Body to return Senate Bill 16 to the Order of 2nd Reading. Leave is granted. On the -- on the Order of 2nd Reading is Senate Bill 16. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 1, offered by President Cullerton.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Cullerton -- President Cullerton, to explain.

SENATOR J. CULLERTON:

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The Amendment No. 1 is the substance of the bill, which I'd like to debate on 3rd Reading. So I'd like to adopt the amendment.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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

SECRETARY ANDERSON:

Floor Amendment No. 2, offered by President Cullerton.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Cullerton, to explain.

SENATOR J. CULLERTON:

Yes, Amendment No. 2 is the technical amendment that links this bill with the other bills in the package, so I move for its adoption.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

3rd Reading. Now on the Order of 3rd Reading, Senator Cullerton -- President Cullerton indicates that he wishes to proceed. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 16.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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Senator Cullerton, to explain.

SENATOR J. CULLERTON:

Yes, thank you, Mr. President. This bill was debated earlier, but there's been some changes and I want to highlight those changes by addressing concerns that have been raised. I -- I understand, first of all, there might be some concerns by some Republicans in the Chamber concerning the Governor's position on this bill. So, first of all, I would remind you that when we had our State of the State {sic} message, the Governor personally expressed his congratulations to myself and to Leader Radogno for our -- our efforts here and our efforts to try - and I could quote him - by working together, "trying to find solutions, trying to find compromise". And this is a perfect example in this bill of my effort to try to find compromise with the Governor. And so, we have added language to the bill that I got from the Governor. It's called a Tier 3 plan. So that in this pension bill, newly hired employees at SERS, SURS and TRS would have the option to be shifted to a hybrid plan that has a defined contribution component and, for those employees who do not participate in Social Security, a defined benefit component. And, then of course, you'd have the option to stay in your Tier 2. Also the plan provides a local option, which would allow other units of government to choose by ordinance to offer a similar type. I got this language from the Governor. Earlier, in the earlier effort to put this bill together, the Governor's Office also gave me a number of other changes. The investment return smoothing. This bill phases in over a five-year period any changes in actuarial or investment return assumptions made by the pension system. Another change, optional defined contribution plan. It creates a defined

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contribution plan in each system allowing up to five percent of Tier 1 employees to join that plan in lieu of continued participation in the defined benefit plan. Anti-salary spiking - for SURS and at TRS, if a member receives a pay increase of more than CPI during the four-year period used to calculate their pension, then their employer will be responsible for increase in the pension cost. Another change that I got from the Governor - salary in excess of the Governor's for -- SURS and TRS employers, they will be responsible for making a pension contribution for employees whose salary exceeds that of the Governor. So, I have listened to the Governor and we have made these changes, but, more importantly, the Governor also, after many hours, quite frankly, of talking about pensions with his staff, he agreed that our consideration model is the one that has the best chance of being found constitutional and it would save the money. And so over a year ago, he and I came to that agreement. He was a little frustrated, 'cause he wanted me to introduce the bill right away. Where's your bill? Come on, let's go, let's get it. And I told him that it would probably be better if it was part of a package and that's where we are today. Now for some of my own colleagues, there's been some opposition that has come from some union -- unions, saying that they're opposed to this. So I just have to give you a little bit of background. With all due respect, I spent hours, hundreds of hours, it could have been, with ten or twelve meetings with the unions a number of years ago to bring about a pension reform bill. It was based on the same consideration model. And they supported it. They said it was constitutional. We passed it with over, I think, forty votes. It never got called in the House. And this version of that same constitutional provision,

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called a consideration model, is even less onerous, if you will, to those people who -- who it affects. So what's really critical is for people to understand - and I believe this - that if you're working for the government and your employer says, we're going to give you a pay raise, but it's not going to be part of your final pension calculation, they have the right to do that. And that's critical to understanding what this bill does. So, here's what we're saying to all the people who haven't been hired in the last five years - that's about twenty-five percent of our workforce - these are people who have a Tier 1, what we call a Tier 1 pension - here's what we're telling 'em, we're going to give you three things. If you give up your three percent compounded COLA that you have right now, that you might get thirty/thirty-five years from now, if you agree to give that up and take a Tier 2 COLA, the same one that everybody else has who's been hired in the last five years, we're going to give three things: We're going to give you ten percent back of everything you've contributed so far, we're going to lower your future contributions by ten percent and we're going to guarantee you that all your pay raises for the rest of your career are going to be guaranteed as part of your final COLA. That's actually a pretty good deal and then when we save that billion dollars a year that this bill saves, we will have the option to appropriate that money right back into the school system, so there'll be an immediate benefit for those schools and immediate benefit for that teacher, who's going to get a pay raise. They're going to get a lump sum check and a guarantee that in the future their pay raises will be pensionable. That's what the bill is. And I think if the people who are in the system understand that, as to what that bill does, they'll -- they'll think that maybe

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this isn't such a bad idea. And so I appreciate working with the Governor on this bill. I -- I've heard some talk about people voting No on individual parts of this package. I don't understand that. If you don't like a bill that's in the package, vote No. If you like a bill that's in the package, vote Yes. It's not that complicated. Sure, if one of 'em doesn't pass, they all fail. You would win then, if that's what you wanted to do, but why would you vote No on a good bill like this that embodies the best in compromising? Even though there's opposition, this is something which is a tough vote, but it's an important vote. So, I -- again, I'd be happy to answer any questions and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Anderson, for what purpose do you seek recognition?

SENATOR ANDERSON:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

To the bill.

SENATOR ANDERSON:

I -- I would just like to commend everybody on this whole -- this whole package, but I would like the record to -- to show on this bill alone that this could be considered a conflict of interest for myself, so I will be voting Present. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter, for what purpose do you seek recognition?

SENATOR RIGHTER:

To the bill, if I might, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

To the bill, Senator Righter.

SENATOR RIGHTER:

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Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. I -- I want to follow up a little bit on some of the Senate President's comments with regards to this legislation. And I appreciate that -- that there are those who see any one bill -- voting for any one of these bills as a vote in favor of all of them and then there are others who think that some are good and some are bad and -- and so you vote for the ones that you like, are good policy, and you vote against the ones you think otherwise. I -- I have never voted for a major pension reform bill in my time in the Senate, never - either because those bills in my view were either inequitable or they were unconstitutional. I am going to vote for this one and now, having said that, I'm -- I'm going to disagree with the Senate President with regards to the -- the -- what's known as the "offer and consideration" portion of this bill. I think that the offer and consideration portion is clearly unconstitutional. Offer and consideration implies that you're going to give me something -- you choose what you want to give me and I'm going to give you something you don't have. That's not what this does. This says, you're entitled to two things, you give me one of 'em. That's -- I mean, that -- that's not consideration. There may be an offer in there, but there's no consideration. Now, having said that, there is, my understanding, a severability clause in the bill, so that we know that even if the offer and consideration provisions in the bill are deemed unconstitutional, the other provisions will still survive. And I hope that in his closing -- I'm going to ask the Senate President to re-emphasize the importance of the severability clause so that any judge down the road reading these comments will see clearly it is the sponsor's intent that the rest of the bill become law, even

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if the offer and consideration portion is deemed unconstitutional. The reason I'm voting for the rest of the package is because it - - it is beyond time. I appreciate that. It is beyond time to start moving in this direction. This legislation has provisions in it that move us toward a defined contribution model and, Ladies and Gentlemen, as often, government is running behind the rest of the civilized world when it comes to issues and this is a good example of that. Most of private industry and much of government now is moving in the direction of telling its employees, you put something in, we'll put something in and - within certain parameters - you'll be allowed to management {sic} and you live with it. That provides for more predictability for the employees. It provides for more predictability for the taxpayers, and having that kind of model, will do something that I think that sometimes we forget about in here and that is, it will not allow the State of Illinois to do what it's done for so many years and say, you know what, we're not going pay our share. We're just not going to do that, because federal law won't allow us to do that. So I want to get up -- I'm in support of the legislation. I have deep reservations about the offer and consideration. The rest of this bill, though, is exactly the direction in -- in which we need to head. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator -- President Cullerton, to close.

SENATOR J. CULLERTON:

Yes, thank you, Mr. President. I appreciate the discussion about the constitutionality. I would tell you that that issue that was raised by Senator Righter turns on the question as to whether or not future pay raises are guaranteed by the

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Constitution, even though you haven't been offered them yet, whether they're guaranteed to be part of your final pensionable salary. That's what it turns on. I believe that -- that they do not and, therefore, you are getting something. You're getting a guarantee that all your pay raises in the future will -- that employer cannot condition that pay raise. So there is consideration and the courts don't question the -- the -- the sufficiency of the consideration, just whether there's any consideration. And so that's why I believe it's -- it's constitutional, and the Senator's right, there's a severability clause in the Constitution {sic}. So we come back to it. This is a really important bill. We have to -- you should -- you know, I didn't mention it also abolishes the future Members of the General Assembly from having a pension. Some people are upset that that's in there, but, quite frankly, a lot of the new Members who've been elected are turning down their pension. It doesn't apply to current Members, but that's in the bill as well. So we have worked very hard on this bill. These are not easy things to pass. We've passed unconstitutional pension bills before - believe me, I know what one looks like. We did it before. This one is constitutional and I would ask you to please consider voting for it. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The question is, shall Senate Bill 16 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There are 26 voting Yea, 27 voting Nay, 2 voting Present. Senate Bill 16 has not received the constitutional majority and is declared failed. President Cullerton.

SENATOR J. CULLERTON:

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Postponed Consideration, please.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The Senator moves for Postponed Consideration. Mr. Secretary, put it on Postponed Consideration. President Cullerton wishes to proceed on Senate Bill 5. President Cullerton seeks -- Cullerton seeks leave of the Body to return Senate Bill 5 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 5. Mr. Secretary, are there any Floor amendments -- are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 1, offered by President Cullerton.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

President Cullerton, to explain.

SENATOR J. CULLERTON:

Yes, thank you, Mr. President, Members of the Senate. This is a bill that we have passed out of the Senate in a bipartisan fashion, actually a number of times. I think people are pretty much familiar with it. It's called pension parity for the Chicago Public School teacher pensions. Beginning in fiscal year 2017, the State will assume the employer normal cost for the Chicago teachers. Currently, the State pays the normal cost and the unfunded liability of the downstate teachers' pension system. In fiscal year 2017, this would be two hundred and fifteen million dollars. In fiscal year 2018, it'd be two hundred and twenty-one million, and thereafter, it would be certified by the Board, just like we do with the TRS. So I think people know what it is. It would be the same continuing appropriation that we have for the TRS. Be happy to answer any questions and ask for an Aye vote.

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PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion on the amendment? Senator Rooney, for what purpose do you seek recognition?

SENATOR ROONEY:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

This is to the amendment. This is to the amendment, not the bill.

SENATOR ROONEY:

Sorry, sorry.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Seeing no discussion, all those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment has been adopted. Are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

3rd Reading. Now on the Order of 3rd Reading, Senator -- President Cullerton seeks -- indicates that he wishes to proceed. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 5.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Cullerton, to explain.

SENATOR J. CULLERTON:

Yes, thank you, Mr. President. I certainly hope that we will

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be able to pass the pension bill that's on Postponed Consideration so that it would be tied to this pension parity bill as well. And, again, I would renew my argument that this is something which would be equitable for the -- for the City of Chicago. It's already something that's being paid to the rest of the State. It would help the City avoid some of the proposed, either layoffs or shortage of school days that they're contemplating in light of the fact that they don't have this money. So, again, please ask for an Aye vote. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Senator Rooney.

SENATOR ROONEY:

Thank you, Mr. President. To the bill, as long as I'm not messing it up now. I freely admit I'm -- I'm feeling a little discombobulated over here, because I'm voting No on a lot of things today that I would like to vote Yes for. This little mechanism of having all these bills tied together has tied my hands. And so I've got a sea of red going up today, because there are two bills. Quite frankly, the good work done by my Leader and by President Cullerton has put together eleven votes that I would have loved to have taken in the green, but the revenue bill is one that I can't support and this is the other one, which is why I feel the need to rise. I'm not a Chicago basher. I think we all do better with a healthy Chicago. I'm not a Chicago Public Schools basher. I think we all do better with Chicago healthy schools. But I'm one of the people where, if the principle is strong enough, you let it get in the way of the practicality of, hey, you've got to give a little something, we've got to give a little something. And the principle here is just too important. Pensions by their definition are the

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longest term thing that we deal with. They are not the hokey-pokey, where you get to put your right hand in and then take it out and then put it back in. This problem that we're trying to solve with this measure got started about twenty years ago at the request of the Chicago Public School system. They said, hey, we want to get out of this. We want to be treated differently. Well, I'm sorry. As much as I'd like to help, when you make a decision like that, when you take your right hand out, you're right hand is out. And when you pick up one end of a stick, you pick up the other end with it, and you have to take the consequences. And so this one here I just can't support with what I teach kids about. You -- you -- you don't get to say we want to be treated differently and then when you want to get the same money that everybody else has, call it parity. I actually object to the use of that word, because nobody else got the flexibility that Chicago Public Schools got twenty years ago, but now we all have to pay in for parity to get things back. When you make a decision, sometimes the consequences are things you have to stick with. And so this is one of the two that I actually firmly would be a No on and keep me from being a Yes on a lot of good stuff that I wish I could vote for.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Any further discussion? Seeing none, Senator Cullerton, to close on the hokey-pokey.

SENATOR J. CULLERTON:

Well, thank you. So I appreciate -- I appreciate Senator Rooney's comments. I -- I believe that, given some time, I can -- since you're relatively new here, I can go back and show that -- that -- that that's an inaccurate representation on this

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particular issue of -- of the history of what happened. I do acknowledge that this issue is -- is frequently tied to concern about the school funding formula, which is another bill, which we hope we will be able to -- to resolve. So -- but I -- I think the history of pension -- the normal costs being paid for by the State is that the Chicago Teachers' Union, which I believe was started in 1896, never got a State appropriation incentive paying their -- their normal cost, unlike the TRS, which, whenever that was started, that automatically got the State to be the employer and to pay the normal cost. But that being -- that being said, I appreciate the fact that there is an issue with regard to this -- this bill. It's controversial, it has been in -- in some quarters, but I think in light of the fact that we're going to work on pension reform -- I'm sorry, we're going to work on -- on pension reform, as well as the school funding reform, that this would be an appropriate bill to vote for. So, please -- please vote Aye.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The question is, shall Senate Bill 5 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There are 35 voting Yea, 22 voting Nay, 1 voting Present. Senate Bill 5, having received the constitutional majority, is declared passed. President Cullerton, on Senate Bill 6. I'm sorry, Senator Steans has a Floor... Senator Steans is going to be handling Senate Bill 6 on behalf of President Cullerton. Senator Steans seeks leave of the Body to return Senate Bill 6 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 6. Mr. Secretary, are there any Floor amendments approved for consideration?

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SECRETARY ANDERSON:

Floor Amendment No. 3, offered by President Cullerton.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Steans, to explain.

SENATOR STEANS:

Senate Floor Amendment No. 3 is a addition -- it's a gut-and-replacement, but it's -- it retains the underlying language of the bill, but it's also adding in payment for State employees. And we'll have a full discussion on 3rd Reading.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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

SECRETARY ANDERSON:

Floor Amendment No. 4, offered by President Cullerton.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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

ACTING SECRETARY KAISER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 6. Mr. Secretary, please read the bill.

ACTING SECRETARY KAISER:

Senate Bill 6.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Steans, to explain.

SENATOR STEANS:

Yes, thank you, Mr. President, Members of the Senate. So, as we know, as of the beginning of this year, January 1st, we no longer had a appropriation budget for -- for much of the budget. A number of items are continuing to get paid by court order or because of continuing appropriations. Things like Medicaid, our pension payments, debt service, employees' salaries have been under the court order and we had passed a bill for K-12 funding and we passed bills, the stopgap, for half of the year. This bill is now a supplemental to make sure that everyone's getting paid who is not getting covered right now for the second half of the year. So it will ensure that our social service agencies; higher education institutions; the MAP grants, the students who are affected by MAP grants; and we have also included an amendment in case the -- we don't know what's going to happen in the courts with employee salary, we've included an amendment now to make sure that employees will get paid, regardless of the outcome of the court order. And it also provides State operational dollars as well, so that our vendors continue to get paid. And lastly, it also includes an appropriation for group health that we know many of us now, State employees are having a hard time getting their doctors to see them or to have to pay upfront, because they've not gotten paid for so long. So -- and -- and what this bill is doing then in its entirety now is appropriating 7.7 billion dollars all funds, 7.4 billion of that is general revenue funds. And I'm happy to answer any questions about the details of what all is getting

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appropriated in that if anyone has questions. I certainly urge an Aye vote. I think it's critical that we enable full funding for all these organizations that right now are not. So, including domestic violence shelters that we know have been left out of the stopgap, this is fully funding those domestic violence shelters as well. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Senator Righter -- Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates she will yield.

SENATOR RIGHTER:

Thank you, Mr. President. Senator Steans, the -- you mentioned the court order-issued decree -- consent decree issue and the spending that is going on pursuant to those provisions. Does this supplemental -- does this supplemental affect that? In other words, will this make those go away?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Steans.

SENATOR STEANS:

No, I do not believe so. I mean, that's my understanding.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator -- Senator Righter.

SENATOR RIGHTER:

Thank you. Do you have -- do you have a -- do you have an understanding, Senator Steans - 'cause I do not - if this doesn't do it, if -- if an appropriation won't do it, do you have an

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understanding of what we need to do in -- in order to kind of wrest control of that appropriations away from a court order, let's say, back into the hands of the General Assembly, where it properly belongs?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Steans.

SENATOR STEANS:

So I'm not sure I know entirely what would make a court order go away, so I'm not sure I really am in a position to be able to answer that. What I can say is that this appropriation bill, outside of just the State employee payment, anything that is getting covered right now under court orders is not appropriated in this bill, nor was it appropriated in the stopgap. So I don't think we're impacting those things.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

SENATOR RIGHTER:

That might be our answer, because we're not appropriating into those areas. Senator Steans, can you tell me, based on the current revenue estimate for FY'17, and if you add this supplemental to the GRF spending, what -- what will be our projected deficit for FY'17?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Steans.

SENATOR STEANS:

So the estimate I have right now, but it may be getting tweaked, because I think the revenue bill may still be having some adjustments, but assuming that that's passed, the last estimate I've seen on that would have us getting in about two billion

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dollars more for this current fiscal year from the revenue bill. And based on our estimates of what would get spent right now, we'd end up having a deficit of about 4. -- a little under 4.4 billion dollars. It does enable us to now, going forward, starting fiscal year '18, actually have a balanced budget and into -- into the future as well.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Seeing no further discussion, Senator Steans, do you wish to close?

SENATOR STEANS:

Yes. I highly encourage Yes votes on this. I think it's critical. We have been devastating so many organizations around the State. Our higher education institutions, as we know right now, we have some that are really at risk of accreditation issues. Many of them are at risk of having to do serious layoffs, including student employees. Many MAP grant students don't know whether or not they're going to be able to stay in school. We have many social service agencies that have been closing their doors. We need to provide stability to them. I very much encourage an Aye vote on this bill. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The question is, shall Senate Bill 6 pass. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There are 42 voting Yea, 16 voting Nay, 1 voting Present. Senate Bill 6, having received the constitutional majority, is declared passed. Senator Fowler, for what purpose do you seek recognition?

SENATOR FOWLER:

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Point of personal privilege, please.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

And I appreciate your patience, too, Senator Fowler.

SENATOR FOWLER:

Yes, thank you very much.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

You may state your point.

SENATOR FOWLER:

Thank you so much, sir. Thank you, Mr. President. Ladies and Gentlemen of the Senate, I would like to ask you that you give the Vienna Junior High BETA Club a warm Springfield welcome. They are in the gallery with us today. Would you please stand, please, Vienna BETA Club?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Welcome to Springfield, Vienna BETA Club. We hope you enjoy yourself and you enjoyed the debate. Thank you for coming.

SENATOR FOWLER:

The BETA Club - being chaperoned today by Lorylee, Nathan, and Peyton - the Club has been very successful in recent years at the Illinois BETA Club State Convention. This year, they won first place in Champaign {sic} (Campaign) Skit; second place in Painting, Living Literature, and Trading Pin; third place in Charcoal Sketching, Pen, Pencil, Ink Sketching, Calisthenics of the Mind, Book Battle and Wreath. Cooper Shanks is the outgoing Vice President and Maelee Sparks is the elected Vice President for the Illinois Junior BETA Club. Once again, let's congratulate the Vienna BETA Club and wish them well.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Bertino-Tarrant, what purpose do you seek

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recognition?

SENATOR BERTINO-TARRANT:

Personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your privilege.

SENATOR BERTINO-TARRANT:

While I understand Senate Bill 16 is on Postponed Consideration, I need the record to show that I intended to vote No. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The record shall so reflect that, Senator Bertino-Tarrant. Senator Hastings, for what purpose do you seek recognition?

SENATOR HASTINGS:

Thank you, Mr. President. I just want to clarify that on Senate Bill 7, my intention was to vote Present. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The record shall -- shall so reflect that, Senator Hastings. The Committee on Assignments will report to the President's Anteroom. Committee on Assignments will report to the President's Anteroom immediately. The Senate stands at ease. Senator Muñoz - Antonio Muñoz - Anthony Muñoz, in the Chair. (at ease)

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Bennett, for what purpose do you seek recognition?

SENATOR BENNETT:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Please proceed.

SENATOR BENNETT:

Thank you, Mr. President. Mr. President, today I rise in

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recognition of the Sesquicentennial Anniversary of the founding of the University of Illinois, a nationally recognized institution of higher education with a long history of innovation and discovery. In 1867, one hundred and fifty years ago today, this great State of Illinois established the University of Illinois with the purpose of fostering access to higher education for the working people. It would become one of thirty-seven public land-grant institutions established as a result of the Morrill Land-Grant College Act, signed into law by our own President Abraham Lincoln. Today, what once began a hundred and fifty years ago as a small building amidst the fields of a -- of the Illinois prairie is a seven hundred and eighty-five acre campus with a reputation admired around the world. It's home to more than forty-four thousand students from all fifty states and more than one hundred different countries. In addition, it's grown to include campuses in Chicago, Springfield, and regional campuses in Rockford, Peoria, and the Quad Cities. The University of Illinois has enhanced the lives of over four hundred and fifty thousand alumni and produced twenty-three Nobel Laureates and twenty-two Pulitzer Prize winners in the process. It's the home to the theory of superconductivity, innovations in agriculture that's fed the world, some of the most effective antibiotics, the MRI, the LED lighting system, and owns one of the world's greatest library collections, the -- the first graphic web browser of the World Wide Web started there. And there at the University of Illinois, they have trained over fifty years of law enforcement through the Police Training Institute and developed the very concepts of learning disability that has become special education. Mr. President, it is with great pride that I ask my colleagues to join me in recognizing the one hundred and fifty-

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year anniversary of the founding of the University of Illinois. I offer my best wishes and congratulations to President Timothy Killeen and all the University faculty, staff, students, and alumni on this important milestone.

PRESIDING OFFICER: (SENATOR MUÑOZ)

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

SENATOR ROSE:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Please proceed.

SENATOR ROSE:

Ladies and Gentlemen, I rise to correct my colleague, Senator Bennett. I was under the impression, Senator Bennett, that Al Gore invented the Internet. However, I am very happy, like my friend Senator Bennett, to also represent the University of Illinois. He gets the students; I get the south farms with the sheep and -- and livestock. But in -- in reality, I actually represent most of the faculty and staff and we're enormously proud of the U of I, what it's contributed not just to Illinois, but to the whole world. And it is -- it was Mosaic that Senator Bennett refers to, that ultimately led to Netscape, which became the -- the browser that became the World Wide Web. We are enormously proud of all the creations - YouTube, PayPal, the computer itself, the semiconductor. All the wonderful things that people every day take for granted as they go about their business all leads back to Urbana-Champaign. So I thank my colleague for bringing it up and I, too, rise to congratulate all those who put in so much time and effort at the U of I, and we've actually won a couple basketball

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games here recently, too. So, go Illini.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Clayborne, in the Chair.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Mr. -- Mr. Secretary, Committee Reports.

SECRETARY ANDERSON:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to Agriculture Committee - Senate Bills 1579, 1584, 1716, 1876, 1900, 2039, and 2070; refer to Appropriations I Committee - Senate Bills 1679, 1695, and 1772; refer to Appropriations II Committee - Senate Bills 1934 and 1993; refer to Commerce and Economic Development Committee - Senate Bills 1567, 1981, 1987, 2023, 2066, and Senate Resolution 140; refer to Criminal Law Committee - Senate Bills 1581, 1614, 1615, 1661, 1690, 1704, 1715, 1745, 1759, 1761, 1781, 1782, 1799, 1830, 1842, 1843, 1886, 1903, 1976, 1980, 2021, 2034, 2053, 2073, Committee Amendment 1 to Senate Bill 680, and Committee Amendment 1 to Senate Bill 699; refer to Education Committee - Senate Bills 1532, 1692, 1739, 1740, 1808, 1885, 1947, 1991, 2085, and Senate Resolution 168; refer to Energy Committee - Senate Bills 1601, 1602, 1610, 1611, 1617, 1618, 1703, 1840, 1872, and 1974; refer to Environment and Conservation Committee - Senate Bills 1597, 1599, 1648, 1649, 1775, 1784, 1866, 1943, 1969, 1983, 1985, 1989, 2030, Senate Resolution 128, and Committee Amendment 1 to Senate Joint Resolution 15; refer to Executive Committee - Senate Bills 223, 224, 1582, 1588, 1592, 1612, 1724, 1742, 1743, 1798, 1831, 1901, 1904, 1933, 1977, 2063, 2064, and 2089, Senate Joint Resolutions (Constitutional Amendments) 3 through 10, Floor Amendment 1 to Senate Bill 674,

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and Committee Amendment 1 to Senate Bill 759; refer to Executive Subcommittee on Special Issues - Senate Bill 1380; refer to Gaming Committee - Senate Bills 1664, 1804, 1805, 1806, and 1894; refer to Government Reform Committee - Senate Bills 1670, 1686, 2059, and 2061; refer to Higher Education Committee - Senate Bills 1671, 1675, 1838, 1865, 1884, 1889, 1897, 1945, 1968, Committee Amendment 1 to Senate Bill 83; refer to Human Services Committee - Senate Bills 1566, 1573, 1577, 1596, 1619, 1676, 1691, 1705, 1708, 1709, 1710, 1746, 1747, 1748, 1749, 1750, 1751, 1815, 1845, 1847, 1851, 1870, 1891, and 2047, and Committee Amendment 1 to Senate Bill 660; refer to Insurance Committee - Senate Bills 1609, 1646, 1681, 1706, 1723, 1730, 1732, 1733, 1737, 1833, 1834, 1844, 1899, 1906, 1946, 1967, 1971, 1995, 2027, and Committee Amendment 1 to Senate Bill 692; refer to Judiciary Committee - Senate Bills 1261, 1571, 1578, 1589, 1595, 1603, 1613, 1647, 1657, 1660, 1665, 1667, 1668, 1673, 1674, 1698, 1711, 1753, 1809, 1828, 1832, 1863, 1864, 1867, 1868, 1877, 1890, 1898, 1994, 1996, 2018, 2019, 2054, 2055, 2074, 2076, Committee Amendment 2 to Senate Bill 57, Committee Amendment 1 to Senate Bill 67, Floor Amendment 1 to Senate Bill 69, Committee Amendment 1 to Senate Bill 74, Committee Amendment 1 to Senate Bill 194, Committee Amendment 1 to Senate Bill 1258, and Committee Amendment 1 to Senate Bill 1502; refer to Labor Committee - Senate Bills 1587, 1653, 1658, 1697, 1720, 1721, 1738, 1752, 1760, 1762, 1839, 1856, 1895, 1905, 1978, 2060, and Senate Resolution 117; refer to Licensed Activities and Pensions Committee - Senate Bills 308, 1570, 1595 {sic} (1585), 1604, 1682, 1688, 1707, 1714, 1754, 1790, 1816, 1817, 1818, 1819, 1821, 1882, 1992, 2011, 2049, 2058, and Floor Amendment 2 to Senate Bill 772; refer to Local Government Committee - Senate Bill 422, and 1337, 1591, 1605, 1666, 1701,

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1735, 1736, 1795, 1807, 1862, 2032, 2057, and 2068; refer to Public Health Committee - Senate Bills 1586, 1655, 1662, 1773, 1846, 1893, 1944, 2031, 2038, 2043, Committee Amendment 1 to Senate Bill 1530, Senate Joint -- Senate Resolution 118, and Senate Joint Resolution 16; refer to Revenue Committee - Senate Bills 1719 {sic} (719), 1565, 1593, 1598, 1622, 1656, 1678, 1700, 1702, 1719, 1744, 1764, 1765, 1766, 1767, 1783, 1791, 1792, 1793, 1794, 1803, 1871, 1887, 1979, 2012, 2017, 2022, 2024, 2026, 2046, 2050, 2071, 2075, 2080, 2084, 2088, Committee Amendment 1 to Senate Bill 587, Committee Amendment 1 to Senate Bill 604, and Committee Amendment 1 to Senate Bill 1283;...

ACTING SECRETARY KAISER:

...refer to the Revenue Committee -- excuse me, refer to the Special Committee on Oversight of Medicaid Managed Care - Senate Bill 1379, Senate Bill 1654, Senate Bill 1888, Senate Bill 2069, and Committee Amendment No. 1 to Senate Bill 622; refer to the State Government Committee - Senate Bill 1470, Senate Bills 1606, 1621, 1652, 1696, 1758, 1778, 1779, 1780, 1802, 1848, 1869, 1880, 1902, 1975, 2061 {sic} (2091), Committee Amendment No. 1 to Senate Bill 676, Committee Amendment No. 1 to Senate Bill 1519, Senate Resolution 148, 155, and 156; refer to the Telecommunications and Information Technology Committee - Senate Bill 2072; refer to the Transportation Committee - Senate Bills 421, 1262, 1576, 1580, 1680, 1683, 1687, 1694, 1755, 1972, 2028, 2036, 2037, 2041, Committee Amendment No. 1 to Senate Bill 51, Committee Amendment No. 1 to Senate Bill 679, Committee Amendment No. 1 to Senate Bill 691, Committee Amendment No. 1 to Senate Bill 1448, Senate Joint Resolutions 13, 14, and House Joint Resolution 10; refer to the Veterans Affairs Committee - Senate Bills 1620, 1693, 1756, and

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1757; re-referred from the Human Services Committee to the Special Committee on Oversight of Medicaid Managed Care - Senate Bill 608 and Senate Bill 622; and Be Approved for Consideration - Senate Joint Resolution 19. Pursuant to Senate Rule 3-8 (b-1), the following amendment will remain in the Committee on Assignments: Floor Amendment No. 3 to Senate Bill 4 and Committee Amendment No. 1 to Senate Bill 758.

Signed by Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

To the Members, just a reminder, we have committees tonight and tomorrow morning. Again, we have committees tonight and tomorrow morning. There being no further business to come before the Senate, the Senate stands adjourned until the hour of 12 noon on the 1st day of March 2017. The Senate stands in -- stands adjourned.