

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
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PRESIDING OFFICER: (SENATOR HENDON)

The regular Session of the 96th General Assembly will please come to order. Will Members please be at their desks? Will our guests in the galleries please rise? The invocation today will be given by Rabbi Michael Datz, Temple B'rith Sholom, Springfield, Illinois.

RABBI MICHAEL DATZ:

(Prayer by Rabbi Michael Datz)

PRESIDING OFFICER: (SENATOR HENDON)

Please remain standing for the Pledge of Allegiance. Senator Maloney.

SENATOR MALONEY:

(Pledge of Allegiance, led by Senator Maloney)

PRESIDING OFFICER: (SENATOR HENDON)

Madam Secretary, Reading and Approval of the Journals.

SECRETARY ROCK:

Senate Journal of Saturday, May 30th, 2009.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Hunter. 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 HENDON)

Senator Hunter moves to postpone the reading and approval of the Journals, pending arrival of the printed transcript. There being no objection, so ordered. Madam Secretary, Resolutions.

SECRETARY ROCK:

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Senate Resolution 313, offered by Senator Frerichs and all Members.

Senate Resolution 315, offered by Senators Radogno, Dillard and all Members.

They're death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

Resolutions Consent Calendar.

SECRETARY ROCK:

Senate Resolution 314, offered by Senator Sullivan.
It is substantive.

PRESIDING OFFICER: (SENATOR HENDON)

Madam Secretary, Messages from the House.

SECRETARY ROCK:

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

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

Senate Bill 1186

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

House Amendment 1.

Passed the House, as amended, May 27th, 2009.

We have received like Messages on Senate Bill 1433, with House Amendments 1 and 2; Senate Bill 1609, with House Amendments 1 and 2.

Passed the House, as amended, May 30th, 2009. Mark Mahoney, Clerk of the House.

PRESIDING OFFICER: (SENATOR HENDON)

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Will all Members under the sound of my voice please come to the Senate Floor? Would all Senators please come to the Senate Floor? We are about to go to substantial Senate business. Presiding Officer would appreciate if all administrative assistants please inform your Senator that we are now on the Senate Floor in Session, going to significant Senate business. Would all Senators under the sound of my voice please come to the Senate Floor? Will the members of the Committee on Assignments please come to the President's Anteroom? We need the members of the Committee of Assignments to come to the President's Anteroom. There will be a Committee of Assignments immediately. The Senate will stand at ease until after the Committee on Assignments completes their business.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Schoenberg in the Chair. Prior to the Committee on Assignments concluding their business, we will read some Messages from the House. Madam Secretary.

SECRETARY ROCK:

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

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

Senate Bill 611

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

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House Amendment 1.

We have received like Messages on Senate Bill 1050, with House Amendments 1 and 2; Senate Bill 1825 with House Amendments 1, 3 and 4.

All passed the House, as amended, May 31st, 2009. Mark Mahoney, Clerk of the House.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Patrick Keating and Michael Locashio with WLS-TV in Chicago request permission to videotape the proceedings. Seeing no objection, leave is granted. Senator Risinger, for what purpose do you seek recognition?

SENATOR RISINGER:

For a point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Please state your point.

SENATOR RISINGER:

Yeah, in the gallery up here, we have a young man that's a constituent of mine from Chillicothe. He's attended the University of Illinois. He's going to be -- playing for the Springfield Sliders this summer. Would you please give him a warm welcome him here in the Senate?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Will our guest in the gallery please rise? You'll show us your curve ball in the parking lot. Thank you. We'll recess for a few moments.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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Senate will come to order. Charles Thomas of WLS-TV in Chicago requests permission to videotape the proceedings. Seeing no objection, leave is granted. Now have some Committee Reports. Madam Secretary.

SECRETARY ROCK:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to the Criminal Law Committee - Floor Amendment 2 to House Bill 4124; refer to the Education Committee - Motion to Concur with House Amendment 3 to Senate Bill 1984, Motion to Concur with House Amendment 1 to Senate Bill 612, and Motion to Recede from Senate Amendment 2 to House Bill 809; refer to the Energy Committee - Motion to Concur with House Amendment 1 and House Amendment 3 to Senate Bill 16 -- excuse me, Senate Bill 658; refer to the Environment Committee - Motion to Recede from Senate Amendment 1 to House Bill 2491; refer to the Executive Committee - Motion to Concur with House Amendment 1 and House Amendment 4 to Senate Bill 1602 and Motion to Concur with House Amendment 5 to Senate Bill 1909; refer to the Local Government Committee - Motion to Concur with House Amendment 1 and House Amendment 5 to Senate Bill 1995 and Motion to Concur with House Amendment 1 and House Amendment 2 to Senate Bill 2057; refer to the Revenue Committee - Motion to Concur with House Amendment 1 and House Amendment 2 to Senate Bill 1623, Motion to Concur with House Amendment 1 and House Amendment 3 to Senate Bill 1691 and Motion to Concur with House Amendment 1, House Amendment 3 and House Amendment 4 to Senate Bill 1825; refer to the State Government and Veterans Affairs Committee - Motion to Concur with House Amendment 1 to Senate Bill 1928 and

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House Joint Resolution 60.

Signed by Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Thank you, Madam Secretary. We have some announcements for committees that will be meeting this afternoon. Chair wishes to inform the Members and all the legislative assistants that at 3:55 p.m. - 3:55 - Transportation will meet in Room 400 and Education will meet in Room 409. At 4:10 p.m., Environment will meet in Room 400 and Local Government will meet in Room 409. At 4:25 p.m., Revenue will meet in Room 400. At 4:40 p.m. - 4:40 p.m. - in Room 400, the Energy Committee. And at 4:55 p.m., State Government and Veterans Affairs. Please take note of the committees that are scheduled for this afternoon. Alexandria Davis of WICS Channel 20 seeks leave of the Body to shoot video of the proceedings. Seeing no objection, leave is granted. Majority Leader Clayborne, for what purpose do you seek recognition, sir?

SENATOR CLAYBORNE:

Point of -- point of personal privilege.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Please state your point, sir.

SENATOR CLAYBORNE:

Yes. I wanted to make an announcement that one of our Members is celebrating a -- a birthday tomorrow, and for her birthday present, we want to adjourn on time. So, we're going to give Senator Mattie Hunter a birthday present by adjourning today on time. Happy birthday, Mattie.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Happy birthday, Senator Hunter. Senator Hunter.

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SENATOR HUNTER:

Thank you, Leader Clayborne, and thank you, all of my Members and Mr. President, for a wonderful birthday. I look forward to getting out on time. Thank you very much.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Dinner is on Senator Hunter. Please see her to make the necessary arrangements. Senator Steans, for what purpose do you seek recognition?

SENATOR STEANS:

A point of personal privilege.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Please state your point.

SENATOR STEANS:

Yes. I want to welcome to the President's Gallery a group, Hungry for Justice, who is here to advocate on behalf of fair budget, fair revenues that help fund human services, education, health care and an earned income tax credit. I think they're very happy with the vote that we made last night. And just wanted the Senate to welcome them to the Floor -- or, to the gallery.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Please welcome our guests in the gallery. Will our guests please rise? Let's give them a warm Senate greeting. Senator Hunter, you get their tab too. We will stand at recess until the -- call of the Chair, in preparation for the committees which begin at 3:55. After which, we will return to the Floor for final action. The House now stands in recess -- it's the Senate. Senator Hunter, do you seek recognition?

SENATOR HUNTER:

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Thank you, Mr. President and Ladies and Gentlemen of the Senate. I wish to announce two more birthdays the same as mine, tomorrow, which is our staffer, Mitch Lifson, as well as Senator Dillard. June 1st is all three of our birthdays, tomorrow.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Happy birthday, everybody. Senator Lightford, for what purpose do you seek recognition? It's good to see you, Senator Lightford.

SENATOR LIGHTFORD:

Purpose of announcement, Mr. President.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Please state your point, ma'am.

SENATOR LIGHTFORD:

It's really good to be seen and I know you were just joking a moment ago when you called our august Chamber the House. So we all know that it was all in fun, Senator.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Lightford, being in the Chair today is actually part of my rehabilitation program for my earlier transgressions. It's part of a secret arrangement that was agreed at with the Sergeant-at-Arms. Unfortunately, it's not subject to the new FOIA laws, so you won't be able to see the terms of the agreement. Senator Dillard, for what purpose do you seek recognition?

SENATOR DILLARD:

To help you, Mr. President. You know, I knew when you said and referred to this place as the House, you really meant we're the House of Lords, which is, in fact, the Senate. So, I'm with you, buddy.

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PRESIDING OFFICER: (SENATOR SCHOENBERG)

Thank you, Senator Dillard. I think Senator Lightford had it right. Senator Noland, for what purpose do you seek recognition?

SENATOR NOLAND:

Thank you, Mr. Speaker -- I mean, Mr. President. Could you please tell me when the Criminal Law Committee is meeting? I note that we've had an -- an amendment assigned to the committee, but I don't know of the time we're meeting.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator, right now they are not, at all. Senator Hutchinson, for what purpose do you seek recognition?

SENATOR HUTCHINSON:

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

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Please state your point here in the Illinois Senate.

SENATOR HUTCHINSON:

Here in the Illinois Senate, which I'm very proud to be a part of, newly.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

...too.

SENATOR HUTCHINSON:

I wanted to just add a quick addendum to the announcement of Senator Hunter's birthday, because not only is she a dear friend of mine, she's also my sorority sister. So I get to call her Senator Soror. But on her 55th birthday, we have an Illinois State Senate Certificate of Recognition, Miss Mattie, "In recognition of her 55th birthday and many years of distinguished service to the State of Illinois, presented this

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day, the 31st day of May, 2009." Signed by all of your colleagues. Happy birthday.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Happy birthday, Senator Hunter. Senator Jacobs, for what purpose do you seek recognition, sir?

SENATOR JACOBS:

Inquiry of the Chair.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Please state your inquiry.

SENATOR JACOBS:

I was just wondering if you had that chip removed positively, absolutely the right way, or if you still have a piece of that chip in your neck there. I'm just not quite sure.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Jacobs, I'll take that under advisement and see if the insurance covers it. First, we have to fund the group health insurance. Since no one else is seeking recognition, the Senate will now recess until the call of the Chair following the committees. At which time, we will return to the Floor for final action. The Senate is now in recess.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR HARMON)

The Senate will come to order. WBBM-TV CBS Chicago seeks leave to videotape the proceedings. Seeing no objection, leave is granted. Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Sandoval, Chairperson of the Committee on

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Transportation, reports Motion to Concur with House Amendments 1 and 2 to Senate Bill 414 recommended Do Adopt.

Senator Noland, Chairperson of the Committee on Criminal Law, reports Senate Amendment 2 to House Bill 4124 recommended Do Adopt.

Senator Garrett, Chairperson of the Committee on Environment, reports Motion to Recede with Senate Amendment 1 to House Bill 2491 recommended Do Adopt.

Senator Koehler, Chairperson of the Committee on Local Government, reports Motions to Concur with House Amendment 1 and 5 to Senate Bill 1995 and House Amendments 1 and 2 to Senate Bill 2057 recommended Do Adopt.

Senator Viverito, Chairperson of the Committee on Revenue, reports Motions to Concur with House Amendment 1 and 2 to Senate Bill 1623, House Amendments 1 and 3 to Senate Bill 1691, and House Amendments 1, 3 and 4 to Senate Bill 1825 recommended Do Adopt.

Senator Jacobs, Chairperson of the Committee on Energy, reports Motion to Concur with House Amendment 1 and 3 to Senate Bill 658 recommended Do Adopt.

Senator Demuzio, Chairperson of the Committee on State Government and Veterans Affairs, reports Motion to Concur with House Amendment 1 to Senate Bill 1928 recommended Do Adopt.

PRESIDING OFFICER: (SENATOR HARMON)

Madam Secretary, Messages from the House.

SECRETARY ROCK:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate

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

Senate Bill 52

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

House Amendment 1, 2 and 3.

We have received a like Message on Senate Bill 2148, with House Amendments 1 and 5.

Passed the House, as amended, May 31st, 2009. Mark Mahoney, Clerk of the House.

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

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of the following joint resolution, to wit:

Senate Joint Resolution 16

Together with the attached amendment thereto, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Amendment 1.

Adopted by the House, May 30th, 2009.

We have received a like Message on Senate Joint Resolution 56, with House Amendment 1.

Adopted by the House, as amended, May 30th, 2009. Mark Mahoney, Clerk of the House.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Madam Secretary. Ladies and Gentlemen of the Senate, we will be turning to substantive business. Senate Supplemental Calendar No. 1 has been distributed to the Members' desks. On the Supplemental Calendar is the Order of Secretary's

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Desk, Concurrences. We will be shortly turning to the Order of Concurrences. So if the Members within the sound of my voice could be on the Senate Floor. Ladies and Gentlemen of the Senate, we are on the Order of Supplemental Calendar No. 1, Secretary's Desk, Concurrences. Senate Bill 414. Senator Raoul. Senate Bill 658. Senator Trotter. Senate Bill 1623. Senator Dahl. Are you prepared to proceed? Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of Amendments 1 and 2 to Senate Bill 1623.

Signed by Senator Dahl.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Dahl, to explain your motion.

SENATOR DAHL:

Thank you, Mr. President. Amendment 2 replaces everything after the enacting clause and amends the Gas Use Tax Law. Provides that a business enterprise classified under Standard Industrial Code 3221 that was located in an enterprise zone on or before November 1st, 2005, was eligible for an exemption under the Act from November 1st, 2005, through October 31st, 2008, was entitled to a refund of at least seventy-five thousand dollars during any six-month period between November 1st, 2005, and October 31st, 2008, and paid the tax during that period, may request that the public utility file an amended return or returns with the Department. Provides that the utility must file the amended return or returns. I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HARMON)

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Is there any discussion? Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendments No. 1 and No. 2 to Senate Bill 1623. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. And the motion having received the required constitutional majority, the Senate does concur in House Amendments No. 1 and 2 to Senate Bill 1623, and the bill is declared passed. Senate Bill 1691. Senator Althoff. Do you wish to proceed? Madam Secretary, please read the resolution {sic}.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 3 to Senate Bill 1691.

Signed by Senator Althoff.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Althoff, to explain your motion.

SENATOR ALTHOFF:

Thank you very much, Mr. President. Amendment No. 1 was just a technical change. Amendment No. 3 really becomes the bill. And you know how sometimes it's all about being in the right place at the right time, this bill was in the right place. This is a great piece of legislation. What it does is it -- it -- is it extends the manufacturer's purchase credit. It also extends the graphic arts machinery and equipment exemption. And what it does is it also replaces the tax -- investment tax credit. Be happy to answer any questions, but I would ask for an Aye vote.

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PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendments No. 1 and No. 3 to Senate Bill 1691. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Aye, none voting Nay, none voting Present. And the motion having received the required constitutional majority, the Senate does concur in House Amendments No. 1 and No. 3 to Senate Bill 1691, and the bill is declared passed. With Leave of the Body, we are going to go back to the top of the Calendar. Some more Members are in the Senate. Senator Raoul, are you prepared to proceed on Senate Bill 414? Madam Secretary, please read the resolution -- please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 414.

Signed by Senator Raoul.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Raoul, to explain your motion.

SENATOR RAOUL:

Thank you, Mr. President. Senate Bill 414, as amended by the House, adopts the Housing and Transportation Affordability Index for State agencies as a tool for development of plans in Metropolitan Planning Organization areas and a consideration amongst many for allocation of funding for public transportation, economic development, and housing projects, the distribution of economic incentives to business, and the siting

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of public facilities in Metropolitan Planning Organization areas only. House Amendment 2 expressly states that "Nothing in this Act shall reduce or divert funds away from areas not located in a Metropolitan...Organization area."

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR HARMON)

The sponsor indicates that he will yield. Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Senator Raoul, what is the H+...

Thank you, Mr. President. What is the H+T Affordability Index?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Raoul.

SENATOR RAOUL:

It's -- it's an index that would take into account both housing and transportation in terms of the cost of living.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Righter.

SENATOR RIGHTER:

Thank you. What role, Senator Raoul, will the H+T Affordability Index play in making the determination on these State plans? I mean, is that the basic formula that -- that you would suggest that the State agencies use in putting these plans together?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Raoul.

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SENATOR RAOUL:

The bill states it's a consideration. It says -- the bill doesn't mandate that it be weighted in any specific weighting. It just says it's a consideration amongst everything that such agencies may consider. They may consider it and disregard it totally, but it's just saying that it's a consideration.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Righter, do you have an additional question?
Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. Speaker {sic}. It's my understanding that the H+T Affordability Index, Senator - well, I'm going to read from your bill - is designed to calculate the transportation costs associated with a home's location and to combine that cost with the cost of housing to calculate the affordability as a percentage of overall household income. My understanding - and I'm not a transportation expert - is that when we design plans with regards to transportation, we take into account the infrastructure that exists, the -- the population and the population growth, what we need to put in place in order to foster economic growth. Why are we injecting into that consideration an issue concerning overall household income?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Raoul.

SENATOR RAOUL:

Because in consideration of overall household income and -- and expenditures, transportation costs is a rising component. And as we think about where we locate -- like in my district for example, where we may locate a "L" line or have buses go by, we

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-- we think -- and -- and we think about where we may put affordable housing complexes up, we want to have folks have access to transportation to get to and from work. It's -- it's -- it's about using this as a element of planning. That housing costs alone without considering -- transportation costs, which is a -- which is a rising component of overall expenditures for people, should be -- should be considered in making the plans.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Righter.

SENATOR RIGHTER:

Well, Senator, but the way this is drafted won't the net result be that there will be a shift of dollars, quite frankly, to -- to the City of Chicago, or the Chicagoland area, away from spending more dollars on roads and that kind of infrastructure and more towards mass transit? I mean, is that a reasonable expectation of what this formula would do?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Raoul.

SENATOR RAOUL:

No, it's not. In fact, there's a specific line in the bill - I think it's Section 15 - that says this is not meant to divert funds from areas outside of Metropolitan Organization {sic} areas.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Righter.

SENATOR RIGHTER:

But that language only applies to areas not located in a Metropolitan Planning Organization area. So, it does not apply to areas within an MPO. Correct?

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PRESIDING OFFICER: (SENATOR HARMON)

Senator Raoul.

SENATOR RAOUL:

Correct. It's -- it's meant to say that the use of the H+T Index is one element amongst many that could be considered. It's not mandated that it has to. It's a consideration. It's - - it's -- you know, it's symbolic, you know, and -- and it's making a statement. It's a consideration amongst everything they can consider. They can disregard it in the end. It's a consideration. I don't know how else to state that.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Righter.

SENATOR RIGHTER:

To the bill, if I might -- to the motion - excuse me - Mr. President. Thank you. Ladies and Gentlemen, we're here on what is presumably the last day of Session. What Senator Raoul is putting before you is a significant change in the way we make plans about where we will spend our infrastructure money. I would point out, also in the bill, that it states that the H+T Affordability Index, which is what we've been talking about here, is designed to ensure consideration of the combined costs of housing and transportation in the siting of new buildings. So we're not just talking about transportation issues. We're talking about buildings as well. I am not comfortable. Maybe this is okay, but, at this late hour, are we comfortable injecting these kinds of considerations -- would have -- which have not been traditionally a consideration in transportation planning and allocating funds before, again, here in the last few hours of Session. Because of the new nature of what Senator

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Raoul is trying to put before us, I would urge a No vote on the motion. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Is there further discussion? Senator Risinger, for what purpose do you seek recognition?

SENATOR RISINGER:

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

PRESIDING OFFICER: (SENATOR HARMON)

The sponsor indicates that he'll yield. Senator Risinger.

SENATOR RISINGER:

Yeah, Senator, I was a little interested in your answer about highway funds. Do you ever envision this being used to transfer the use of highway funds into mass transit funds within a MPO?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Raoul.

SENATOR RAOUL:

I -- I -- I don't know that that's the intent of it. The intent of it is to, again, use the formula as a consideration amongst other -- other things, as the previous speaker's pointed out, not only for transportation planning, but also for housing and -- and things of that nature {sic}, to take into account the desire of people to have easy access to transportation to get to and from work.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Risinger, do you have an additional question?

SENATOR RISINGER:

I do, Mr. President. Senator, if -- reading from the bill,

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it says IDOT shall use its Contact {sic} (Context) Sensitive Solution Process for all transportation expansion projects within the MPO area and, where possible, shall work with communities to enhance or provide opportunities for transportation alternatives to personal automobiles where mixed-use communities thorough -- thoughtfully planned to lessen sprawl exist or are appropriate. It sounds to me like the -- this is an encouragement for IDOT to transfer funds from highways to mass transit. I don't see anything in there where it says that they should use this to transfer money for mass transit to highways. Do you agree with that?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Raoul.

SENATOR RAOUL:

I -- I -- I didn't see -- I didn't hear anything in the statement that you just read that said it will be -- they'll either-or.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Righter {sic}, do you have an additional question?

SENATOR RISINGER:

Thank you, Mr. President. Senator Risinger. Thank you. Senator Righter's over there.

PRESIDING OFFICER: (SENATOR HARMON)

He talks an awful lot, Senator. It's easy for the Chair to be confused.

SENATOR RISINGER:

I know he does. Yeah, I'm trying to catch up. Let me -- let me read that to you again, Senator, because it says, "where possible, shall work with communities to enhance or provide

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opportunities for transportation alternatives to personal automobiles where mixed-use communities thoughtfully planned to lessen sprawl exist". So, it sounds to me, that wording is to encourage the use of mass transit over -- over highways, which would transfer funds within the MPO from highways to mass transit.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Raoul.

SENATOR RAOUL:

It sounds like, to me, from what you just read, that we might want to encourage people to -- to have less traffic on the Eisenhower and less traffic on the expressways that are -- we know that are clogged up, and to have less smog in our -- in -- in our air and to -- and to conserve on energy and to use the mass transit that is available. I -- you know, I don't know that that's a bad thing, but it -- it -- it certainly doesn't say anything about diverting funds from one place to the other. I think that to the extent that we can have people use mass transit that exists and to the extent that we can get mass transit to other areas of the State where it can serve -- serve people and allow them to get to and from work easily, I think that's something we want to encourage. One, for energy efficiency.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Risinger.

SENATOR RISINGER:

To -- to the bill, Mr. President. Thank you. You know, that rhetoric is good, but there is money allotted for mass transit and there's money allotted for highways, and whenever

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you are only looking at a situation where you can move moneys in one direction, that means that moneys will be -- be shorted for highways. And there's rural areas that have needs and concerns - even within the MPOs. There's a lot of rural areas within the MPOs. And if you start moving highway moneys into mass transit, that's going to throw this thing out of balance quite a bit. I would urge a No vote. I would urge that we look at this a little closer and take a little bit of time to study just what we're trying to do here. I know that what they're asking for is to be able to allow people to move in mass transit -- transit arena so that we don't clog up the highways and so forth, but this -- I think this language encourages the MPOs to move money from one area to the other and I'm not sure we want to do that at this time.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Raoul, you wish to respond to Senator Risinger's statement?

SENATOR RAOUL:

Yes. From -- I've been informed, the -- the -- the portion that you just read talks about using the Context Sensitive Solution Process, which is something that IDOT already does, and this was something that IDOT wanted to put into the bill when the bill originally went over to -- to the House because they were uncomfortable putting the H+T portion in that particular sentence. So this Context Sensitive Solution Process is something that the Illinois Department of Transportation already embraces. So, if that's your concern, then, you know, you might want to talk to the people at IDOT, 'cause they've been doing this already.

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PRESIDING OFFICER: (SENATOR HARMON)

Further discussion? Senator Althoff, for what purpose do you rise?

SENATOR ALTHOFF:

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

PRESIDING OFFICER: (SENATOR HARMON)

The sponsor indicates that he will yield. Senator Althoff.

SENATOR ALTHOFF:

Thank -- thank you very much. I -- I, too, have some concerns with the language in this legislation. I think I know what your intent is and I certainly support the use of -- of mass transit and providing all opportunities for that purpose to get people -- to give people an alternative to their automobiles. But I see in this legislation it states, "Nothing in this Act shall reduce or divert funds away from areas not located in a Metropolitan Planning Organization area." So my concern is, what about within the MPOs? McHenry County, which is relatively transit poor, unfortunately. We'd like to see that improve. But it doesn't, it only has one mass transit line. I'm located within an MPO that includes not only Cook, but DuPage, Kane and Lake and Will. So my concern would be, would this legislation permit any entity at IDOT to take moneys that might be allocated to any of those counties and put that more towards Chicago, which is extremely mass transit rich?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Raoul.

SENATOR RAOUL:

It -- it might, in fact, be used to do the opposite.

PRESIDING OFFICER: (SENATOR HARMON)

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Senator Althoff.

SENATOR ALTHOFF:

Oh, okay, I'm going to giggle and say again, Chicago's going to give the suburban area money. That never happens. Explain to me then how that would work.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Raoul.

SENATOR RAOUL:

Let's say -- let's say, for example, that people in the suburbs might work in the City of Chicago, for example, and sometimes that happens, and there's indication that the transportation costs from somebody -- from a considerable amount of people coming in from McHenry County dictates that, wow, we need to look at this and -- and make it easier for those folks to -- to have access to transportation to -- to -- to -- to come into the City where they work 'cause this is a considerable cost of -- of -- of -- of their cost of living. So...

PRESIDING OFFICER: (SENATOR HARMON)

Senator Althoff.

SENATOR ALTHOFF:

I -- I would concur. In fact, it takes almost two hours to get from McHenry County to the center of the City of Chicago and we have many people from McHenry County that actually work there. I -- I would be one of those. If I had more access to mass transit, I'd be taking it into the City all the time. My concern is that the way this language is actually drafted would permit individuals within the Department of IDOT, and I'm sure that they're all wonderful people, but it might permit exactly the opposite. And I guess I would ask at this particular point

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in time that you look at that and tighten that language up. Because I think the intent can be utilized inappropriately and harm all of the collar counties, as opposed to helping 'em as I -- I think you want.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Raoul.

SENATOR RAOUL:

To be clear, there's no intent in this legislation for this to be used specifically within a Metropolitan Planning Organization to divert from any particular area to -- to the end for the Metropolitan Organization area that Chicago's in. This is not meant to divert to Chicago from, you know, McHenry County. This, again, is a consideration amongst many -- many. You know, without this, you know, could there be diversion from McHenry County to -- to Chicago? Yeah. It can happen without - - without the H+T Index being in as a consideration. Could the H+T Index be used to do the opposite, divert funds from Chicago to -- to McHenry County? Yes. An argument can be made for that. All it's saying is, this is one of the things amongst many things that you look at.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Althoff, do you have another question?

SENATOR ALTHOFF:

In -- in -- just in conclusion and to the bill. I think that your intent is absolutely valid and I understand what you're trying to do. And I think it probably, in all the appropriate ways, would be utilized from McHenry to Chicago/from Chicago to McHenry and utilize those dollars appropriately. My fear is, unfortunately, is that there may be more unintended

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consequences with this legislation. And I would just ask that you look at it. Maybe there are ways to tighten it up so that that really doesn't happen. So, thank you very much for your answers.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Bomke, you're seeking recognition?

SENATOR BOMKE:

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

PRESIDING OFFICER: (SENATOR HARMON)

Sponsor indicates he'll yield. Senator Bomke.

SENATOR BOMKE:

Senator Raoul, we know that your intention is good. There's -- an obvious discomfort level on this side of the aisle. Charlotte Flickinger with the -- with IHDA was in to see me and she testified in committee on your behalf. She indicated there was more information coming, but unfortunately we won't get it till this next week. And I'm hopeful we'll be out of here before then. Would you be amiable to taking it out of the record? I don't know, it -- maybe there's some urgency here. If not, and maybe bring it back in a veto Session. Maybe over the summer we would gain a comfort level and be more amiable to supporting the legislation.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Raoul.

SENATOR RAOUL:

Give me a -- give me one moment so I can confer.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Raoul.

SENATOR RAOUL:

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I would -- in -- in the interests of working together on this final day of Session and ensuring that we have kumbaya for the rest of the day, I will take it out of the record.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Bomke, I should have called on you first. Madam Secretary, please take Senate Bill 414 out of the record. Senator Trotter, on Senate Bill 658. Do you wish to proceed? Madam Secretary, please read the gentleman's motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 3 to Senate Bill 658.

Signed by Senator Trotter.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Trotter, to explain your motion.

SENATOR TROTTER:

It's a motion to concur on Amendments 1 and 3. If we could, to adopt 1, which basically just shells the bill; No. 3 becomes the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendments No. 1 and No. 3 to Senate Bill 658. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. And the motion having received the required constitutional majority, the Senate does concur in House Amendments No. 1 and No. 3 to Senate Bill 658, and the bill is declared passed. If you move down your Calendar to Senate Bill

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1825. Senator Clayborne. Senate Bill 1928. Senator Delgado.
Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their
Amendment No. 1 to Senate Bill 1928.

Signed by Senator Delgado.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Delgado.

SENATOR DELGADO:

Thank you, Mr. President, Members of the Senate. Senate
Bill 1928 -- deletes all and becomes the bill. Removes all of
the provisions of the original bill and creates the Department
of Human Rights Special Fund. The amendment specifies that the
Governor may not transfer money from this new fund to the
General -- General Revenue Fund. And House Amendment No. 1 also
amends the Human Right {sic} (Rights) Act to require a seventy-
five-dollar registration fee when a person files or renews an
Employer Report Form to establish eligibility for a State
contract. This fee shall also be deposited in the Department of
Human Rights Special Fund and shall be used solely to fund the
Department's public contract compliance and -- monitoring
program and other Department programs and activities. And I
would ask for your Aye vote.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR J. JONES:

Thank you, Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR HARMON)

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Sponsor indicates that he'll yield. Senator Jones.

SENATOR J. JONES:

Senator Delgado, we -- we just had this bill a few minutes ago in committee and -- and we had great concerns about it on our side of the aisle, and, quite frankly, none of us voted for it. For the life of me, though, really, I can't figure out why we're doing this on the last day when we're -- we're about five and a half hours from possibly adjourning here for the -- for the spring. But my question is, is that this bill will actually do a fee on companies that sign up to do business with the State of Illinois. And when they sign up, you're going to charge 'em seventy-five dollars. Then every five years they renew that -- that contract to -- to do business with the State of Illinois, and we're going to charge 'em another seventy-five dollars. Is that correct?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Delgado.

SENATOR DELGADO:

That is correct, Senator Jones.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Jones.

SENATOR J. JONES:

Thank you, Mr. President. It's my understanding, from the director sitting right there in committee beside you, that his intentions is, is that he says we need to do an audit because we have a mandate on us. Well, I totally disagree with what he's saying about the mandate, because normally a mandate says, you know, you're going to do X, Y and Z in a certain time period. The law that is in place right now that requires the agency to

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do monitoring and audits only says they have to do it. It doesn't say you got to do fifty percent of the -- of the contractors or two percent of the contractors. Right now, they're doing about one percent per year with one employee. So my question in -- in committee was, how many more people are you going to hire doing this? Because it's going to bring in about three hundred and eighty thousand to four hundred thousand dollars a year. My question to you is, is why in the world would we do this whenever -- we're meeting the -- the law's guidelines right now that says we must audit. It doesn't say a percentage or anything. So why would we do this now?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Delgado.

SENATOR DELGADO:

Thank you, Mr. President. It needs to be done now because as it continues to grow, as more contractors grow - as of December 2008, the Department had twenty-eight thousand two hundred and twenty-five registered entities with one person - to make sure that they can efficiently monitor, as I shared with you in committee, Senator Jones, to monitor the compliance of these companies. And just to note, that within the five-year period, it really amounts to about fifteen dollars a year. And that would be my answer, sir.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Jones, you have another question?

SENATOR J. JONES:

Thank you, Mr. President. To the bill: You know, as -- as I look at this - and it's -- and it's very plain in the language in the -- in the amendment - what they're going to do is charge

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a seventy-five-dollar fee whenever you sign a contract to do business with the State of Illinois. Right now, there's about twenty-eight to twenty-nine thousand companies - twenty-eight to twenty-nine thousand, folks, times seventy-five dollars - that's going to have to -- to -- to pay this seventy-five dollars. And then every five years, they're going to pay another seventy-five. The director said, "We need this so we can conduct an audit on these companies." Let me tell you something. Being in business for many, many years - for almost thirty-six years - I knew somebody was going to audit me at some point in time and I knew I better -- better do it right, because I never knew when that audit was going to come. I think we're at that point right now with this agency. We don't need to scare people and charge 'em more money to -- to -- to think that they're going to be audited more frequently than what they are right now. If you do spot audits and people -- the companies know you're doing spot audits, they don't know whether they're going to be the one that's going to be next or not. But the other thing that it says in this bill -- not only are they going to hire more people to do these audits, but it says the Department -- the -- the funds will be used by the Department to monitor the program and other Department programs and activities as needed. This is just another way to fund the agency. If they don't have enough money, they need to go down to the second floor right now, while we're trying to get a budget done, and say, "Hey, we don't have enough money to operate" - if that's the case. If they need -- you know, he said he needed computer programs and the like. Go down there and tell the Governor, because the Governor appoints that director. Let him go down there and beg for that money

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just like everybody else is right now. But this is the wrong thing to do on any business. I know you're saying it's fifteen dollars a year, but fifteen here and fifteen there. And I think there was a bill last night that had a large effect on people in the State of Illinois and business in the State of Illinois. I would urge a strong No vote.

PRESIDING OFFICER: (SENATOR HARMON)

Senator McCarter, for what purpose do you rise?

SENATOR McCARTER:

To the bill. Senator Delgado, I appreciate you bringing this up and allowing us to -- to talk about it openly. I -- Senator Jones covered most of what we spoke about in the committee, but one other -- a couple of comments that I remember and that is, one, there was -- there was a desire by this Department to implement computer technology to expedite the application process. And -- and I guess -- what my comment was, if we're -- if we're doing that, manpower shouldn't be the result of, you know, increased technology. But -- and -- and as well, it would expedite the audit process. So, while I -- I -- I -- I respect the fact that we want to do an excellent job, that's a - I'm -- I'm glad that every one of our departments want to do an excellent job and they want to do a -- a sufficient audit - it appears that we're -- we're going backwards instead of forwards. And the -- the other comment that was made that I guess I -- I question and that is, these people that are making application are making money from the State, they should -- they should pay. And I think, you know, at this -- we're -- we're talking about the budget right now and talking about how we're going to find funds. That's probably

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not a great way to find funds. I think -- I -- I commend the Department for wanting to be efficient and I think we ought to just recognize that now and go on and accept their level of audits as sufficient. So, I would encourage a No vote. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

Further discussion? My good friend, Senator Risinger, whose name I pledge to get right for the rest of the day. Senator Risinger.

SENATOR RISINGER:

Thank you, Mr. President. Will the Senator yield for a question?

PRESIDING OFFICER: (SENATOR HARMON)

Sponsor indicates that he will yield. Senator Risinger.

SENATOR RISINGER:

Yeah, Senator, I apologize. I wasn't in committee. But does this extend to the Department of Transportation where you have contractors that are audited by the federal government? There's a lot of compliance reviews; audits done by the State government; there's pre-qualifications. There's a lot of people in place to look over those contracts and -- and in depth, and - and -- so I was curious. Are -- are we reaching into this arena also?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Delgado.

SENATOR DELGADO:

Senator Risinger, this would only apply to those -- these would only -- this would only apply to companies who are applying through the Department of Human Rights, not IDOT.

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PRESIDING OFFICER: (SENATOR HARMON)

Senator Viverito, for what purpose do you seek recognition?

SENATOR VIVERITO:

Just to commend the sponsor of this particular need in the Human Rights. And obviously that money is necessary, making certain that they're in compliance - the people that do business in the State of Illinois. You know, we have ERISA and other places that make certain that the contracts that are screened are audited as well to make certain that they're in compliance. And I do feel that the sponsor is correct in trying to help the Human Rights out. And I commend him for what he's doing and I urge a Yes vote.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR DELGADO:

I would just ask for an Aye vote, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1928. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 35 voting Aye, none -- 21 voting Nay, none voting Present. And the motion having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 1928, and the bill is declared passed. Senator Viverito, are you seeking recognition? Senator Bomke, are you seeking recognition?

SENATOR BOMKE:

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

PRESIDING OFFICER: (SENATOR HARMON)

Please state your point, Senator.

SENATOR BOMKE:

Thank you, Ladies and Gentlemen of the Senate. We know that -- or I know that all of you have to leave your families to be here. Fortunately, I can go home every night and I see mine. We have staff who are in the same situation. Fortunately, many of my staff live right here -- or our staff lives right here in Springfield. With us tonight, up in the gallery behind the Republicans, is the family of Al Kroner, a very abled staffer on Transportation Committee - his wife, Linda, and daughters, Sarah, Emily, Mary, and son, Benjamin.

PRESIDING OFFICER: (SENATOR HARMON)

Welcome to the Senate. Please rise to be welcomed by the Senate. Next on the Order is Senate Bill 1995. Senator Wilhelmi. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 5 to Senate Bill 1995.

Signed by Senator Wilhelmi.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Wilhelmi, to explain the motion.

SENATOR WILHELMI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move to concur with both House Amendments 1 and 5 to Senate Bill 1995. Senate -- or House Amendment No. 5 is a gut and replace that would allow Lockport High School -- Lockport Township High School or Elgin Community College District 509 to

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issue twenty-five-year bonds for the purpose of purchasing, constructing, or improving real property. Current law only allows bonds issued by school districts to become due within twenty years. What we've done here is we've reduced the number of years from thirty to twenty-five. My bill, my original bill, allowed those bonds to be repaid over thirty years. Speaker Madigan expressed concerns about that length of time. We moved it back to twenty-five years. This is permissive only. We also make the effective date immediate. I'd be happy to answer any questions and I ask for your support.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Jones, for what purpose do you rise?

SENATOR E. JONES:

Thank you, Mr. President. Move the -- move the previous question.

PRESIDING OFFICER: (SENATOR HARMON)

The Senator's moved the previous question. The Chair is also going to set the timer as we work our way into the evening here for five-minute debates. Is there any discussion? Senator Althoff, for what purpose do you rise?

SENATOR ALTHOFF:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR HARMON)

The sponsor indicates he'll yield. Senator Althoff.

SENATOR ALTHOFF:

Thank you. Senator, do I remember your original underlying bill was to actually extend to all school districts the ability to bond out for thirty years?

PRESIDING OFFICER: (SENATOR HARMON)

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Senator Wilhelmi.

SENATOR WILHELMI:

Yes, Senator. And what we've done here is we've limited the bill to two school districts. It's my understanding the House would like each and every school district who would like to do this to come to the General Assembly, have a Senate sponsor and a House sponsor, move a piece of legislation that would allow that particular school district to issue twenty-five-year bonds.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Althoff.

SENATOR ALTHOFF:

Thank -- thank you. So it's -- it -- I can assume from that statement that we're going to see a few more of these school districts who are going to be coming to the General Assembly asking for the same consideration.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Wilhelmi.

SENATOR WILHELMI:

That's certainly possible. And I'll tell them to contact their good Senators.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any further discussion? Seeing none, the question is, shall the Senate concur in Amendments No. 1 and No. 5 to Senate Bill 1995. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Aye, 2 voting Nay, 1 voting Present. And the motion having received the required

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constitutional majority, the House -- the Senate does concur in House Amendments No. 1 and No. 5 to Senate Bill 1995, and the bill is declared passed. Next on the Calendar is Senate Bill 2057. Senator Maloney. Madam Secretary, please read the -- the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 2057.

Signed by Senator Maloney.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Maloney.

SENATOR MALONEY:

Thank you, Mr. President. If you remember the goal of this legislation, it remains the same and that is to create a database of individuals with special needs to be maintained by public safety agencies in order to know how to deal with those people with special needs when they respond to calls to assist them. What amendment -- House Amendment No. 1 does is simply adds a Section to the bill that protects the public safety agencies from civil liabilities relating to the reporting of these special needs. This was added at the request of the Sheriffs' Association and they are now on board with the bill. And the Amendment No. 2 requires information to be updated every two years and also requires policies and procedures for the control of the data entered into the system. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendments No. 1 and No. 2 to

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Senate Bill 2057. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. And the motion having received the required constitutional majority, the Senate does concur in House Amendments No. 1 and No. 2 to Senate Bill 2057, and the bill is declared passed. Ladies and Gentlemen of the Senate, on the second page of your Supplemental Calendar No. 1 is House Bill 2491. Senator Garrett. Senator Garrett, are you prepared to -- to -- to proceed? No. Sorry, Ladies and Gentlemen of the Senate, as I turned the page, I neglected to note we are now on the Order of Non-Concurrence on your Calendars, still on Supplemental Calendar No. 1. Senator Garrett, you wish to proceed? Madam Secretary, please read the lady's motion.

SECRETARY ROCK:

I move to recede from Senate Amendment 1 to House Bill 2491.

Signed by Senator Garrett.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Garrett, on your motion.

SENATOR GARRETT:

Yes. Thank you, Mr. President. Basically, what this amendment was to do, and I agree that we don't need to include it, is that it would not allow the Governor to sweep this particular fund. And we do have an agreement between the Governor and the drycleaners that this fund will not be swept, at least in this budget year.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR HARMON)

The sponsor indicates that she'll yield. Senator Righter.

SENATOR RIGHTER:

Senator Garrett, I think that the collective experience that we've had here is that it's usually good policy to be a little paranoid when it comes to these special funds, and that if there's a chance that a fund will be swept, whether it's this year or next fiscal year or maybe the one after that, that we ought to protect it. So, I appreciate what you've articulated as the reason why you want to take it out. Tell me what the harm in -- is in leaving the protection in. In other words, leaving this amendment on the bill so it won't be swept.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Garrett.

SENATOR GARRETT:

Yes. I -- I'm not sure exactly what negotiations took place in the House, but there was an agreement that -- at least in this particular budget year, there was a commitment from the Governors' Office to not sweep the fund, and the drycleaners' council has said that they will work directly with the Governor's Office and they are in agreement to not go forward with this amendment.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Righter.

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SENATOR RIGHTER:

Thank you, Mr. President. First, inquiry of the Chair, if I might. I assume that on this motion there will be a roll call vote.

PRESIDING OFFICER: (SENATOR HARMON)

Yes, Senator, this is final action. We had -- had -- anticipate a roll call vote.

SENATOR RIGHTER:

Thank you, Mr. President. Briefly, to the motion, if I might. Ladies and Gentlemen, I appreciate what the Senator is doing here. She's been given a -- a message from the House of Representatives that says, we're not going to accept language that protects this fund from a sweep. I think that we ought to help Senator Garrett here. I think we ought to come to Senator Garrett's rescue. We ought to vote against the motion and tell the House of Representatives that the Senate insists that this fund be protected from sweeps. I would urge a No vote on the motion. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Garrett, to respond.

SENATOR GARRETT:

Yeah, I would like to respectfully disagree with my colleague on the other side of the aisle. There was an agreement made with the drycleaners' council and I don't think it's appropriate for us to decide here after that agreement was made. I think we need to go forward and not accept the amendment and let the negotiations continue on fund sweeps between the legislators, the drycleaners' council and the Governor's Office. Thank you.

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PRESIDING OFFICER: (SENATOR HARMON)

Further discussion? Senator John Jones, for what purpose do you rise?

SENATOR J. JONES:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Sponsor indicates that she will yield. Senator Jones.

SENATOR J. JONES:

Senator Garrett, if -- if I understood you right in -- in committee, there is an agreement not to sweep this fund for one year. Right?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Garrett.

SENATOR GARRETT:

That is correct.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Jones.

SENATOR J. JONES:

So next year we can come back and sweep it, 'cause you only made an agreement -- or the Governor's Office only made an agreement for one year. So I -- I totally agree with -- with Senator Righter. You know, we ought to just help you out here on this, because there's going to be a bill coming over pretty soon to do some sweeps and you'll have an opportunity to sweep whatever you want to then, so...

PRESIDING OFFICER: (SENATOR HARMON)

Senator Garrett.

SENATOR GARRETT:

Well, again, I -- I -- I feel that we're intervening here,

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because this bill on its own without that amendment could possibly be in jeopardy and that is not the intent of the amendment, so I think we have to be very careful here. And, secondly, the agreement has been made and there's no intent to sweep this particular fund. So, there is a good relationship established. I don't want this bill to be in jeopardy. It's an important bill. And I would ask that we remove the amendment.

PRESIDING OFFICER: (SENATOR HARMON)

Further discussion? Senator Hendon, for what purpose do you rise?

SENATOR HENDON:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR HARMON)

Sponsor indicates that she'll yield. Senator Hendon.

SENATOR HENDON:

Senator Garrett, I want to be clear on what you're attempting to do. This is a fund that you don't want swept. Is that correct?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Garrett.

SENATOR GARRETT:

This is an amendment to a larger bill that we added on, almost as an afterthought, to not sweep the fund. That is correct.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hendon.

SENATOR HENDON:

Well, if -- if the Governor's not allowed to sweep this fund and we won't vote to raise taxes, how's he going to get the

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revenue? Isn't he trying to get revenue by sweeping this fund or does it matter not? If he doesn't sweep the fund, how's he going to get the revenue? How much money was they trying to sweep out of this fund? Do you know?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Garrett.

SENATOR GARRETT:

This fund was never meant to be swept. It's not part of the funds that are included in the fund sweep. So this has no relation -- there's no relationship to this particular fund being swept or not being swept, based on the facts that we have on the bill that's coming over.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hendon.

SENATOR HENDON:

Well, Senator, I asked you, and I asked you for a reason, how much money was going to be swept for the -- all the funds. Nobody wants to sweep any funds. Everybody said this is our fund, we don't want to sweep the fund, but then we have to raise money to run government. So I'm asking you what -- what options are you -- are you going -- do you offer a -- a tax increase of some kind or -- I mean, I know you voted No yesterday, because, you know, you don't want to pay for the meal, you just want to order up the lunch. So here's a fund that people want to sweep so they don't have to raise taxes and you're saying, don't sweep the fund. So, are you trying to have it both ways, Senator Garrett?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Garrett.

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SENATOR GARRETT:

Senator Hendon, this particular fund is not included in the fund sweeps. I was not part of that negotiation, so I can't really respond. But the drycleaners' council and the legislator who worked on this in the House definitely participated in that conversation.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hendon.

SENATOR HENDON:

Almost feel like Senator Righter yesterday when he asked the question four times before he got a straight answer. So let me ask you again and maybe I can get a straight answer. How much money would be swept from this fund? If there is no money being swept from the fund, what are we doing here? And if it is, you're going -- if we're going to vote with you, how are we going to make up the money? Are we going -- a tax increase or fee increase or do you care?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Garrett.

SENATOR GARRETT:

The -- the best way I -- I can answer this, I don't know what the fund sweep would be if it were to be swept, but it is not something that I negotiated. So there is an agreement to not sweep the fund. If there was an agreement to sweep the fund, we wouldn't be having this conversation. So, if you don't want to vote for me, or if you want to vote against me, that's your choice. The point I'm trying to make is that this has nothing to do with how I voted last night. This has everything to do with keeping the bill as it should be without letting

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differences of opinion on how we vote on tax increases -- it shouldn't creep into the equation.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hendon.

SENATOR HENDON:

To the bill, Mr. President. Well, you know, it's a good thing that this is a democracy. And you're right. I don't have to vote with you, just like you didn't have to vote with the President last night - with the President. And it bothers me when Leaders don't vote with the President. So, I think that, you know, you open yourself up to this discussion, because if you don't sweep the funds, you got to raise the funds from somewhere - so they are related to each other. And -- and I think that it -- it would just behoove you to know how much money is going to be swept out the fund or not being swept out the fund. And if you're not going to allow the sweeps, you got to make up the money somewhere. So, you know, I know this bothers you and Senator Schoenberg for people to ask you about your bills, because, you know, all your stuff is golden, or bleeping golden, but I have a right to question you, whether you like it, whether Jeff like it, or whoever the hell don't like it. I'm going to do what I want to do.

PRESIDING OFFICER: (SENATOR HARMON)

Senator -- Senator, as you've often told us, let's keep this to the four corners of the bill. Further discussion? Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. You know, I pride myself on being an environmentalist, as does Senator Garrett. We just had

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a situation, and I think it's in Senator Crotty's district, where the Village of Crestwood had its water supply poisoned by drycleaning. I don't understand for the life of me, if you say that you're an environmentalist or somebody that is for clean water or the economy, why we would rob this fund. And I know Senator Garrett doesn't want to rob it. But as my colleague, Senator Righter, said to the sponsor, I think we need to help you out here. We'll need to help you against the big, bad House that obviously wants to sweep this fund, wants to have situations like arose in the south suburbs, where we can have people's water supply poisoned by drycleaning chemicals, and I think we should refuse to recede from this. This fund should not be swept. This is a crucial fund for the environment. These drycleaning chemicals, as we know from the Crestwood situation, cause cancer. And for us to remove any safeguard at all from -- keeping our -- our water supply and our environment clean is worth the extra time it would take to do this right. And I would urge us not to recede, especially if you care about the environment. And if we didn't learn anything from that Crestwood situation, shame on us.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR TROTTER:

Just for point -- to the bill.

PRESIDING OFFICER: (SENATOR HARMON)

To the bill, Senator.

SENATOR TROTTER:

Thank you very much. Just -- I don't know how it feeds

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into the -- the conversation, however, a little later this evening, I'm going to be calling Senate Bill 1433, which will be the fund transfer bill. The drycleaners is not in my bill. So I don't know if that makes a -- moots the whole conversation, but it's not here. Okay?

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Is there any further discussion? Seeing none, Senator Garrett, do you wish to close?

SENATOR GARRETT:

Thank -- thank you, Mr. President. I guess I understand that there are some issues now with -- Senator Dillard, regarding the environment. There's nobody here that works harder to ensure that our water is clean and our environment is -- is safe. And I can tell you right now, today, as Senator Trotter just pointed out, this fund is not -- there's going to be no money that's transferred out and it's not going to be swept. The irony of this, though, is that we put this bill in jeopardy and that becomes problematic. So, I think that if you do vote against the intent to remove the amendment because an agreement has been made, you'll be doing far more jeopardy to the whole bill that you all voted on unanimously. So, I hope you will vote Yes to agree to remove Amendment No. 1. I thank you for your time.

PRESIDING OFFICER: (SENATOR HARMON)

The question is, shall the Senate recede from its Amendment No. 1 to House Bill 2491. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 30 voting Aye, 21 voting

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Nay, 2 voting Present. And the -- and the Senate having receded from Senate Amendment No. 1 to House Bill 2491, the bill, having received the required constitutional majority, is declared passed. Senator Hendon, for what purpose do you rise?

SENATOR HENDON:

Verification.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hendon has requested a verification. Will all Members please be in their seats? Madam -- Madam Secretary, please ring the bell. Madam Secretary, please read the affirmative votes.

SECRETARY ROCK:

The following Members voted in the affirmative: Bond, Clayborne, Collins, DeLeo, Delgado, Demuzio, Forby, Garrett, Haine, Harmon, Holmes, Hutchinson, Emil Jones, Kotowski, Lauzen, Luechtefeld, Maloney, Martinez, Munoz, Murphy, Noland, Sandoval, Schoenberg, Silverstein, Steans, Sullivan, Trotter, Viverito, Wilhelmi and Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Does Senator Hendon question the presence of any Member voting in the affirmative?

SENATOR HENDON:

It seems like everybody is here who voted in the affirmative. You know, the Democrats are always in their seats. So, no, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. On a verified roll call, there are 30 Ayes, 21 Nays, and 2 voting Present. Having received the required constitutional majority, House Bill 2491 is declared

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passed. Ladies and Gentlemen of the Senate, on your regular printed Calendars today, on page 57 at the bottom, is the Order of Secretary's Desk, Concurrences. Senator Steans, on Senate Bill 38. Madam Secretary, please read the resolution {sic}.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 38.

Signed by Senator Steans.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you for reading the motion, Madam Secretary. I apologize for my misstatement. Senator Steans, on the motion.

SENATOR STEANS:

Thank you, Mr. President, Members of the Senate. This will be the second time we have now considered this motion. The other day I presented Senate Bill 38. Would like to -- it's supported by the State Veterinary Medical Association and Humane Society. This bill overall is clarifying that euthanasia techs, as well as vets, actually, can perform euthanasia in an animal shelter or animal control facility. And it's also making some other changes that were requested by the Illinois Department of Financial and Professional Regulation to make the licensing consistent with other Acts and to close some loopholes. They've been making these changes in all their Acts as things get amended to their Acts. So this is about the tenth one that has happened this spring. I request an Aye vote.

PRESIDING OFFICER: (SENATOR HARMON)

There any discussion? Senator John Jones, for what purpose do you rise?

SENATOR J. JONES:

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Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR HARMON)

To the bill, Senator.

SENATOR J. JONES:

You know, it's amazing how something around here just keeps having a -- a new life come to it. I -- I guess this must be something to do with a cat, because supposedly they have nine lives and this one here has had several already. But, you know, nothing has changed this bill since it got twenty-two votes a few days ago. And I would just simply ask that everybody remain with a No vote. Nothing has changed about this, except, as I've walked around this Capitol and around the rail, there's been a few people that support this bill for different organizations has made a statement that the Republicans requested certain language in this, and that is absolutely false. So, if anybody told you that we made requests in Ag and Conservation Committee -- the Republicans made any requests to make some changes to this, that is absolutely false. So I would just ask you to -- to stick with us. Vote No again. As Senator Forby says, we don't have a problem in southern Illinois. If -- if Senator Steans wants to do this for Chicago, that's fine. Go right ahead. I have no objection. In fact, I'll support it for you if you want to do it for -- just for Chicago. But please vote No.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any further discussion? Seeing none, Senator Steans, do you wish to close?

SENATOR STEANS:

Yes. I would just ask for your Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

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The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 38. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 34 voting Aye, 19 voting Nay, none voting Present. And Senate -- the motion having received the required constitutional majority, the Senate does concur in House Amendments {sic} No. 1 to Senate Bill 38, and the bill is declared passed. With leave of the Body, we're going to move forward on your Calendars to the top of page 59, still on the Order of Secretary's Desk, Concurrences. Senate Bill 1918. Senator Lightford. Madam Secretary, please read the -- Senator Lightford's motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1, 2 and 3 to Senate Bill 1918.

Signed by Senator Lightford.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1918 was a bill that Commonwealth Edison originally brought to my attention. I invited the gas companies to participate. We went to committee and began to negotiate, and from that point on the Illinois Attorney General's Office, Lisa Madigan and her staff, took the helm on this issue. They did a phenomenal job. It's an agreed-upon legislation that includes so many particular areas. It promotes progressive regulatory policy. It helps low-income utility customers and it

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advances energy efficiency. The legislation also requires electric and natural gas utilities to offer a new program that's designed to help low-income households better manage their utility bills and this is called the PIP program, the Percentage of Income Payment program. There's also a new program that requires electric and gas utilities to offer an additional energy efficiency program, known as on-bill financing. Com Ed has their issues of -- their arrearages have been addressed. And I believe, again, that Attorney General Madigan, her staff, the Governor's on board - all the utility groups. There's so many advocates that signed on in support of this legislation. I'd be all day reading them, but I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR RIGHTER:

Thank you, Mr. President. To the motion, if I might. Ladies and Gentlemen, I want to thank Senator Lightford for walking through what is in the bill. I think that she would recognize that the bill will mean a measure of a rate increase for ratepayers, not only triggered by the changes in the programs that she designed, but also because there is a provision in the bill that will allow both Ameren and Commonwealth Edison to take a portion of what they have claimed as bad debt and charge that to other ratepayers. In other words, they're going to be able to go to the ICC and ask for a rate increase and get it in order to pay for people who haven't paid their bills. The estimates are that that rate increase

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will run anywhere between a half a percent and two percent. That may not sound like much, but there's been a lot of talk here in the last few days about individuals and families and businesses struggling. This bill, if it becomes law, will result in a rate increase of between a half percent and two percent. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Is there further discussion? Senator Garrett, for what purpose do you rise?

SENATOR GARRETT:

Excuse me. Yes. To the bill: I do understand what Senator Richter was saying. I actually asked to speak to the Attorney General's Office because I actually shared the same concern. But what I did learn was - and I hope I've got this right - that that amount of money that we're charged on our bill is forty cents - I think it's per month. It will now go up to forty-eight cents per month. And I think when you look at the overall good of the services that this serves, it's -- it's definitely a win-win situation. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR HUTCHINSON:

Will -- will the sponsor yield?

PRESIDING OFFICER: (SENATOR HARMON)

Sponsor indicates that she will yield. Senator Hutchinson.

SENATOR HUTCHINSON:

Senator Lightford, is it the intent of this legislation that the new natural gas energy efficiency program requirements

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set forth in the new Section 8-104, on pages 26 to 44 of this bill, apply only to public utilities as defined in Section 3-105 of the Public Utilities Act?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Lightford.

SENATOR LIGHTFORD:

Yes.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hutchinson.

SENATOR HUTCHINSON:

On the gas efficiency provisions, I'd like to make sure I understand how charges to customers will be calculated. There are some customers, such as merchant electric generators, who purchase all or part of their gas at wholesale and then transport that gas over the distribution system of the local gas utility. When the utility is calculating the charge to customers, will the utility include the cost of the gas that is purchased by the user at wholesale?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Lightford.

SENATOR LIGHTFORD:

No -- no, Senator.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hutchinson.

SENATOR HUTCHINSON:

Thank you, Senator Lightford. The question stated differently: Does the legislation intend to cover for purposes of assessing the charges, delivery service revenues and retail gas commodity purchases, but exclude wholesale gas purchases?

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PRESIDING OFFICER: (SENATOR HARMON)

Senator Lightford.

SENATOR LIGHTFORD:

Absolutely. Yes.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hutchinson.

SENATOR HUTCHINSON:

So what is excluded is the wholesale commodity cost - the utility's cost for transportation for that wholesale commodity is included, right?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Lightford.

SENATOR LIGHTFORD:

Yes.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hutchinson.

SENATOR HUTCHINSON:

And you are talking about excluding only wholesale commodity purchases. Retail gas purchases from public utilities and certified alternative gas suppliers are included. Correct?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Lightford.

SENATOR LIGHTFORD:

Yes.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hutchinson.

SENATOR HUTCHINSON:

Still on gas efficiency and looking at subsection (m), specifically page 38, line 19, does the word "customers" there

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include entities with a common parent company?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Lightford.

SENATOR LIGHTFORD:

Yes.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hutchinson.

SENATOR HUTCHINSON:

Thank you. Still on subsection (m), page 40, line 5, is the phrase "energy efficiency measures" limited to gas efficiency measures?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Lightford.

SENATOR LIGHTFORD:

Yes.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hutchinson.

SENATOR HUTCHINSON:

Actually, still on subsection (m), page 40, line 5, is the phrase "energy efficiency measures" limited to gas efficiency measures?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Lightford.

SENATOR LIGHTFORD:

I'm sorry, Senator, that's actually, no.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hutchinson.

SENATOR HUTCHINSON:

Does it then include measures that reduce electricity

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consumption?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Lightford.

SENATOR LIGHTFORD:

Yes, Senator.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hutchinson.

SENATOR HUTCHINSON:

Would it include measures that decrease the heat rate of a generation unit - for example, if an electric generator were to -- were able to decrease the heat rate by the installation of an energy efficient turbine and, consequently, use (a) the same amount of fuel to generate more electricity or (b) less fuel to generate the same amount of electricity, would that qualify?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Lightford.

SENATOR LIGHTFORD:

Yes.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hutchinson.

SENATOR HUTCHINSON:

That then would count as an energy efficiency measure under subsection (m)?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Lightford.

SENATOR LIGHTFORD:

Yes, Senator.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hutchinson.

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SENATOR HUTCHINSON:

Thank you, Senator Lightford. What about banking of efficiency measures under that subsection - is banking allowed?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Lightford.

SENATOR LIGHTFORD:

Yes, provided the customers can demonstrate that the energy efficiency measures will produce savings in subsequent periods.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hutchinson.

SENATOR HUTCHINSON:

So if in the first year an electric generator implemented an efficiency measure that satisfied the energy efficiency provisions of subsection (m) for seven years, the generator would be able to bank the measures and not have to implement new measures for seven years?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Lightford.

SENATOR LIGHTFORD:

Yes.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hutchinson.

SENATOR HUTCHINSON:

Please direct your attention to the percentage of income payment plan, usually referred to as the P-I-P-P or PIPP, created in the new Section of the Energy Assistance Act found on page 107 of Senate Bill 1918. Does this Section require every public utility that provides electric or gas service to more than one hundred thousand customers in Illinois to participate

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in the PIPP?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Lightford.

SENATOR LIGHTFORD:

Yes, and it's a good program, Senator.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hutchinson.

SENATOR HUTCHINSON:

When does this PIPP program commence, Senator?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Lightford.

SENATOR LIGHTFORD:

No later than September 1st, 2011 -- 2011.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hutchinson.

SENATOR HUTCHINSON:

Thank you for the indulgence of the Body. Just a few more questions. Is there a sunset provision for the PIPP created under the Energy Assistance Act?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Lightford.

SENATOR LIGHTFORD:

No. It is finally a permanent program, a program that many consumer groups and utility groups have been trying to come together on for many years and the negotiations were so far apart. And again, I commend the Attorney General on her fine staff for taking the lead and bringing us to a close on this program.

PRESIDING OFFICER: (SENATOR HARMON)

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Senator Hutchinson.

SENATOR HUTCHINSON:

Now please direct your attention to new Section 8-105 of the Public Utilities Act, which appears on page 44 of Senate Bill 1918. Does this Section require all public utilities that provide electric or gas service to more than one hundred thousand customers in Illinois to implement an interim PIPP, during the period before the PIPP created by the Energy Assistance Act is fully implemented?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Lightford.

SENATOR LIGHTFORD:

Yes.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hutchinson.

SENATOR HUTCHINSON:

And, finally, does the December 31st, 2011 sunset provision in the Section of the Public Utilities Act that requires an interim PIPP have any effect on the permanent PIPP created by the Energy Assistance Act?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Lightford.

SENATOR LIGHTFORD:

No, Senator, and thank you for the -- establishing legislative intent.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hutchinson, do you have any more leading questions requiring a yes or no answer?

SENATOR HUTCHINSON:

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No, I do not. Thank you for your indulgence, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Thank -- please thank whatever criminal defense lawyer drafted that colloquy for us. There any further discussion? Seeing none, the question is, shall the Senate concur in House Amendments 1, 2 and 3 to Senate Bill 1918. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 47 voting Aye, 11 voting Nay, none voting Present. And the motion having received the required constitutional majority, the Senate does concur in House Amendments No. 1, 2 and 3 to Senate Bill 1918, and the bill is declared passed. The Senate will stand at ease for a few minutes to allow the Committee on Assignments to meet. If the members on the Committee of Assignments will assemble in the President's Anteroom immediately. The Senate stands at ease.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Schoenberg in the Chair. Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Re-refer from the State Government and Veterans Affairs Committee to the Committee on Assignments - House Joint

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Resolution 60.

Signed by Senator James F. Clayborne, Chairman.

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to the Energy Committee - Motion to Concur with House Amendment 1, House Amendment 2 and House Amendment 3 to Senate Bill 52 and Floor Amendment 2 to House Bill 1306; refer to the Executive Committee - House Joint Resolution Constitutional Amendment 31, House Joint Resolution 51, Motion to Concur with House Amendment 1 and House Amendment 2 to Senate Bill 1050, Floor Amendment 1 and Floor Amendment 2 to House Bill 2424; refer to the Licensed Activities Committee - Motion to Concur with House Amendment 1 to Senate Joint Resolution 56; refer to the Revenue Committee - Motion to Concur with House Amendment 1 and House Amendment 2 to Senate Bill 1609 and Motion to Concur with House Amendment 1 and House Amendment 2 to Senate Bill 1433; Be Approved for Consideration - House Joint Resolution 60, House Joint Resolution 65.

Signed by Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

John Krupski of WBBM-TV Channel 2 in Chicago requests permission to videotape the proceedings. Seeing no objection, leave is granted. Chair -- Chair wishes to announce several committee hearings. Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move to waive all posting requirements so that House Joint Resolution 51 can be heard in the Senate Committee on Executive today at 8:40 p.m.

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PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Harmon moves to waive all posting requirements so that House Joint Resolution 51 can be heard in the Senate Committee on Executive today at 8:40 p.m. All those in favor will say Aye. Opposed, Nay. In the opinion of the Chair, the Ayes have it, and the motion is adopted. Senator Noland.

SENATOR NOLAND:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move to waive all posting requirements so that House Joint Resolution Constitutional Amendment 31 can be heard in the Senate Committee on Executive today at 8:40 p.m.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Noland moves to waive all posting requirements so that House Joint Resolution Constitutional Amendment 31 can be heard in the Senate Committee on Executive today at 8:40 p.m. All those in favor will say Aye. Opposed, Nay. In the opinion of the Chair, the Ayes have it, and the -- and the motion is adopted. Chair wishes to inform all the Members and legislative assistants the Executive Committee will meet in Room 212 at 8:40 p.m.; Revenue, in Room 400 at 8:40 p.m.; Licensed Activities in Room 409 at 8:40 p.m. Energy will meet in 212 at 9:30 p.m. And Education will meet in Room 409 at 9:30 p.m. Please note that, Madam Secretary and Members, we'll go to Supplemental Calendar No. 2, Secretary's Desk, Resolution. Madam.. House Joint Resolution 60. Madam Secretary, please read the resolution.

SECRETARY ROCK:

House Joint Resolution 60, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Harmon, on House Joint Resolution No. 60.

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SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Joint Resolution 60 names -- renames the Grand Avenue Underpass in Franklin Park the Jack B. Williams Underpass. This is an underpass that was decades in the making and is named after the former mayor of Franklin Park -- or will be named after the former mayor of Franklin Park, who initiated the process. I ask for your Aye votes. Thank you.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Is there any discussion? Senator Harmon, do you wish to close? This question -- this question mandates the expenditure of funds. The question -- so a recorded roll call is in order. The question is, shall House Joint -- Joint Resolution 60 pass. All those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. House Joint Resolution 60, having received the required constitutional majority, is hereby declared adopted. House Joint Resolution 65. Senator Raoul, do you wish to proceed? The gentleman wishes to proceed. Madam Secretary, please read the resolution.

SECRETARY ROCK:

House Joint Resolution 65, offered by Senator Raoul.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Raoul.

SENATOR RAOUL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Joint Resolution 65 seeks to create the Pension

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System Modernization Task Force to look at proposed changes that the Governor and others have made -- have recommended for our State-funded pension systems. The Task Force would analyze the public policy implications of changing pension benefits. They would analyze the level of the current pension benefit structure. They would analyze the level of benefit programs currently being offered by the private sector and analyze the long-term costs of our current systems and which pension benefits in Illinois should be modernized.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Is there any discussion? Leader Radogno.

SENATOR RADOGNO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I support this resolution. I think it's high time we have a committee looking at how we restructure pensions. Many of us had -- have recognized for some time that we simply cannot sustain the public pension systems that we have in this State. It's really unfortunate that we didn't start this task several months ago so that we could roll the results of it into the budget solution. But at least we are starting now. So I look forward to a good discussion of changing the pension system in this State over the next several months. Thank you.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SENATOR RAOUL:

I just urge the full support of the Senate on this.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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A roll call vote is in order as an expenditure of public funds is necessary. The question is, shall House Joint Resolution 65 pass. All those in favor, vote Aye. Opposed, Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 58 voting Aye, none voting No, none voting Present. House Joint Resolution 65, having received the required constitutional majority, is hereby declared adopted. On page -- we will now proceed to the Order of Secretary's Desk, Concurrence, page 59 on your Calendar. Senate Bill 2090. Senator Lauzen, do you wish to proceed?

SENATOR LAUZEN:

Yes.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The gentleman indicates that he does. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 2090.

Signed by Senator Lauzen.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Lauzen.

SENATOR LAUZEN:

Thank you very much, Mr. President. I -- I -- let's see, 2090, I have had a couple of false starts in presenting this bill, so I don't want to run the risk of boring anyone before we go into committee. But what went over to the House as a pretty mundane, straightforward, came back as a tough bill. It

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eliminates the Comprehensive {sic} Review Board. If we want a raise, we have to ask for one. It requires each of us to take four furlough days. That represents a little bit more than a one-percent pay cut. We do have the opportunity, by supporting this, to lead by example when we talk about controlling spending. And, finally, it removes our COLA for, I believe, the year 2009-2010 -- but it's just 2010. So I'd be happy to answer any questions or...

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Is there any discussion? Senator Raoul.

SENATOR RAOUL:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Question of the sponsor. Gentleman indicates that he'll yield. Senator Raoul.

SENATOR RAOUL:

Senator Lauzen, do you know, why -- why was the Compensation Review Board established in the first place? Do you know?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Lauzen.

SENATOR LAUZEN:

My guess is that it was established to place political distance between the function of providing pay increases for Members of the -- well, public officeholders.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Raoul.

SENATOR RAOUL:

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Do you think that part of the rationale may have been to take out of the domain of the Legislature the -- the decision making for -- making -- giving themselves raises, which I think is a good concept if you have a good Compensation Review Board?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Lauzen.

SENATOR LAUZEN:

I -- I think that that makes sense, that that may have been a part of it. In our Constitution, both the United States Constitution and in the Illinois Constitution, it gives the Members of the General Assembly the specific enumerated power to set compensation. U.S. Constitution is Article I, Section 6, and then in the State Constitution, it is Section 12 {sic} (11) of the legislative Act {sic} (Article).

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Raoul.

SENATOR RAOUL:

To -- to the bill: You know, being that the sponsor has recognized that the concept of taking out of the domain of the Legislature the decision making for legislators' compensation, I -- you know, I think that all people out there, wherever they work, whether they be in the public sector or the private sector, would love to have the decision-making power to give themselves raises. But somebody else, in most cases, is making that decision and it makes sense. You know, there may have been problems and I can see that there probably were problems historically with the Compensation Review Board, but I don't think you just throw the baby out with the bath water. You -- the appropriate approach here would to -- be to look at what the

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historic problems with the Compensation Review Board would be, whether it be the composition of the Compensation Review Board, if we -- there's already something in motion to -- the -- the so-called "fumigation bill" that is going to take care of the compensation of -- the composition of a lot of boards, but if there's a problem with the composition of the board or -- or -- or the criteria they use to evaluate whether or not compensation is raised or reduced, I think that's what we ought to be doing. I know it's the politically popular thing to do, to say that we're -- we're -- we're going to do this, but, you know -- I -- I feel like I'm giving the same speech that I gave last year when we were so-called voting on a pay raise. You know, I -- I -- I urge a No vote on this.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any further discussion? Any further discussion?
Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. To the motion, please.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The motion.

SENATOR RIGHTER:

Thank you, Mr. President, Ladies and Gentlemen of the Chamber. You know, even at this late hour in the Session, when there tends to be more media around, there tends to be more attention being paid to what the House and the Senate are doing because it's late hour and it's crunch time or whatever, you still get the feeling that, for the most part, constituents and voters really aren't watching individual roll calls. I think this one will be different, because less than twenty-four hours

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ago, thirty-one of you said, "Ladies and Gentlemen of Illinois, to individuals and families and small businesses, you've got to suck it up and eat an eight-billion-dollar tax increase." And for any one of the thirty-one of you to then turn around and say, oh, by the way, I want to keep this fantasy of a system that supposedly separates politics from pay raises in place, will be a terrible insult to those very taxpayers you just demanded more money from. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any further discussion? Any further discussion? Senator Kotowski.

SENATOR KOTOWSKI:

Thank you, Mr. President. To the motion.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The motion.

SENATOR KOTOWSKI:

I'd just like to echo the comments of the previous speaker. I do believe that he's right in the fact that if we're asking people to sacrifice and be a part of shared sacrifice in our State, that we should apply the same standards to ourselves. You know, this is a -- a time, as we pointed out yesterday, where we're going to be making significant budget cuts. We're asking people to contribute to help us solve the problem. And the reality is that we need to walk the walk and lead by example and make sure we impose the same set of standards to ourselves that we are to everybody else. So I think the points are well-taken from the previous speaker. This is a very important bill. I rise in strong support of it, because this is a good time to be able to show that we are tightening our belts across the

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board. You know, I -- I work two jobs. My wife works. But I also know the fact is, you know, we're struggling in the State of Illinois, and at this stage of the game, we don't necessarily need to have an increase for ourselves and we need to make sure we hold ourselves to a very strong standard and lead by example. Thank you.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any further discussion? Any further discussion? Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The motion.

SENATOR LIGHTFORD:

The motion. Excuse me, Mr. President. I rise in strong opposition to this motion. I believe that, as a legislator, I -- I do the best I can on a daily basis and I take my job seriously. And I don't appreciate another legislator determining that I'm not in a position where I could receive a cost-of-living adjustment. It's not a raise. We don't get raises. It's a cost-of-living adjustment that adjusts with all of the other expenses that goes along with economic -- and when we -- while we're in tough economic times. But I want to bring our attention to the four furlough days. Those days take a hundred and eighty-six dollars a month from our income as well, for the first four months in the new year. I think if you're going to take our COLA, then I don't know that it's fair that we also participate in four furlough days. As a single parent, what am I supposed to do? My taxes aren't decreasing. I don't

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get a pass. The bill that we voted for last night, guess what? I have to participate in that too. I have to pay that increase as well. The capital bill that all of you voted for - all of you voted for - raised my driver's license fee, raised the -- the plate fees, put taxes on candy, ice cream, gum. I mean, if my -- my son going need three dollars just to go to the corner store. This is ridiculous. And -- and I think that we need to just stop playing politics and be real about how it's affecting you personally. Some of you may have spouses who make substantial incomes. Some of you may have inheritance that you receive. Some of you may just be outright millionaires. But I just think it's unfair for individuals like myself who do work hard for my job to raise my son. I want to be comfortable too. I want to be able to pay my mortgage. I want to be able to meet all of my outstanding debts. And I know that if you're going to take furlough days and COLAs away from me, it's just too much. When do you stop? If the people in your district believe that you're doing a good job, they will re-elect you. For you to just constantly, constantly, constantly, just to go home and say, "Hey, I took, you know, four furlough days away" or "I took our cost-of-living away" - if they don't like you, they're not going to re-elect you anyway. It's just timeout for this. It's -- we -- we play politics and we play games with our constituents all the time. And the last time we did this, I had some constituents e-mail me and say, "Hey, I didn't realize you guys didn't make any money. I didn't realize your starting salaries were so low." And they get a raise on their job every year or they get a cost-of-living adjustment. They -- they understand that. They understand you go to work, you do a good

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job, you get paid for the work that you do. And I think this is unfair and I rise in strong opposition. I was the only one, I guess honest enough, to vote Present in the committee because I thought the bill sucked, and I'll be voting No on the Floor because I know for sure it sucks.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Hendon.

SENATOR HENDON:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

To the motion. Senator Hendon.

SENATOR HENDON:

To the motion. Yesterday, Mr. President, I said some things on this Senate Floor in response to my good friend, who I've worked with on a number of bills this Session and look forward to working with in the future, Senator Duffy. And he's a fine young man. He's a fine young man. And I had the opportunity to converge together with him and another Senator, who will remain anonymous, in -- in the men's room and we were just having a brief discussion and I told him how it wasn't personal, because it's not personal. And I want to just, you know, put that caveat out there before I talk about my friend who spoke a -- a few minutes ago from that side of the aisle. I won't call his name because he might get up and talk again, but we all know the tall, lanky, handsome, redhead Senator on that side of the aisle who just got finished berating us on this side of the aisle for doing the right thing. And he said that we raised all these taxes on the people and all this and all that and he did not say the other side of the coin. Because what we

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did yesterday was say to the disabled, say to those who -- who have mental health problems, say to the children who need books in school, say to those who are suffering and cannot help themselves that we were going to help them. That's what we did yesterday. So I told Senator Duffy, this time of the year, you know, it gets kind of crazy and unfortunately it gets kind of partisan. So my good, redhead, tall friend over there, you got to remember, you going to get if you give out. If you want to attack us on this side of the aisle, just, you know, be prepared to get it back. Now I'm going to vote for this bill, because, you know, I'm going make the political vote. But don't think that for the rest of the night you're going to be able to lob those hand grenades over here. And just because President Cullerton is a nice guy who wants to go along and get along and work with the -- the Republican Leader, who is a fine person, just because he wants to be all nice and calm, don't think all of us are going to let you slap us around over here and just take it, 'cause we're not.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any further discussion on the motion? Any further discussion on the motion? Senator Jacobs.

SENATOR JACOBS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The gentleman indicates he'll yield.

SENATOR JACOBS:

Senator, if -- if this outside citizens' group doesn't decide on your salary, who decides on your salary? Who sets your salary under your new provision? Do you set the salary?

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PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Lauzen.

SENATOR LAUZEN:

The Constitution of the United States and the State of Illinois, both of those two documents, entrust the compensation -- setting compensation with the Legislature. You know, if we're not able to govern ourselves with self-restraint, then how are we going to be expected to govern twelve and a half million people? So, yes, the -- the Constitutions, both federally and State -- it's within this Body, fifty-nine people here, a hundred and eighteen people over in the House, and it's by the Constitution.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Jacobs.

SENATOR JACOBS:

Isn't it true, sir, that the Compensation Review Board sets your salary right now? And what you're trying to do is to set your own salary. Isn't that what you're doing, sir?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Lauzen.

SENATOR LAUZEN:

...Mr. President. Of course, that -- to me that is - and please forgive me, Senator - but I think that that's a gross mischaracterization of what's occurring here. I think -- I think -- and I -- I haven't seen this too often, but I think that if our constituents were all here tonight listening to this debate, we could ask like Dr. Phil asks, they'd say, "How's that working for you?" And the constituents, the people who we serve, would say that the system that's in place right now,

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where there's political distance between what -- we're responsible to the people. You know that if we pass any piece of legislation asking for more raise than we're supposed to, we get fired.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Jacobs.

SENATOR JACOBS:

Let -- let's get to the point then. Some people suggest that we should limit outside employment, because some folks in this Chamber may have some conflicts. For instance, there may be people on committees who are interested in law that vote on the law committee or there may be people on the Revenue Committee who happen to be in the accounting business or there may be people in the food business that own food places. Don't you think that we ought to just be straight with people? And I don't see any way, sir, and I think you're a good and honorable man, and I -- and I believe you're trying to do the right thing, but at the end of the day, I think you're doing the political thing. And what we need to do in this Chamber from now on is the right thing. Part of the way that we got in trouble in this State is trying to guess what the voters want us to do. Why don't we just do what they elected us to do?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SENATOR LAUZEN:

Yes. Thank you, Mr. President. Just briefly. Our constituents, all of our constituents, have demonstrated by their majority vote that we are trusted by the people and we are

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empowered by both the U.S. and Illinois Constitution with the responsibility to self-govern. If we can't govern ourselves with self-restraint, how can we govern twelve and a half million people? The question that this bill puts forward is merely, are we going to do it in a straightforward way, that if we want a raise, we need to ask -- need to ask for it, or with a bureaucratic Byzantine labyrinth of double negatives, complicated approach? And I think that we prefer, and certainly our constituents prefer, the direct approach. So I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 2090. All those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 53 voting Aye, 5 voting Nay, none voting Present. And the Senate concurs in House Amendment No. 1 to Senate Bill 2090. Having received the required constitutional majority, the bill is declared passed. We'll proceed on the Calendar, Secretary's Desk, Concurrence, Senate Bills, page 58 of your Calendar, to Senate Bill 1333. Senate Bill 1333. President Cullerton. The gentleman wishes to proceed. President Cullerton. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1333.

Signed by President Cullerton.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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President Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This bill does a number of things. The first one deals with the termination of certain State officials and board members, so that heads of agencies and members of boards and commissions that were appointed by Governors Ryan or Blagojevich, whose appointments were subject to the advice and consent of this Body, are terminated ninety days after the effective date of the Act, unless the Governor provides for their retention within that ninety-day period. Does exempt the Board of Elections, as you know, which is an independent, bipartisan board created by the Constitution, with a heightened confirmation requirement. It also provides that the "double-exempt" employees who were placed in those positions under Governors Ryan or Blagojevich are terminated in ninety days, unless the Governor provides for their retention within that time. It has some provisions that came from the Illinois Reform Commission recommendations that would set up a seven-member Task Force on Personnel and Patronage Reform. Changes the quorum requirements for over twenty boards and commissions to ensure that a quorum of members shall be a majority of all positions on the board, not simply a majority of those currently appointed. Because under our previous Governor, many boards had several vacancies and operated with very small quorums because of the lower standard. It also provides that the Gaming Board, the Lottery Control Board, the Racing Board, and the Liquor Control Commission shall operate independently of the Department of Revenue. And the appointments to the Executive Ethics Commission and the State

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Board of Education, it would provide staggered terms for these appointees. And it abolishes the Illinois Global Partnership. The important thing to remember, I think, on this bill is that all of these people could be reappointed by the Governor if he so chooses. That, of course, is the case of the double-exempt employees to begin with. So -- but they would be -- if they are reappointed, they will be reappointed by Governor Quinn. Be happy to answer any questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Is there any discussion? Senator Bomke.

SENATOR BOMKE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Question to the sponsor.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The gentleman indicates he'll yield.

SENATOR BOMKE:

I'm not clear on the certification or recertification. If -- as I understand, there's seven hundred and fifty commissioners, directors, employees. If they are -- they are terminated, but they have ninety days to be recertified, who does it? Is it the Governor or is it the director of the department?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

President Cullerton.

SENATOR CULLERTON:

Sir, on line 3 of page 4, it will be "the Governor or the employing or appointing authority".

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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Senator Bomke.

SENATOR BOMKE:

So, the -- the Governor or the appointing authority. So it wouldn't be the director, if -- if I understand you correctly, who -- who would be part of that group that might be dismissed. It would be the appointing authority. Who would -- can you -- can you clarify that, please?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

President Cullerton.

SENATOR CULLERTON:

That could be the director.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Bomke.

SENATOR BOMKE:

Thank you, Senator Cullerton. So, the director, who is part of this group, if they're dismissed and they have recertified this person, is there validity to that certification? That -- the director's been dismissed after recertifying that -- the individual under them - is there -- does that invalidate the certification?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

President Cullerton.

SENATOR CULLERTON:

I -- I'm -- I'm having a little trouble fully understanding what the -- what the problem might be. The -- the -- the -- maybe you could rephrase it. Maybe you could just better explain to me what the concern is in terms of the -- the process. Because we know what the intention is - we want to allow them to reappoint -- they can reappoint the same people if

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they want. And I just want to make sure I understand what the nature of your concern is.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Bomke.

SENATOR BOMKE:

Thank you. I -- I'm sorry I'm not clear. If the director, who's part of this group to be terminated, can recertify the employee under them, that director recertifies an employee but then the director is finally dismissed, then does that invalidate the recertification?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

President Cullerton.

SENATOR CULLERTON:

No, that would not, because at the time they made the certification, it was a legal act because they had the authority to do so and then they later left themselves.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Bomke.

SENATOR BOMKE:

Thank you, Senator Cullerton. To the bill: I -- I just wanted us to be very careful with this. I'm -- I'm concerned that there are going to be a lot of hardworking, decent people get caught up in this and I -- I'm hopeful that that ninety days is sufficient time for the Governor, the director, the reappointing agent to -- to make absolutely certain they're -- they're -- they're doing the right thing. There's no question there are probably some people that need to go, but, as I said, I'm concerned there are a lot of decent people that could get caught up in this and be dismissed. One good example of that is

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the Director of the State Museum, who is not appointed by the Governor, therefore not confirmed by this Body. She is appointed by the Museum Board and she -- well, she's told she's on the list from CMS. You don't think that's the case. She has a Ph.D. in anthropology. You don't think that's the case. Okay. Well, anyway, I just hope that some hardworking, decent people didn't -- don't get caught up in this thing. And we know the Governor can dismiss anyone at any time he so chooses. I don't know that he needs this legislation to do it. And it does appear to me that the General Assembly is micromanaging and I don't think we ought to be in that business - micromanaging the Governor's Office, no more than the Attorney General, the Comptroller, the States -- the Secretary of State or the Treasurer's Office. So, I just ask that all of you be very careful in voting for this. I'm probably going to vote for it, but I do have some reservations. Thank you.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Nancy Stone of the Chicago Tribune and Shannon Kirshner of the Illinois State Journal-Register seek leave of the Body to photograph the proceedings. Seeing no objection, leave is granted. We have seven speakers seeking recognition. Senator Meeks.

SENATOR MEEKS:

Thank you so much, Mr. President. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The gentleman indicates he'll yield. President Cullerton {sic}.

SENATOR MEEKS:

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President Cullerton, I haven't understood this bill basically since it's been introduced. Can the Governor -- does the Governor have the authority to do right now what we're trying to give him the authority to do without this legislation? Does he have the power right now to review all double-exempt employees? And -- does he have the power to do that right now?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

President Cullerton.

SENATOR CULLERTON:

If your question is limited to the double-exempt employees, because there's other parts of this bill that don't cover double-exempt, but if your -- if your question is -- deals with the double-exempt, he has the power to do it now, but this bill is requiring him to do it within ninety days, requiring him to review the double-exempt. If he wants to keep 'em, fine. If he doesn't -- if he wants to get rid of 'em, fine. But this -- the only difference between what he can do now and this bill is that it will require him to do it within ninety days.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Meeks.

SENATOR MEEKS:

Mr. President, we are preparing to probably leave here tonight with a unbalanced budget. We are leaving tonight with a six- or seven-billion-dollar deficit. And so the Governor's primary duty should be, in my opinion, to make sure that government is functioning and that we don't have to make the draconian cuts. So, on -- on top of having to come up with revenue to run this State, we are requiring him to review seven hundred and fifty other people?

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PRESIDING OFFICER: (SENATOR SCHOENBERG)

President Cullerton.

SENATOR CULLERTON:

Yes. And if he doesn't have time to do that, I would concede that all he's got to do is reappoint everybody. He can do that. He can reappoint everybody. They then would be appointed by Governor Quinn, not by Governor Blagojevich or Governor Ryan. So, that's just part of the bill. It's one part of the bill. It's not that big a part of the bill when you think about our discussion here. He just has to review them. If he doesn't have time to review them, he can reappoint all of them and then review 'em in the future and decide to get rid of one or two or three of 'em or all seven hundred and fifty of 'em. It's not that big of a deal because of the fact that they are double-exempt, they're at-will employees to begin with. There's other parts of the bill that I think you'll find more interesting that affect the Senate - all those other certain State officials and board members that have to be approved by the Senate. That also is part of the bill, where he will be asked to evaluate those appointments. He can make those -- he can reappoint people there too, but then they have to come back here and we get to consider whether or not they should be, with our advise and consent, approved.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Meeks.

SENATOR MEEKS:

To the bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

To the motions.

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SENATOR MEEKS:

To the motion. Ladies and Gentlemen of the Assembly, I know that Illinois has gone through a -- a rough period, especially with our previous Governor and perhaps some people would say that we've gone through a rough period with Governor Ryan. But I don't really think that these seven hundred and fifty people are crooked, tainted, or bad people. And I think that the perception that we're sending in doing this legislation is that somehow all of these people -- you know, it started with three thousand. It was a -- it was a -- a bad name, a "fumigation" bill. We're going to fumigate government. And so now, all of a sudden, we are reviewing all of these people and it almost gives them a -- a stigma as if they've done something wrong. And I'm going to vote No and I'm also going to say that not one of the seven hundred and fifty people that we're going to review their job performance, not one of them is the reason that we're leaving here with an unbalanced budget.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any further discussion? Any further discussion?
Senator Cronin.

SENATOR CRONIN:

Thank you very much, Mr. President. To the bill, if I may, please.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

To the motion.

SENATOR CRONIN:

To the motion. I rise in strong opposition to this. And, you know, the more I looked at this issue and the more I engaged in it and the more I talked and the more I got legal opinions

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and the more I considered it in the context of employment law, the more and more offended I became. And then I started thinking about it in terms of the institution here, you know. Everyone in this Body ought to be offended by this. This is a slap in the face. We're the Senate. This is the advice and consent Body. You know, I know Governor Quinn was Governor Walker's patronage chief and I like Governor Quinn. I think he's a decent man. I don't know what's going on here with this - because I believe in the guise of reform, this is nothing but a power grab. These people that have been notified that, you know, it's -- it's -- it's irrelevant whether or not you've been doing a good job. It's irrelevant whether or not, you know, you got a family to feed. It's irrelevant whether or not you had any connection whatsoever to Governor Blagojevich. We're going to tell you that you're fired because we can, and you got to come hat in hand back into the office, come kiss the ring. You know, we -- you -- you need to be reminded about who's in charge here. I think that's -- I think that's the height of -- of -- of -- of -- of -- of perverted government in the guise of reform. Oh, aren't we wonderfully ethical, straight people that we're trying to fumigate government? When, in fact, this is really about gaining more power. I think this is a rotten idea and I think it came about in all the wrong ways. And I strongly recommend everyone in here, for the good of the institution, for the good of honest, hardworking people who deserve to be evaluated on their job performance based on their merit, not on political clout, I urge a No vote.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

There are nine speakers now seeking recognition. Senator

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Raoul.

SENATOR RAOUL:

You know, Mr. President, I have tremendous respect for you. I think you -- you're a -- a good Leader. You showed good leadership yesterday. But this is a bad bill that shows no respect for people who have worked hard. You know, I -- I -- I can't say it better than my colleagues on the other side of the aisle have said it. These are people. These are people. And this is -- this is artificial reform. This -- this is artificial reform. You know, we're going to cast a political vote here - and it's just totally political - and disregard the hard work and disregard the -- disregard that we're supposed to separate powers here, as Senator Cronin said that we're the advice and consent Body. I know we did it in a previous bill with regards to the pension bill with one person - his record, it was -- it was clear. That was the Executive Director of the Teachers' Retirement System. But this is seven hundred and fifty people. We're just going to paint a broad brush. These are both Republicans and Democrats. And as Senator Cronin said, you know, we should be evaluating these individuals on a case-by-case basis. This is a bad political bill and this is bad politics.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any further discussion? Any further discussion?
Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. I've thought long and hard about this bill over the last couple of weeks. And when it was first brought up by Speaker Madigan, I commended the Speaker for

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wanting to take a look at what was out there left of the Blagojevich administration. And I remember when I gave my remarks when we removed Rod Blagojevich from office, I commented, you can cut out the cancer of Rod Blagojevich, but you'd better check the lymph nodes. And not all those lymph nodes will be malignant tumors. In fact, most will not. Most will be clean and -- and -- and all right. But I don't think Rod Blagojevich did a very good job of screening his appointments and screening some of the employees and others who are always before us for advice and consent. One thing that I think hurt here was that - and I know he's a friend from the Walker administration days - but John Filan, who the Speaker has agreed to remove from this bill, was really the de facto budget director of Pat Quinn. You know, you can see his tentacles all over this place. You know, the old routines of pension holidays and raiding funds are there. And I know Governor Quinn, and like Senator Cronin, I like Governor Quinn. I think he's a decent guy and I know that he was up to his ears in alligators when he took over. But I really believe that the State of Illinois needs a management audit of every dime that we spend. Every line item of every agency needs to be evaluated, as does its personnel. I really have dubious questions as to whether this bill is constitutional or not. And I'm really sad that we had to go through this or have to have a bill like this to take a look at -- and it's been scaled back to where it's only now seven hundred and fifty people. And I will tell you, having worked for Governors, this is going to be a monumental paperwork task for Governor Quinn and his staff. But we've never had a situation where we had an administration as corrupt as Rod

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Blagojevich's and these people need to be looked at. And I agree ninety-eight/ninety-nine, hopefully 99.9 percent of these people are good, hardworking, decent employees. But like we should be doing with the budget, we need to do with the personnel of State government as well, and we need to really do a thorough examination. And I'm sad to see this kind of bill. It's been scaled back by the Speaker and I'm going to vote for it.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any further discussion? Is there any further discussion? Senator Martinez.

SENATOR MARTINEZ:

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

PRESIDING OFFICER: (SENATOR SCHOENBERG)

He indicates he'll yield. Senator Martinez.

SENATOR MARTINEZ:

Mr. President, the double-exempt employees that are going to be -- that are on this list, are these the -- some people that were carried -- that -- that started in not on their basic appointment by either Ryan or Blagojevich, but were able to move up to double-exempt status during their course of their -- of their employment?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

President Cullerton.

SENATOR CULLERTON:

Yes, I'm sure that there are some people who became double-exempt who earlier, when they first were hired by the State, had, I guess you'd call, protection. But once they become

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double-exempt, they know the deal is they're at-will, and right now they can be removed at will by the Governor.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Martinez.

SENATOR MARTINEZ:

Well, to the motion: I have a very hard time -- and with all due respect to my President, who I -- I -- like -- like everyone else said is a great Leader, I just think that this is not a good bill, and I'll tell you why. Over the past six years since I came to the Senate, I have been fighting for Latino employment in -- in -- in the State government. Right now, we are little under two percent of Latinos that are hired under, you know, any administration. And I -- the list that was given to -- to us to look at some of the people that were being laid off, there's over a hundred - I mean -- I mean, I'm sorry, fired - there's over a hundred and fifty Latinos on that list. And for the -- when we talk about people, these are people -- double-exempt people who have been around, who have served the community and who have done a great job that had nothing to do with either Ryan or Blagojevich. I have fought very hard to try to bring a lot more transparency when it comes to the hiring of more minorities into many of these communities that right now don't have Spanish-speaking jobs available, and right now we're looking at eliminating probably over a hundred and fifty people with no fault of their own. When you look at some of the directors that have come through here, and we know we have some great directors, in Director Velasquez, who right now runs the Department of Emergency {sic}, when you look at our State Chair for Education, Jesse Ruiz, these are individuals that are highly

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qualified individuals that are not any kind of cronies of any of this -- administration, but they're being put into a category of disrespect when it comes to a fumigation of -- of government. And I really take very personal offense to know that individuals like them are being put into that kind of category. So I am going to vote No, because I think my -- my mission here has been -- over the past few years is to try to bring more Latinos into State government because the need is out there, and I really believe this is not the way to go. And this is a disrespect to people who are great, qualified individuals who are just trying to do a good job for the State of Illinois.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator DeLeo in the Chair.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RUTHERFORD:

I am, Mr. President. I'd like to respond to the motion if I may, please. When the initial proposal came out, I reacted publicly that I thought it was a good idea. I thought this was a -- a fine plan. I didn't know the term "fumigation" would be coined to it, but I thought it was a good thing to have done. As is the case with many a -- a -- an idea, given a little time, you have a chance to review it and look at it. My understanding in the legislation is that there are two groups - one, there are those have done and been appointed through the advice and consent of the Illinois State Senate, and the others that are double-exempt, meaning that they are at-will employees. I would note that double-exempt, at-will employees may be removed at any

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time by the administration, so that would take care of anyone that fell under that category that did not perform to what Governor Quinn's standards would be. Those that are -- have come through this august Body and have received the advice and consent also can be dealt with appropriately. And I -- I've asked our staff to pull out the Constitution for me. And under Article V, Section 10 of our Illinois Constitution, the specific wording reads that the Governor -- "Removals". "The Governor may remove for incompetence, neglect of duty, or malfeasance in office any officer who may be appointed by the Governor." So with respect to my colleague who spoke just prior to me, talking about the ethnic mix of appointees, or either are or are not, the way I'm looking at this is, irrespective of their ethnic mix, if they're doing the job, they should stay there; if they're not doing the job, they should leave. The Constitution provides for the ability of our Governor to respond to both categories that are within this piece of legislation, the motion. And for that reason I, too, stand in opposition to the piece of legislation.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Further discussion? Senator Hendon, you seeking recognition, sir?

SENATOR HENDON:

...President. To the motion: I am so glad my esteemed colleague, Senator Rutherford, spoke about the Constitution and how it is intended to work. And I want you all to understand, is he said the Governor has the right and the responsibility - not the President of the Senate, not the Speaker of the House - the Governor. I -- I'm shocked -- and I want to get it right

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tonight, 'cause I got it wrong yesterday about my esteemed colleague Senator Dillard. Senator Dillard was once Chief of Staff to a Governor and I know - I don't think, I don't imagine - I know that if someone had come up with forcing your Governor, who you were Chief of Staff of, firing three thousand people, which is now seven hundred and fifty, you would have went ballistic. There's no way you would have gave the same speech, no way - absolutely no way, my friend, and you know it's true. We need some people...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hendon. Senator Hendon, one moment, sir. President Cullerton, do you have a motion, sir - request? Senator Cullerton.

SENATOR CULLERTON:

Yeah. Thank you, Mr. -- Mr. President. I know there's a number of people that want to speak on this bill. We have a committee that's supposed to start in about five minutes. It's the last night, so I think I'd like to take this bill out of the record at this time, get to committee, and I -- I believe the Committee on Assignment has to meet first and we can come back to this if we have time. But for now, I think we want to make sure we get our matters finished by the end of the evening. So I'd like to take this bill out of the record. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor's request, Madam Secretary, take this bill out of the record. Madam Secretary, Messages from the House, please.

SECRETARY ROCK:

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

Mr. President - I am directed to inform the Senate

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that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Bill 1197

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

House Amendment 1 and House Amendment 2.

Passed the House, as amended, May 31st, 2009. Mark Mahoney, Clerk of the House.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Clayborne. Leader Clayborne, for what purpose do you rise, sir?

SENATOR CLAYBORNE:

Point of -- point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR CLAYBORNE:

On that vote of 2090, I stepped off the Floor to talk to somebody about a bill and my record was not -- my button was not punched to vote. I would have voted Yes on Senate Bill 2090.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. The record will so reflect your intention, sir. Okay, Ladies and Gentlemen, can I have your attention, please? Can I have your attention, please? We'd like -- to stay on the -- the schedule that was -- has been posted and notified on the committee schedule, we'd like all members of the Committee on Assignments to meet immediately in the President's Anteroom. We will have a short meeting of the Committee on Assignments. We'd encourage all Members, please, to go to committee immediately

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and committees will start on time. So, the Senate will stand at ease for just a moment. Members of the Committee on Assignment {sic} will report to the Anteroom and we will start our committees exactly when we're supposed to. Thank you. We will stand at ease.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

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

SECRETARY ROCK:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to the Appropriations II Committee - Motion to Concur with House Amendment 1 and House Amendment 2 to Senate Bill 1197; and Be Approved for Consideration - Floor Amendment 1, Floor Amendment 2 and Floor Amendment 3 to House Bill 313, Floor Amendment 3 to House Bill 2424, and Motion to Concur with House Amendment 1 to Senate Bill 611.

Signed by Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter, for what purpose do you rise?

SENATOR TROTTER:

Thank you, Mr. President. Point of announcement.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR TROTTER:

Yes. For all Members, Appropriations I will be meeting in

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Room 212 at 9:50 p.m.

PRESIDING OFFICER: (SENATOR DeLEO)

Appropriation I will meet at the hour of 9:50, Room 212. Appropriation I, 9:50 in 212. Ladies... Correction, all members of Appropriation II, Appropriation II will meet at the hour of 9:50 in Room 212 - Appropriation II, not Appropriation I. Appropriation II. All members of Approp II will be at 9:50 in Room 212. Ladies and Gentlemen, previously announced committees will start immediately. Executive in 212, Revenue in Room 400, Licensed Activities in 409, will meet immediately in -- immediately. All members of those three committees please report to the respective committee rooms. Education will meet at the hour of 9:30 in Room 409 and Energy will be in Room 212 at 9:30. So we'd ask all members please report to the committees immediately. The Senate will stand in recess to call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR HARMON)

The Senate will please come to order. Madam Secretary, Messages.

SECRETARY ROCK:

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

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

Senate Bill 256

Together with the following amendments which are

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attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Amendment 1 and House Amendment 2.

We have received like Messages on Senate Bill 262, with House Amendments 1 and 2; Senate Bill 268, with House Amendment 1, 4 and 5; Senate Bill 321, with House Amendment 1, 2 and 3; Senate Bill 1936, with House Amendment 1 and 4; Senate Bill 2218, with House Amendments 1, 2 and 3.

All passed the House, as amended, May 31st, 2009. Mark Mahoney, Clerk of the House.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hunter, for what purpose do you seek recognition?

SENATOR HUNTER:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Please state your point, Senator.

SENATOR HUNTER:

Two of our wonderful interns that has worked with us all year long, India -- India Lott and Artesha Clayton, they've been accepted this fall into DePaul University in Chicago, where they're -- are going to study business administration. I just thought it was so important that I make all of you all aware of that fact.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. And congratulations to our interns. Good luck to you next year. Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Martinez, Chairperson of the Committee on Licensed Activities, reports Motion to Concur with House Amendment 1 to

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Senate Joint Resolution 56 recommended Do Adopt.

Senator Viverito, Chairperson of the Committee on Revenue, reports Motions to Concur with House Amendments 1 and 2 to Senate Bill 1433 and House Amendments 1 and 2 to Senate Bill 1609 recommended Do Adopt.

Senator Silverstein, Chairperson of the Committee on Executive, reports House Joint Resolution 51 Be Adopted; House Joint Resolution Constitutional Amendment 31 Be Adopted; Senate Amendments 1 and 2 to House Bill 2424 and Motions to Concur with House Amendment 1 and 2 to Senate Bill 1050, House Amendment 1 and 4 to Senate Bill 1602, and House Amendment 5 to Senate Bill 1909 recommended Do Adopt.

Senator Jacobs, Chairperson of the Committee on Energy, reports Senate Amendment 2 to House Bill 1306 and Motion to Concur with House Amendments 1, 2 and 3 to Senate Bill 52 recommended Do Adopt.

Senator Meeks, Chairperson of the Committee on Education, reports Motions to Concur with House Amendment 1 to Senate Bill 612 and House Amendment 3 to Senate Bill 1984 and the Motion to Recede with Senate Amendment 2 to House Bill 809 recommended Do Adopt.

Senator Sullivan, Chairperson of the Committee on Appropriations II, reports Motion to Concur with House Amendments 1 and 2 to Senate Bill 1197 recommended Do Adopt.

PRESIDING OFFICER: (SENATOR HARMON)

Ladies and Gentlemen of the Senate, Senate Supplemental Calendar No. 3 has been distributed to the Members' desks. We're going to be turning to final action in a moment if all Members within the sound of my voice could be on the Floor ready

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to proceed with final action on Senate Calendar - Supplemental Calendar No. 3. Senator Syverson, for what purpose do you seek recognition?

SENATOR SYVERSON:

Thank you, Mr. President. The Republicans would like to have a brief caucus.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Syverson, you're seeking recognition?

SENATOR SYVERSON:

Yes, Mr. President. We'd like to have a brief caucus - fifteen minutes. And we'll be back and ready to finish up the people's business.

PRESIDING OFFICER: (SENATOR HARMON)

Senate Republicans have requested a caucus. That request is in order. We will see you back here at five minutes to eleven. Thank you. The Senate stands in recess to the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR HARMON)

The Senate will come to order for a brief moment. Senator Hunter, for what purpose do you rise?

SENATOR HUNTER:

Mr. President, a point of personal privilege. I'm sorry. I'd like to ask for a Senate Democratic Caucus in the President's Chamber immediately.

PRESIDING OFFICER: (SENATOR HARMON)

That request is in order. The Senate Democrats will be

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back in fifteen minutes as well. The Senate stands in recess until the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

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

SECRETARY ROCK:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has 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 63

Offered by Senator Collins, and adopted by the House, May 31st, 2009.

We have received a like Message on House Joint Resolution 66, offered by Senator Raoul.

Adopted by the House, May 31st, 2009. Mark Mahoney, Clerk of the House.

They are substantive, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, we will go to Supplemental Calendar No. 3. Supplemental Calendar No. 3 was printed and distributed earlier. We'll go to the Order of Secretary's Desk, Concurrence, Senate Bills. Senate Bill 1197. Senate Bill 1197. Senator Don Trotter. Do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, read the gentleman's

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motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1197.

Signed by Senator Trotter.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Trotter, to the motion. Could the Members please be at their desk? Members please be at their desk. Senator Trotter, to the motion, sir.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. Senate Bill 1197, the Amendments 1 and 2 to concur appropriates 5.5 billion dollars in General Revenue Fund in lump-sum funding to forty-three State agencies to be used for programmatic expenses not previously appropriated in House Bill 2129, 2145, 2132, 2194, 2206 or in Senate Bill 1186. The lump-sum funding for each agency includes fifty percent of the FY'10 introduced budget for all other GRF programs and grants in the agencies, excluding operational funding, which was previously appropriated. Also, in this bill, it will allow transfers from GRF to the Road Fund in the amount of two hundred thirty-six million from Secretary of State and the Illinois State Police. It appropriates - FY'09 - 1.9 million to the Department of Healthcare and Family Services to pay for legal fees. Appropriates 8.5 million dollars to the Court of Claim {sic} (Claims) to pay Line of Duty Awards for FY'09. It appropriates ten million dollars in federal funding to the Court of Claims. And lastly, the bill makes corrections for FY'09 to Illinois State Board of Education's budget. I'll answer questions if

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there are any.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR MURPHY:

To -- to the amendment, Mr. President. This is -- for -- for our Members on this side of the aisle, this is the final piece of the failure-to-lead budget that is being pushed down here this year. We have indicated, throughout this process and on all the other pieces of the budget, this is not a real budget, with all due respect to my friend and colleague, who has broad shoulders and I know doesn't take it personally. But this is not a real budget. So I would urge a No vote until such time as we actually can come together and pass a balanced budget without raising taxes that actually responsibly funds our priorities rather than some of the cartoonish cuts we've seen.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Murphy. Senator Emil Jones, for what purpose do you rise, sir?

SENATOR E. JONES:

I rise to move the previous question, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, the gentleman has made a motion. There's four people seeking recognition. I ask the Parliamentarian to make note of the four speakers. Senator Maloney, for what purpose you seek recognition, sir?

SENATOR MALONEY:

Just a question of the sponsor, a very quick question.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR MALONEY:

Throughout this whole process, or all these appropriations, Senator Trotter, is it the intent of this bill that eighty-five percent of the amount appropriated in the Board of Higher Education's Article 61 be transferred to the Illinois Math and Science Academy as General Revenue Fund?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

That issue has been brought to my attention and the answer is, yes, that was the intent of the -- during the discussions, to have that in the bill. That is not in the bill, but that is certainly the intent.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Leader Clayborne, for what purpose you seek recognition, sir?

SENATOR CLAYBORNE:

Questions of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR CLAYBORNE:

As I understand it, we passed bills yesterday that were equivalent to spending of 16.9 billion dollars. Is that correct?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

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SENATOR TROTTER:

Yes.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

Now we're appropriating an additional 5.5 billion dollars?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

That's correct.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

For a total of, if my math is correct, about 22.4 billion dollars.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

I'm sorry, Leader, I -- I was in another conversation. Can you repeat...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne, could you repeat your question, sir?

SENATOR CLAYBORNE:

If you add the two together, the 16.9 and the 5.5 billion, you come up with 22.4 billion dollars.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

Your math is correct.

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PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

So, under the -- under the current law, we have to pay our pension obligation. Is that factored into that 5.5 billion dollars?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

No.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

So actually we're only adding -- I was told the pension obligation is about 4.3, so actually we're only adding about 1.2 billion dollars to the 16.9 billion. Is that correct?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne. Sorry, Senator Trotter.

SENATOR TROTTER:

No, that is incorrect actually. Our pension obligation for this year would be 3.4 if we paid the full pension. This -- you can make the assumption that if we cut that in half, we owe only 1.1 and that would probably add up to the 2. -- the 23.8 billion dollars that we have agreed is what we have for base spending.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator James Clayborne.

SENATOR CLAYBORNE:

How can we only pay half when the law requires us to make the full payment?

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PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

We can always pass a law to change that to make the half payment for this year, not paying into the -- the ramp that is added on to the pension of this year.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne. Senator Clayborne.

SENATOR CLAYBORNE:

Yes. Thank you. I -- I -- I'll finish up.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you.

SENATOR CLAYBORNE:

Is there -- is there...

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much, sir.

SENATOR CLAYBORNE:

...there a bill that exists to -- for us to change the law not to make the full payment?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

By having continuing appropriations, we can do that, sir, without the bill. But, no - to answer your question - there's not been a bill drafted at this time.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne, your -- okay, Ladies and Gentlemen, seeing no further people seeking recognition to speak on this issue, Senator Trotter, to close, sir.

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SENATOR TROTTER:

Thank you very much, Mr. Chairman {sic}. I think, as most of us, especially on this side, this is a very -- this is the worst bill that we could have passed. We've said we passed a -- a good bill yesterday, in House Bill 174, a bill that certainly would have paid our pension to its fullness at the 3.4 percent. We would have been able to capture -- recapture all the federal dollars paid into the retirement funds and we would have paid for the merit comp employees' raises. I mean, we could have accomplished many things if the House could have found courage to pass 174. They did not find that courage, and as a consequence, to keep the lights on, to keep operations for our State going, it's important that we pass this bill. These are the dollars that we have left. And they're not enough. There are going to be some draconian cuts and there's going to be layoffs. We made that warning yesterday. But if we do nothing, it'll be even worse. If we do nothing on July 1st, operations of State government will cease for all practical purposes - if we do nothing at this time. Hopefully, in the next thirty days, as we know is our -- really our constitutional deadline of June 30th, our Leaders can come back together and we can correct the mistake that was made by the House in not addressing our needs by passing House Bill 174. But tonight at 11:15, this is what we have and I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Okay, Ladies and Gentlemen, the question is, shall the Senate concur in House Amendment No. 1 and No. 2 to Senate Bill 1197. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open.

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Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 34 Ayes, 25 Nays, 0 voting Present. Senate Bill 1197 -- having received the required constitutional majority, the Senate does concur in House Amendment No. 1 and No. 2 to Senate Bill 1197, and the bill is declared passed. Senate Bill 1609 on Supplemental Calendar No. 3. Senator Schoenberg, do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, read the gentleman's motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1609.

Signed by Senator Schoenberg.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Schoenberg, to your motion, sir.

SENATOR SCHOENBERG:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move that the Senate concur in House -- in Amendments No. -- House Amendment No. 1 and 2 to Senate Bill 1609. Amendment No. 1 shells the bill to a vehicle. Pardon me. Amendment No. 2 becomes the bill and what this does is acknowledge and take advantage of the historically low interest rates that exist and provide the General Revenue Fund and Road Funds with cash-flow savings in fiscal year '10 and fiscal year '11 through a limited -- through a limited refunding of bonds for sixteen years. It would remove, on a limited basis, the competitive sale restrictions for refunding bonds, which would take advantage of the full market conditions. It would remove -- on a limited basis, the level principal restrictions to

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provide structuring flexibility. It would remove the cumulative amortization test requirements on a limited basis. And, finally, it would increase the refunding bonds outstanding authority by two billion dollars. I'd be happy to answer any questions. This will save us six hundred and seven million dollars in FY2010, one hundred and forty-seven million in 2011. And I urge your favorable consideration.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Senator Brady, for what purpose you seek recognition, sir?

SENATOR BRADY:

To the bill, sir.

PRESIDING OFFICER: (SENATOR DeLEO)

To the motion.

SENATOR BRADY:

To the motion. Thank you. You know, Senator Schoenberg, I empathize with what you're trying to do. Over the last six years, we've built a huge cliff and we're suffering from that today. One of the problems that we had was the pension -- the failure to meet our pension obligations in the past year, which ramped up so heavily that we're struggling. But, Ladies and Gentlemen, this bill does not serve the people we represent well. What Senator Schoenberg's doing is using the excuse of low interest rates. We all know that we ought to refinance anything we can at a lower interest rate, just as we would our house. But there isn't any one of us that would ask our lender not -- to give us a loan where we didn't make the principal payment for the next two years. Senator Schoenberg is authoring

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legislation which will reduce our obligation by over six hundred million dollars as he stated, but that comes with a great expense. When we're here next year, Ladies and Gentlemen, we're going to have to come up with four hundred and fifty million more dollars because of this cliff that Senator Schoenberg's putting in place. And the year after that, we'll have to come up with a hundred and twenty-five million. And then, worse yet, the year after that, for the next seven years, we'll have to pay a hundred and twenty-five million more than we would have had to pay had he done nothing at all. The truth of the matter is we do need to refinance these bonds, but we should not -- we should not neglect legislation, which we all passed, that made us responsible when it came to our debt. Secondly, Senator Schoenberg is ignoring the principles which we put in place which require bonds to be bid. Didn't have to do that. As we talked in committee, I don't know which Rezko's going to make money off of this bond scheme, but this ought to be bid as we suggested and we all agreed in our debt restructuring Act years ago. This is irresponsible. It's delaying the inevitable, which is why we're at this crisis situation today. As Senator Murphy said earlier, we ought to systemically deal with this budget, not play games. I urge a No vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Further discussion? Further discussion?
Senator Lauzen, are you seeking recognition on this motion, sir?

SENATOR LAUZEN:

Yes, sir. Just quickly to the bill. During -- the -- Crotty had a very good analogy about, well, this is refinancing of our loan, a mortgage loan, the equivalent. It's a good thing

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that we're going to be saving two hundred and thirty million dollars. Unfortunately, the rest of the analogy is that what we're proposing to do now is, for the next two years, an interest-only mortgage. Now, think about all the crisis that we've been through and the financial meltdown over the last six months. Think of what we say about those people who are not financially alert enough not to obligate themselves into interest-only mortgages. We say, "Oh, they were reckless." "They caused the meltdown." "Why didn't they think better?" But if you vote Yes on this bill, you're going to be doing exactly the same thing for the next two years. So I -- I recommend a No vote, especially in the context that while we had relatively equal power in the legislative process, we sat down and agreed on a debt responsibility Act and this really negates it.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RADOGNO:

To the bill. Thank you, Mr. President. To the bill. This is a little bit awkward. I was the sponsor of the debt responsibility Act and obviously some of my colleagues are very much opposed to doing this. But I'm actually going to support this refinancing. I think most of our constituents do understand that when you have a mortgage at eight percent, it does make some sense to refinance to four percent. Some of the exceptions to debt responsibility are, in fact, temporary. I think that if ever there's an appropriate time to take a

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temporary holiday from some of the stringent requirements we've placed on ourself, now might be the time. As you know, we are not for a tax increase, and so I think that by being a little bit flexible in terms of trying to restructure the debt in a way that I do think makes some sense that we can participate in an appropriate way in trying to build a little flexibility into the situation that we have right now. So, I am going to support this measure. Hopefully, it will do a little bit to help solve our problem and I would encourage others to do so as well. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Leader. Okay, Ladies and Gentlemen, there's no further people seeking recognition to speak on the gentleman's motion. Senator Schoenberg, to close, sir.

SENATOR SCHOENBERG:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. In the interest of time, I won't go into how the Ryan administration seemed to churn and refinance bonds every twenty minutes to take care of their friends. That's a longer discussion. What I will tell you is that we will save about a point on the Build Illinois Bonds, slightly less than that on the General Obligation Bonds, for a net savings of two hundred and thirty-seven million dollars over the duration of this limited refinancing over sixteen years. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Ladies and Gentlemen, as the debt in question is secured by the full faith and credit of the State of Illinois, it is the ruling of the Chair that this action falls within the scope of Section {sic} (Article) IX, Article 10 {sic}

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(Section 9) of the Illinois Constitution. Therefore, the passage of this message {sic} requires a three-fifths majority. So, Ladies and Gentlemen, the question is, shall the Senate concur in Amendment No. 1 and No. 2 to Senate Bill 1609. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 49 Ayes, 9 voting Nay, 1 voting Present. Senate Bill 1609 having received the required constitutional majority, and the Senate does concur in House Amendment No. 1 and No. 2 to Senate Bill 1609, the bill is declared passed. Senator Lauzen, are you seeking recognition, sir?

SENATOR LAUZEN:

Yes, sir. Mr. President, earlier this evening, we passed Senate Bill 2090 by a margin of 53 affirmative votes to 5 negative. I understand that there has been a motion to reconsider that vote. And pursuant to Senate Rule 7-15(a), I move that the motion to reconsider the vote on Senate Bill 290 {sic} be acted upon immediately under the portion of...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator. Senator, we're not on that order of business yet. We -- if you'll hold that motion, we will come back to you. We're on the motions of concurrences and we'll come back to you in a few -- moments. Continuing on motions to concur on Supplemental Calendar No. 3 is Senate Bill 1433. Senator Trotter, do you wish to proceed? He indicates he does. Madam Secretary, please read the gentleman's motion.

SECRETARY ROCK:

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I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1433.

Signed by Senator Trotter.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Trotter, to your motion, sir.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. Senate Bill 1433, as amended by 1 and 2, is the fund transfer bill. It -- it -- it transfers a total of three hundred and fifty-six million dollars from a specific list of funds. Each of these transfers will be made in equal quarterly installments with the first being made on July 1st, 2009, with the remaining transfers to be made October 1st, 2009, January 1st, 2010, and April 1st, 2010. If any of the funds listed have insufficient cash from each -- from which the State Comptroller may make expenditures properly supported by appropriations from the fund, then the Treasurer and State Comptroller shall transfer from the General Revenue Fund only an amount which is immediately necessary. All or a portion of the amounts transferred from GRF to a fund pursuant to the list may from time to time be transferred by the State Comptroller and the State Treasurer from receiving the -- fund into the General Revenue Fund. I'll answer any questions if there are any.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

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

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PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

Thank you, Mr. President. Senator Trotter, I'm -- I'm looking at the list that I've been provided with regards to the funds that are being swept and I want to make sure that you and I and the rest of the Members are on the same page with regards to what some of those funds would be. According to the list I have, almost ten and a half million dollars will be taken from the Fire Prevention Fund. About twenty-four and a half million is slated to be taken from the Mental Health Fund. Another 3.7 million is being taken from the Environmental Protection Agency Special State Projects Trust Fund. And 3. -- almost 3.3 million being taken from the Injured Workers' Benefit Fund. Do I -- am I about right on those -- those categories and those amounts, Senator Trotter?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

Thank you very much. You were all over the list. There's two hundred funds that we are transferring dollars from. I couldn't keep up on what page and which line you were in, but I'm certain those numbers are correct.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. It's also my understanding -- and I want to ask about one specific fund, because I've been

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told it's in here, but I haven't had a chance to review the entire list to confirm whether or not it is part of the list of funds that are being swept, and that has to do with newborn screening. Can you or a member of your staff maybe whisper in your ear and -- and -- and tell me whether or not there's any funds being taking from the Metabolic Newborn Screening Fund?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

Sir, if you can tell me what page you're on and probably I can find it here. I'm -- I'm certain we have the same list.

PRESIDING OFFICER: (SENATOR DeLEO)

Further discussion? Senator Righter.

SENATOR RIGHTER:

I -- I'm sorry, Senator Trotter, I just said I -- I'm still scrolling through and I can't find it. But since you guys are -- excuse me, the House wrote the bill and you're sponsoring the bill, I wonder if you could just confirm for me whether or not it's in there?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

I was just whispered in my ear that, no, it is not here.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. To the motion, please.

PRESIDING OFFICER: (SENATOR DeLEO)

To the motion, sir.

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SENATOR RIGHTER:

Thank you, Mr. President, Ladies and Gentlemen of the Chamber. You know, it's been interesting over the last few months, we've heard a lot of rhetoric about now that a certain chief executive is gone that business has changed. Budgetary practices will be changed. This looks remarkably like what happened over the last six years. This is not appropriate. We can put all the language we want in there about, "Oh, if a balance gets so low, we'll put some money back" and rhetoric like that. These funds contain committed dollars. People contribute to these funds or they pay specialized fees into these funds for these specific purposes. They're not to be used for general revenue spending. I would urge a No vote on the motion. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Further discussion? Further discussion? Senator Brady, are you seeking recognition on this motion, sir?

SENATOR BRADY:

I am. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR BRADY:

Senator Trotter, I -- in looking at this today, I got to ask you, did you and Governor Quinn consult with former Governor Blagojevich and John Filan on this?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

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SENATOR TROTTER:

No.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Brady.

SENATOR BRADY:

Well, that's surprising, because it looks exactly like what he's done over the last several years. Senator Trotter, did you realize - and I listened to Senator Righter - but you're -- you're taking 24.5 million out of the Mental Health Fund. Is that right?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

That's correct. Those dollars will be transferred. Those excess dollars in that fund will be transferred.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Brady.

SENATOR BRADY:

Yesterday we passed a resolution unanimously encouraging the federal government to put more money into research for Alzheimer's. Is it true that you're transferring a hundred and twelve thousand dollars out of the Alzheimer's Research Fund?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

I don't know what your correlation is, but if that's there, sir, I actually think these are getting to be rhetorical questions. If you have the list, you see 'em, they're being transferred. So nothing -- nothing different than that. This

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is a conversation we've been having for the past, I guess, six years now. We've taken off those funds that -- if you're insinuating, and I can only guess you're insinuating, that these are federal funds that we are sweeping, we're not. We have taken all of those funds off -- out of the budget. We've done it through the years with the list that you've given us. So, we -- you can drag this out, sir, but -- I don't know how long you want to make your sound bite or your press release, but I wish you'd hurry up.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Brady. Could we keep our conversation directed to the motion, gentlemen? Senator Brady.

SENATOR BRADY:

Thank you, Mr. President. So far, mine have been. And I did not insinuate you were talking about federal funds, Senator Trotter. I simply insinuated that yesterday you and every Member of this General Assembly asked the federal government to put more money into Alzheimer's; you're taking a hundred and twelve thousand dollars out. These fund sweeps are obnoxious. You know what, we've seen the past six years -- abuse the powers of this government and this Constitution. You know and I know that this is unconstitutional. The Illinois Constitution says you cannot raise money from specific dedicated areas and include them in general revenue. Once again, we are breaking the law. You know this to be the case. The fact of the matter is, we need a balanced budget that is systemically balanced, not one that continues to steal from dedicated funds. Many of these funds have great purposes. The resources in them were put in there to take care of things like Alzheimer's research and

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mental health and other areas that are important to our constituents. Moneys that people paid, dedicated toward those purposes. But here we go again, taking a page right out of Governor Blagojevich. Obviously Governor Quinn didn't learn a lot, because he wants to just continue down those practices. And I can't help but think that Mr. Filan's fingerprints are all over this. I stand in opposition to this. If we didn't learn anything from the last six years, I wish we would have learned that the past six years were a mistake. To continue those mistakes, as this does, is wrong. I'm not here for a press release. I'm here because I'm sickened by the continuation of bad policy.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Seeing no further discussion, Senator Trotter, to close, sir. Senator Trotter.

SENATOR TROTTER:

I'm just -- just to comment. The only laws that are being broken here, since he is having his sound bite, is the "Brady Law". If he was really concerned about having a balanced budget, he would have voted yesterday for House Bill 174. He's not concerned about helping anyone other than his own gubernatorial campaign. So I ask for passage of this Senate Bill 1433.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, the question is, shall the Senate concur in Amendment No. 1 and No. 2 to Senate Bill 1433. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take

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the record. On that question, there are 37 Ayes, 22 Nays, 0 voting Present. Senate Bill 1433 having received the required constitutional majority, the Senate does concur in House Amendment No. 1 and No. 2 to Senate Bill 1433, and the bill is declared passed. Continuing on the same order of business comes Senate Bill 1984. Senator Lightford, do you wish to proceed, ma'am? She indicates she does. Madam Secretary, one moment, please. Senator Luechtefeld, for what purpose do you seek recognition, sir?

SENATOR LUECHTEFELD:

Thank you, Mr. President. I -- in -- I have no idea why I voted green on the sweeps. Please -- please take me off of there, if you would, please. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

The record will so reflect your intention, sir. On Concurrences is Senate Bill 1984. The lady wishes to proceed. Madam Secretary, please read the lady's motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 3 to Senate Bill 1984.

Signed by Senator Lightford.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Senator Lightford, to the motion, ma'am.

SENATOR LIGHTFORD:

Thank you, Mr. President. To the motion. Senate Bill 1984, House Amendment No. 3 amends the School Code as it relates to the Illinois Educational Labor Relations Act regarding charter schools as educational employers. It is a component of

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the charter school agreement that a whole bunch of us sat down and came to an agreement that is contained in the legislation you'll hear after this legislation, which is Senate Bill 612. The amendment clarifies that these employees, who provide instructional services in public schools, fall under the Illinois Educational Labor Relations Act. And it provides that a subcontractor of educational services outside of Chicago, combinations of school districts, charter schools statewide, contract schools or contract turnaround schools are all covered under the IELRA. It also provides that a nonpublic special education facility that contracts with a school district or combination of school districts to provide special ed services is not covered under the Act. And, finally, it amends the Charter School Law to provide that a charter school must comply with all provisions of the Education -- of the Illinois Educational Labor Relations Act. And I'll be happy to answer questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there -- any discussion? Senator Cronin, for what purpose do you seek recognition, sir?

SENATOR CRONIN:

Thank you, Mr. President. To the motion.

PRESIDING OFFICER: (SENATOR DeLEO)

To the motion, sir.

SENATOR CRONIN:

With all the respect in the world for the sponsor, because I know that she put a lot of time and effort into this and because I know she's not feeling well tonight, I -- I -- I nevertheless rise in strong opposition to this bill -- to this

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motion. Ladies and Gentlemen, if this is what the definition of a charter school has become, please take me off the list of the charter school movement because I no longer believe in it. This is not what charter schools were created to be. There was no question about it. There's been a lot of speculation about what the intent was and I hesitate to share with you that I was here back in 1996 when they were created, and the whole purpose and the intent was to create a community of schools where teachers, parents, community groups could come together with flexibility and creativity and not be confined by the conventional restrictions and burdens and strictures of the conventional public school. Little by little over the years, the -- the charter school independence, the charter school mission, the -- the difference has been, you know, sort of nibbled away. Well, this is a big, giant chunk. And, you know, I have great respect for the unions and the labor movement and, certainly, they play an important role in our society, but charter schools were intended to be something different and this really undermines the whole purpose, the whole intent and the very, very seminal thought that put charter schools into our body of law. The Illinois Educational Labor Relations Act is a very comprehensive and far-reaching piece of -- of public policy and law. If charter schools choose to be governed by the Illinois Educational Labor Relations Act, they may do so. And some choose to do just that. Why are we telling them that they must be governed by that Act in this legislation? I urge a No and I urge it very strongly, please.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Further discussion? Senator Steans, for what

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purpose do you rise, ma'am?

SENATOR STEANS:

To the motion and then I have a couple of questions for the sponsor to establish legislative intent.

PRESIDING OFFICER: (SENATOR DeLEO)

To the motion, ma'am.

SENATOR STEANS:

Yes. First, I really want to commend the sponsor of this, Kimberly Lightford. Senator Lightford has done an amazing job in bringing together very diverse viewpoints in negotiating this bill. It was over many months that she's done so. During very heated times, she kept everyone at the table and it's been quite an impressive feat getting it to this point. And I'm very impressed with the sort of magic she pulled off here. To Senator Cronin's point, I have great respect for him, but all this is doing is clarifying under which law the charter schools may be unionized, whether it's National Labor Relations or the Illinois. It's not saying that they need to unionize, but they are certainly welcome to, and clarifies under which law they're -- they can do so. And now, if it's okay, I'd like to ask a couple of questions for legislative intent.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates she'll yield. Senator Steans.

SENATOR STEANS:

Are charter school employees covered by the Illinois Educational Labor Relations Act?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

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Yes. Employees statewide of charter schools have always had the right to organize under the Illinois Educational Labor Relations Act.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Steans.

SENATOR STEANS:

Does the Illinois Educational Labor Relations Act also apply to instructional employees of subcontractors of charter schools?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

Yes. Employees statewide who are employed by subcontractors of charter schools are also covered by the Illinois Educational Labor Relations Act.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Steans.

SENATOR STEANS:

In Chicago, are contract schools and contract turnaround school employees covered by the Illinois Educational Labor Relations Act?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

Yes. Contract school employees and contract turnaround school employees in Chicago are covered by the Illinois Educational Labor Relations Act.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Steans.

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SENATOR STEANS:

And last question, does the Illinois Educational Labor Relations Act also apply to instructional employees of subcontractors of contract schools and contract turnaround schools?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

Yes. Instructional employees of contract schools and contract turnaround schools are covered by the Illinois Educational Labor Relations Act.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR BURZYNSKI:

Thank you, Mr. President. To the motion.

PRESIDING OFFICER: (SENATOR DeLEO)

Motion, sir.

SENATOR BURZYNSKI:

Thank you. Well, there's obviously a difference of opinion relative to the questions that were just asked of the sponsor of the bill, since there is a court case that's pending. I was -- fully intended to vote for this bill until we heard testimony in committee tonight that indicated, should the powers that be lose their -- their case in court, that they would use the legislative intent and the new language of this bill to appeal any court -- any decision that might not go in their favor. Therefore, I cannot vote for this bill tonight. I don't think that we should be trying to change in midstream something that's

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been going on, that's already in the courts. There is a court action involved. And so I urge a No vote. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford, to close, ma'am.

SENATOR LIGHTFORD:

Thank you -- thank you, Mr. President. Thank you, Senator Steans, for acknowledging how long we spent negotiating on this issue. And the INC -- charter schools, the INC, the labor - from every aspect, they were on separate sides of the table. And it took nine months to get us to this point of agreement. I would appreciate an Aye vote on this bill so we can move on to the next piece of legislation that would advance the opportunity for our charter schools to continue to grow. I do want this Body to know that charter schools are public schools. And if you will admit that they're public schools, then those schools have the right -- those teachers have the right to organize. And I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, the question is, shall the Senate concur in the House Amendment No. 3 to Senate Bill 1984. All those opposed {sic} will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 37 Ayes, 19 Nays, 2 voting Present. Senate Bill 1984 having received the required constitutional majority, the Senate does concur in House Amendment No. 3 to Senate Bill 1984, and the bill is declared passed. Continuing on Concurrences is Senate Bill 612. Senator Lightford, do you wish to proceed, ma'am? She indicates she

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does. Madam Secretary, read the lady's motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 612.

Signed by Senator Lightford.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Senator Lightford, to the motion, ma'am.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 612, House Amendment No. 1 amends the School Code, increasing the charter school cap and related changes. And I'd be the first to say that I was initially totally against charter schools. I felt that they were a form of privatization. I was not willing to be open to the idea that they were a public school in any way. After I sat at the table with all of the different facets of -- of charter schools and the public education system and the union groups, I've come to learn that charter schools just gives parents and children within that particular community another option. The foundation level money follows that child to this charter school. And so I would consider it to be a public school. And so with that in mind, there was laws established that created public schools and now this is the first attempt to increase that number. So what's actually happened here is it's increasing the cap on charter schools in the State to one hundred and twenty, with seventy operating in Chicago, forty-five operating outside of Chicago, and five operating in Chicago for educating dropouts. The dropout charters may have up to fifteen campuses with up to

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one hundred and sixty-five students per campus. The bill also defines contract schools and contract turnaround schools. It allows CPS to operate no more than thirty contract schools and an additional five contract turnaround schools to be used as an action for schools failing to make adequate yearly progress for five consecutive years. There's a number of proponents on this legislation. And I'll be happy to answer questions.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR CRONIN:

Question of the sponsor, if I may.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates she'll yield for a question. Senator Cronin.

SENATOR CRONIN:

Senator Lightford, you -- you made this point a couple times now, that by virtue of the fact that this is a public school - by that it receives money, taxpayer money - do you believe that by virtue of the fact that it does receive or any organization that receives public money, that therefore there is, by definition, a requirement that that institution shall be organized according to applicable labor relations laws? Do you believe that?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

Senator Cronin, we've moved on from that bill. That was the previous bill. We're on Senate Bill 612, House Amendment

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No. 1. And this legislation, it increased the caps on charters and it allow for negotiations to take place and for us to come up with a agreed-upon bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cronin.

SENATOR CRONIN:

Another question, if I may. You -- you're -- you're requiring in this bill that all charter schools shall employ certified teachers in seventy-five percent of its instructional positions. If there's a school that has seventy-five percent -- or -- or less than seventy-five percent filled by certified teachers, but they have an opportunity to hire a Nobel Prize laureate in physics to teach kids physics, but that Nobel Prize laureate doesn't have a certified -- a certification, are you telling us that that charter school cannot employ that individual if they haven't reached -- that they haven't reached the seventy-five percent? I mean, they have to have seventy-five percent, so therefore there are going to be some well-qualified experts...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

The charter schools, the business groups and CPS all made several concessions with one another - this being one of 'em. They allowed a three-year phase-in to take place for requiring seventy-five percent of instructional employees in charter schools to be certified. Downstate is currently at zero percent must be certified currently and seventy-five percent must be certified in some Chicago charters and fifty percent in other

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areas. I think that then you will want to -- or that school will want to make sure they save that twenty-five percent to capture individuals like the one that you describe. That's what makes charters unique and what I learned. But charters are also...

PRESIDING OFFICER: (SENATOR DeLEO)

Further discussion, Senator Cronin?

SENATOR CRONIN:

Yes. Finally, just to the motion. I -- I rise reluctantly to oppose this, even though there are some good features, namely creating new -- forty new charter schools - I guess is a good thing. But then when you look at the way charters are defined these days, I guess it's gotten to a point now where I just -- I don't think they resemble what was originally intended. I don't think this is an improvement. You have in the law here that there's a moratorium on legislation. I mean, if some legislator wants to sponsor a bill on legislating or -- or creating more charters, this -- this bill seeks to prohibit that. I think this bill is -- is -- is -- goes -- goes too far in limiting the -- the mission and the differentness and the uniqueness of charters. And so I reluctantly rise in opposition and I urge Members, thoughtful Members, people who care about the education of children, who care about the charter school movement and the independence of this community, I urge you to vote No.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR STEANS:

First to the motion and then a couple of questions for...

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PRESIDING OFFICER: (SENATOR DeLEO)

To the motion. And we have a time problem, so could we do this real quick, please? Senator Steans.

SENATOR STEANS:

I want to just say that, you know, I do not think the overall purpose of the charters is being denigrated at all by this bill. They still have enormous flexibility and they can get alternative certification, as well as certification through regular methods, to reach that seventy-five percent. All of the charter school organizations are very much in support of this bill. Legislative intent questions. First, are the new charter schools single campus?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

Yes. And I already stated, in the bill, five campuses, fifteen multiple campuses, a hundred sixty-five per school, total limit eighteen seventy-five.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Steans.

SENATOR STEANS:

Will -- will financial and data accountability be reported by each individual charter school campus?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

Yes.

PRESIDING OFFICER: (SENATOR DeLEO)

Steans.

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SENATOR STEANS:

Regarding contract schools in Chicago, do contract schools and turnaround schools fall under the provisions of the Illinois School Code?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

Yes.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Steans.

SENATOR STEANS:

Are the contract schools and contract turnaround schools single campus or do they have the ability to replicate?

PRESIDING OFFICER: (SENATOR DeLEO)

Lightford.

SENATOR LIGHTFORD:

Contract schools and the contract turnaround schools are both limited to a single campus.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Steans.

SENATOR STEANS:

Last question. In Chicago, will the board be able to open additional schools for instructional purposes other than contract schools and contract turnaround schools?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

No. This legislation places a hard cap on the schools that can be opened for instructional purposes under Article 34,

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Section 18, paragraph 30. And, Mr. President, to close. First, I just want the record to reflect that the board isn't right. The Republicans voted Yes in caucus -- in committee, not No on this bill. Secondly, how dare you indicate in any way that I don't care about children or Members on both sides of the aisle don't care about children. And lastly, I -- I was totally against charter schools..

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, the question is, shall the Senate concur in Amendment No. 1 to Senate Bill 1612 {sic}. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 45 Ayes, 10 voting Nay, 1 voting Present. Senate Bill 612 having received the required constitutional majority, and the Senate does concur in Amendment No. 1 to Senate Bill 612, and the bill is declared passed. Ladies and Gentlemen, with leave of the Body, we will now proceed to the Order of Resolutions Consent Calendar. With leave of the Body, all the resolutions read in today will be added to the Consent Calendar. Madam Secretary, has there been any objections filed to any resolution on the Consent Calendar?

SECRETARY ROCK:

No objections have been filed.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? If not, the question is, shall the resolutions on the Consent Calendar be adopted. All those in favor will say Aye. All those opposed will say Nay. It's the opinion of the Chair, the Ayes have it, and the

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motion carries and the resolutions are adopted. Now continuing back on the Order of Resolutions... Okay, on your printed Calendar, Ladies and Gentlemen, I'd ask you to go to page 56 of your printed Calendar, is House Bills 3rd Reading, is House Bill 3606. Senator Koehler, you wish to proceed? He indicates he does. Senator Koehler is seeking leave of the Body to return House Bill 3606 to the Order of 2nd Reading. Is that correct, sir? Leave is granted. Now on the Order of 2nd Reading is House Bill 3606. Madam Secretary, has there been any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Koehler.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Koehler, to your amendment, sir.

SENATOR KOEHLER:

Yes. This amendment becomes the bill. I can explain it on 3rd.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, is there any discussion? Is there any discussion? All those in favor of adopting Floor Amendment No. 2 will say Aye. All those opposed will say Nay. In the opinion of the Chair, the Ayes have it, and the amendment is adopted. Madam Secretary, has there been any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Now on the Order of 3rd Reading is House Bill 3606. Senator Koehler, you wish to proceed, sir? He indicates

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he does. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 3606.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Koehler, to the bill, sir.

SENATOR KOEHLER:

Yes. Thank you, Mr. President, Members of the Senate. This bill allows the widow of a Member of the General Assembly Retirement System who died in service during the 90th General Assembly to receive a survivor's annuity before the age of fifty, provided that the deceased participant had at least six years of service. It also adds provisions which allow a SERS participant who applies to the system by December 31st, 2009, and rendered contractual services on a full-time basis to the Illinois Institute of Natural Resources and the Illinois Department of...

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR BURZYNSKI:

...you -- thank you. To the motion, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the motion. Excuse me, sir, to the bill.

SENATOR BURZYNSKI:

Thank you. To the bill. I'd just like to point out to Members that we've been talking about pensions, the

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underfunding. This is a pension enhancement bill. So I just want to point that out. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. Any further discussion? Senator Koehler, to close. The gentleman's asking for a favorable roll call. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 50 Ayes, 6 voting Nay, 0 voting Present. House Bill 3606, having received the required constitutional majority, is declared passed. Okay, I'd ask you to go back, Ladies and Gentlemen, to Supplemental Calendar No. 3, the printed Calendar. It's been printed and distributed earlier today. We will be going to motions. We'll be going to... Okay, Ladies and Gentlemen, the middle of page, first page of Supplemental Calendar No. 1 {sic} (3) is Senate Bill 52. Senator Trotter. Do you wish to proceed on your motion, sir? He indicates he does. Madam Secretary, read the gentleman's motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1, 2 and 3 to Senate Bill 52.

Signed by Senator Trotter.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter, to the motion, sir.

SENATOR TROTTER:

Thank you very much, Mr. President and Members of the Senate. Senate Bill 52 is a trailer bill to Senate Bill 658 that unanimously passed the House on the 29th and has passed

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this Chamber through committee. It passed House -- it promotes a development of a clean coal substitute natural gas facility in Chicago by authorizing the Illinois Finance Authority to pay for the facility cost report. It also changes the funding mechanism from IFA, Illinois Finance Authority, to Department of Commerce and Economic Opportunity, and further grants authority to support costs associated with another coal-to-substitute natural gas facility in Jefferson County, Powers Holding {sic} (Power Holdings).

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall the Senate concur in House Amendment No. 1, No. 2 and No. 3 to Senate Bill 52. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 59 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 52 having received the required constitutional majority, the Senate does concur in House Amendment No. 1, 2 and 3 to Senate Bill 52, and the bill is declared passed. Continuing on resolution -- on Concurrence is Senate Bill 611. Senator Harmon, do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, read the gentleman's motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 611.

Signed by Senator Harmon.

PRESIDING OFFICER: (SENATOR DeLEO)

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Thank you, Madam Secretary. Senator Harmon, to the motion, sir.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The underlying bill, House {sic} Bill 611, expanded the Technology Loan Program to permit private schools to participate. In the House, it was amended to do two things. It deals with an issue in Senator Dahl's district with respect to a -- a -- a special ed cooperative and it provides a second form of withdrawing from a joint agreement among school districts. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR CRONIN:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR CRONIN:

...Harmon, for purposes of intent here, I have a question and it is as follows: Despite the fact that lines 22 through 25 on page 4 of the amendment delete the reference to the regional board of school trustees, it is still the case that, where a school district does not have the consent of all other districts in a cooperative to withdraw from that cooperative, the school district can petition for withdrawal to the appropriate regional board or boards of school trustees and that petition can be granted. Correct?

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PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Correct, Senator Cronin. This bill does not take away that -- the right that regional board or boards of school trustees have to review and grant a petition by a school district to withdraw from a special education cooperative.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any further discussion? Any further discussion? Seeing none, Ladies and Gentlemen, the question is, shall the Senate concur in Amendment No. 1 to Senate Bill 611. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 611 having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 611, and the bill is declared passed. Senate Bill 1050. Senator Raoul, do you wish to proceed? He indicates he does. Madam Secretary, read the gentleman's motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1050.

Signed by Senator Raoul.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Raoul, to the motion, sir.

SENATOR RAOUL:

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Thank you, Mr. President. Senate Bill 1050 expands the ability of the circuit court to grant certificates of relief from disabilities. The House amendments exclude certain offenses from getting that access.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, sir. Is there any discussion? Is there any discussion? Senator Righter, are you seeking recognition? Senator Righter.

SENATOR RIGHTER:

I am, Mr. President. To the motion, please.

PRESIDING OFFICER: (SENATOR DeLEO)

To the motion, sir.

SENATOR RIGHTER:

Thank you, Mr. President. I simply rise in support of Senator Raoul's motion. The expansion in this bill for certificates from relief for {sic} (of relief from) disabilities is carefully crafted. It's narrow. It appropriately changes the body that oversees these certificates -- or the granting of these certificates from the Prisoner Review Board to the courts, where I think a lot of people would argue it should have been all along. So, with that, I support very strongly the gentleman's motion and appreciate his efforts.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there further discussion? Seeing none, Ladies and Gentlemen, the question is, shall the Senate concur in House Amendment No. 1 and No. 2 to Senate Bill 1050. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the

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record. On that question, there are 59 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1050 having received the required constitutional majority, and the Senate does concur in Amendment No. 1 and No. 2 to Senate Bill 1050, and the bill is declared passed. Continuing on motions, concurrence motions, page 2 of the Supplemental Calendar. At the top of page 2 is Senate Bill 1602. Senator Garrett, do you wish to proceed? She indicates she does. Madam Secretary, read the lady's motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 4 to Senate Bill 1602.

Signed by Senator Garrett.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Senator Garrett, to the motion, ma'am.

SENATOR GARRETT:

Yes. Thank you very much, Mr. President. This simply provides more transparency and accountability when making -- when the Governor makes appointments to boards and commissions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion on the lady's motion? Seeing none, Ladies and Gentlemen, the question is, shall the Senate concur in House Amendment No. 1 and No. 4 to Senate Bill 1602. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 59 Ayes, 0 voting Nay, 0 voting Present. The Senate does concur in House Amendment No. 1 and No. 4 to Senate Bill 1602. And having

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received the required constitutional majority, the bill is declared passed. Senator James Clayborne, on Senate Bill 1909, sir. Do you wish to proceed? He indicates he does. Madam Secretary, read the gentleman's motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 5 to Senate Bill 1909.

Signed by Senator Clayborne.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne, to the motion, sir.

SENATOR CLAYBORNE:

...you -- thank you, Mr. President, Members of the Senate. This provides discretion of Department of Revenue to approve districts, define projected market area and approve projects. It requires an impact study. Requires removal of -- removal of certain local taxes. Requires the removal of utility taxes and transient guest taxes. Provides for requirements of relocation of businesses. It provides new restrictions. It narrows project -- project costs. And it transfers the approval of the process from DCEO to the Department of Revenue. I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR McCARTER:

To the motion.

PRESIDING OFFICER: (SENATOR DeLEO)

To the motion, sir.

SENATOR McCARTER:

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I want to -- I want to first express my -- you know, enormous amount of respect for the sponsor of this bill, as well as the sponsor who -- actually the Senator whose district it -- the project might possibly be built in. I said might possibly. However, I have to share with you some concerns about the bill and how it might negatively impact my district and the neighboring cities and suburbs in my district adjacent to this project. First of all, an impact study has already been done. The East-West Gateway Council of Governments has taken a very lengthy and thorough look at situations like this. I want -- I want to read very quickly what this extensive study, entitled "An Assessment and {sic} (of the) Effectiveness of {sic} (and) Fiscal Impacts of the Use of Local Development Incentives in the St. Louis Region" -- we're talking about the Metro-East. It reads as follows: Point four says, "Broad measures of regional economic outcomes strongly suggest that massive tax expenditures to promote development have not resulted in real growth." Now, this is a legitimate study. And you ask, well, why -- why no real growth? Because you're swapping growth. And where's the growth coming from? Where -- where are the new projects coming from? They're coming from my district. I -- I have to be against this. What we're seeing -- what we're going to see here and what's been shown is -- this is what the study has shown is that you're -- you're -- you're shifting -- seeing a shift of existing businesses from one neighboring community to another. I understand that with the -- with this -- with the amendments that have been added, there's a -- a protection from businesses moving within one year; however, this does not keep large retailers from ceasing longtime, serious negotiations in my

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district and going to the newly formed STAR bond's district, where everything from - and I don't know if any of you have read this - engineering, architectural design, roads, buildings, signage, moving costs for employees, lobbying costs, anything you can think of is going to be paid by the sales taxes.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator McCarter, could you bring your remarks to a close, sir?

SENATOR McCARTER:

Every -- every mayor in my district within a sixty-mile radius is opposed to this bill, including the head of the Illinois Municipal League who lives in my district. The cost to the State is in your bill. Fiscal note, Department of Revenue - fifteen million a year for as long as the bonds are issued. Last, there's a twenty-two-million-dollar project to construct a new bridge, the interchange in Troy, Illinois, only ten miles away from this. Here, again, is another development, an entryway to a large new development, who, just like the new STAR bonds development, can claim to be attracting out-of-state customers, increase sales tax to the State and rising property taxes and, therefore, property taxes for our schools. What's the difference in these two developments?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator McCarter...

SENATOR McCARTER:

I'll -- I'll...

PRESIDING OFFICER: (SENATOR DeLEO)

...bring your remarks to a close, sir.

SENATOR McCARTER:

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I will. The difference is, one will give valuable tax revenue to the developer of STAR -- of the STAR bonds project; the other will provide much-needed tax revenue to a State in trouble. I urge you to vote as though you were the constituent living next to this development. I urge a No vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine, for what purpose do you seek recognition, sir?

SENATOR HAINE:

To the gentleman's motion, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the motion, sir. Senator Haine.

SENATOR HAINE:

Mr. President, Ladies and Gentlemen of the Senate, I -- with this amendment, Amendment No. 5, I can support this bill. The -- as the -- as Senator Clayborne, our distinguished Majority Leader, has pointed out to this Chamber, this amendment transfers the -- most, if not all, of the authority over whether to establish a district or a project or issue the bonds to the Illinois Department of Revenue. It requires a lengthy impact and feasibility study. It establishes a public hearing, a regional public hearing removed from the local village within which this is proposed to be. With that, it -- I become much more comfortable with this approach. And I wish to thank Senator Clayborne for his work on this bill, which -- which has been -- this district is in my legislative district, so I had a paramount interest in balancing the concerns of the surrounding community with the vision, the good vision, of the developers. And I wish to thank our Majority Leader for his ability to work

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with us on this. And I also want to thank my Representative, Jay Hoffman, who also spent many hours and diligently worked for the common good with this project. But with that, I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. The Chair would like to recognize Representative Jay Hoffman for his fine work -- fine works. Senator Luechtefeld, for what purpose do you rise, sir?

SENATOR LUECHTEFELD:

Thank you, Mr. President. I -- I rise in support of -- of this motion. You know, I -- I think we're all struggling to try to come up with economic development. This, I think, is a tool to do that. I really believe that -- the amendments that have been added to this bill have taken away a lot of the opposition to this particular project. So hopefully we can make this happen and get some support -- enough support in this Legislature. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR BURZYNSKI:

...you, Mr. President. To the motion. Senator McCarter has already expressed a lot of concerns with the bill, a lot of concerns that the neighboring communities and cities have. But I'd like to point out just a couple of other things. First of all, we're talking about a project that a private developer will be spending hundreds of millions of all of our dollars to develop. Now I would suggest to you that, yeah, it's great that you can be creative and create jobs and create an economy by

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doing that, but I would say that anybody in this Chamber could if they had hundreds of millions of dollars to do that with. I also want to point out, just very quickly, that there is only one developer - only one developer - that can avail themselves to this particular project. I think that flies in the face of decency. I urge a No vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, no further discussions. Leader Clayborne, to close, sir.

SENATOR CLAYBORNE:

Thank you, Mr. President. I'll be very brief. One -- one -- one of the new Senators talked. I represent that area too. So, I've done many, many great things before you got here. That Green Mount Road was helpful in -- in that development which has been major for that town. So, I think I know what's going on and I know what's good. This is about jobs and I thought my Republican colleagues -- at least one who stood up understands that, understands what needs to take place. And my other colleague, the project doesn't exist, so there are no tax dollars that are being taken away from the General Fund or the State of Illinois. The dollars that will be produced from this project will be used to reinvest back into this development. So that's all we're asking. So I would ask for a favorable vote. This is ten thousand construction jobs, over a billion dollars in investment, and thirty-one hundred permanent jobs, and I thought that's what the Republican Party was about, but I guess you all even are split on that issue as well. So I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

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Okay, Ladies and Gentlemen, the question is, shall the Senate concur in House Amendment No. 5 to Senate Bill 1909. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 44 Ayes, 11 voting Nay, 0 voting Present. Senate Bill 1909 having received the required constitutional majority, the Senate does concur in House Amendment No. 5 to Senate Bill 1909, and the bill is declared passed. Ladies and Gentlemen, for purposes of an announcement. We have a -- a Committee on Assignment {sic} meeting immediately, immediately in the President's Anteroom. The Senate will stand at ease for a couple hours -- a couple minutes, I'm sorry - couple minutes. Ask all members of the Committee on Assignments to report to the Anteroom immediately. We'll stand at ease for just a moment.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, the Senate will come to order. We have a couple of very important announcements. Can I have the attention of the Members, please? Final scores: San Francisco - 5, St. Louis - 3. Los Angeles - 8, the Chicago Cubs - 2. Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Be Approved for Consideration - Motion to Concur

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with House Amendment 1, House Amendment 4 and House Amendment 5 to Senate Bill 268, Floor Amendment 4 to House Bill 2424, Floor Amendment 4 to House Bill 313, and Motion to Concur with House Amendment 1 and House Amendment 2 and House Amendment 3 to Senate Bill 2218.

Signed by Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Introduction of Senate Bills.

SECRETARY ROCK:

Senate Bill 2458, offered by Senator Harmon.

(Secretary reads title of bill)

Senate Bill 2459, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary.

SECRETARY ROCK:

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, Messages from the House, please.

SECRETARY ROCK:

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

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

Senate Bill 397

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate -- excuse me...

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Okay, Ladies and Gentlemen, I'd ask you to turn your printed Calendars to page 58, to page 58. On the top of page 58 is Senate Bill 367. 367. There's been a change in sponsorship. There's a slip on file. The sponsor is now Senator Clayborne, James Clayborne. No, I'm sorry. It's going back to the original sponsor, Senator Cullerton. Senator Cullerton, do you wish to proceed? Indicates he does. Madam Secretary, read the gentleman's motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 367.

Signed by President Cullerton.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter, are you seeking recognition, sir? Ladies and Gentlemen, we are in Session. Can you hold the conversations down, please? Senator Righter. Give -- please give the speaker your courtesy. Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Inquiry of the Chair, please.

PRESIDING OFFICER: (SENATOR DeLEO)

State your inquiry.

SENATOR RIGHTER:

Thank you. Mr. President, as you know, earlier this evening, House Joint Resolution Constitutional Amendment 31 passed the Senate Executive Committee. I'm curious about procedurally whether or not we'll be voting on that yet tonight or this morning?

PRESIDING OFFICER: (SENATOR DeLEO)

We'll let you know very shortly. We're on Concurrences

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now, but I'll get back to you.

SENATOR RIGHTER:

Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Sometime this calendar year. Madam Secretary, read the gentleman's motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 367.

Signed by President Cullerton.

PRESIDING OFFICER: (SENATOR DeLEO)

President Cullerton, to the motion, sir.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. Senate Bill 367, the amendment reflects an agreement between the Governor's Office and the plaintiffs in the JCAR litigation. The amendment grandfathers in persons with income below a hundred and eighty-five percent -- between a hundred and eighty-five percent and four hundred percent of Federal Poverty Level who signed up when Governor -- our previous Governor expanded FamilyCare in the fall of 2007 without legislative authority. These people are only covered so long as they remain between the hundred and eighty-five percent and four hundred percent of the Federal Poverty Level. Amendment also ensures that persons below a hundred and eighty-five percent will continue to be eligible for FamilyCare and bars governors from expanding coverage under the program without legislative approval. I would move for its passage.

PRESIDING OFFICER: (SENATOR DeLEO)

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Thank you. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall the Senate concur in House Amendments No. 1 and No. 2 to Senate Bill 367. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 367 having received the required constitutional majority, the Senate does concur in Amendment No. 1 and No. 2 to Senate Bill 367, and the bill is declared passed. Okay, on Secretary's -- we're going back to the Supplemental Calendar, Supplemental Calendar No. 3 that was printed and distributed earlier today. We're going to Secretary's Desk, Non-Concurrence, House Bills. House Bill 809. Senator Demuzio. Senator Demuzio. Please read the lady's motion.

SECRETARY ROCK:

I move to recede from the -- Senate Amendment 2 to House Bill 809.

Signed by Senator Demuzio.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Demuzio, to your motion, ma'am.

SENATOR DEMUZIO:

Yes. Thank you, Mr. President and Members of the Senate. I'd like to recede from Senate Amendment No. 2. That amendment amended the School Code to set forth a new process for the withdrawal of school districts from the joint agreement.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing

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none, Ladies and Gentlemen, the question is, shall the Senate recede from its Amendment No. 2 to House Bill 809. This is final action. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 59 Ayes, 0 voting Nay, 0 voting Present. The Senate recedes from Amendment No. 2 -- Senate Amendment No. 2 to House Bill 809. And the bill, having received the required constitutional majority, is declared passed. Continuing on Secretary's Desk, Concurrence, Resolutions is Senate Joint Resolution 56. Senator Kotowski, do you wish to proceed? He indicates he does. Madam Secretary, read the gentleman's motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Joint Resolution 56.

Signed by Senator Kotowski.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Kotowski, to the resolution, sir.

SENATOR KOTOWSKI:

Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

To your motion.

SENATOR KOTOWSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This House Amendment No. 1 deletes all and becomes the bill {sic}. It simply creates the Joint Task Force on Breeders and Pet Stores. I would simply ask for either a woof or a bark or a Yes vote on this resolution.

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PRESIDING OFFICER: (SENATOR DeLEO)

Ladies and Gentlemen, the question is, shall Senate Joint Resolution 56 pass. All those in favor will vote... Sorry, Senator Sullivan. I apologize. Senator Sullivan, for what purpose do you rise, sir?

SENATOR SULLIVAN:

Thank you, Mr. President. I was -- have a question for the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question, sir. And once again, I apologize for not seeing your light, sir. Senator Sullivan.

SENATOR SULLIVAN:

Your apology is accepted, Mr. President. You do an outstanding job. Senator Kotowski, this is an issue that you've been working on and many of us have been working on over the course of the last Session here. As I read through your -- the resolution, I guess my question is, is how much input did you have from the dog breeding community, as far as the different organizations, in drafting the language in this resolution?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Kotowski.

SENATOR KOTOWSKI:

Thank you for your question, Senator Sullivan. As you may recall, during the course of our negotiations on the bill, we had probably about, I don't know, twenty-eight different groups there, including dog breeders and people who own pet stores. And we came up with a resolution - involved a lot of the parties that were concerned about it - and went over to the House and

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the House gutted a lot of the language that we had in it. And the basic language, that was changes through our work with the - - the Agriculture Committee over there, and I believe it was Chairman Phelps on it, that we were able to come up with the language I think that was agreed upon and that the -- the community that you're referring to was okay with.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you. The -- how many total members are going to be on this task force?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Kotowski.

SENATOR KOTOWSKI:

Not including my family, there are fourteen {sic} appointed members of the Joint Task Force on Breeders and Pet Stores that will appointed as -- there's fourteen {sic} members.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sullivan.

SENATOR SULLIVAN:

The -- so the members that are going to be on that -- it -- it -- my concern is that there is not enough -- that the -- the -- the makeup of the task force looks like it's slanted more towards -- away from the dog breeding community and more towards the different societies that represent the -- some of the shelters, for example. And some of my constituents -- and, of course, we -- you and I have had a lot of conversations about this bill {sic} over the course of the last couple months, but they -- they really have some concerns about the makeup of this

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task force. And I was wondering if you would be able to comment on it, especially -- maybe especially from the aspect of the Department of Ag and the input that they will have as far as the membership.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Kotowski.

SENATOR KOTOWSKI:

Thank you, Senator Sullivan. As you -- as you know, I -- I respect your -- your opinion, your position greatly from our -- the course of our -- our work on this bill {sic} from the very beginning. And so you know, that's -- you know, if I just want to just break down -- it limits it to two members of those society. The rest are, you know, from rescue -- rescue groups and everything -- and other groups in that community. But let me -- want to just read this for you: Director of Agriculture shall appoint -- the Director of Agriculture shall appoint five members to represent the animal welfare community, including two members from national organizations and three members representing the shelter community and animal rescue community; the Director of Agriculture shall also appoint one member representing the small scale breeding community, one member representing the sporting dog community, one member representing the large scale breeding community, and one member representing the pet store industry, and one member representing the Illinois Veterinarians. Senator Sullivan, with all due respect, we did whatever we could to bend over backwards to get as many of the groups involved as we possibly could on this issue. And the -- the good news -- here's the good news, Senator, is we're -- these are going to be public hearings. Anybody can attend and

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everyone's going to see that there's a -- that what we're doing is -- is just a way in which we can create a better situation in our State when it comes to looking at breeders and pet stores.

PRESIDING OFFICER: (SENATOR DeLEO)

Further discussion? Further discussion? Senator John Jones, you seeking recognition on this very important midnight matter? Senator Jones.

SENATOR J. JONES:

Thank you -- thank you, Mr. President. And -- and to the resolution, but before I do that, I would ask for a -- for a roll call vote on this. You know, Senator Sullivan's exactly right. I mean, you know, what's the concern out there is, is that we're loading this up with people on this -- on this committee that's -- that's going to study this issue that doesn't represent the quail hunters, the rabbit hunters and all the other people that have a great concern that they may have a couple of female dogs and raise a few pups in their back -- backyard and -- and they're very concerned that we're going to limit what they can do. I would urge you to vote No on this. If the -- if the sponsor wants to come back with a different resolution and try to -- to appease myself and, I think, Senator Sullivan with giving us more members on this, quite frankly, you can do it. This is not -- this is not a very large committee. Whenever you look at what we did yesterday in this Body, the resolutions that we passed here yesterday, we picked a hundred and forty people to serve on -- on committees just yesterday with the resolutions that we passed. And one -- one resolution had as many as twenty-one members on it. So, I would ask you to vote No on this.

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PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR ALTHOFF:

Thank you very much, Mr. President, Members of the Body. I just want to take a moment and address the concerns that were raised. I, too, had grave concerns about the original legislation prior to creating the task force. And I will assure you that Senator Kotowski has bent over backwards to try and meet the concerns and address the issues of concerns that we have. That's the reason we have created a task force. He's been open. He's been accessible. He's inviting people in. I would urge an Aye vote on this and let us really have an opportunity to hash out this issue and make sure that we are addressing those issues of concern to the very breeders that you're talking about, Senator Jones. I think that we're -- we're trying to do that exactly. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Sullivan, for the second time on this extremely important issue.

SENATOR SULLIVAN:

Thank you, Mr. President. My name was used in debate and I know that we're having a little fun on this issue, but it is -- it is an important issue. I want to be clear to Senator Kotowski and to some of the other Members that have spoke about this bill {sic}. I intend on supporting this bill. The reasons -- the concerns that I brought up go back to the discussions that we've had over the course of the last several months. The -- I want to ensure that as the Department of Ag, who has

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overseen this issue over the -- many, many years, that they -- and they do have concerns with some of the proposals that were in some of the initial legislation when we started the year out. They also think that there is room for improvement and that is obviously the intent of this task force. I have some very serious concerns about some of the strong language that is in this resolution. And for that reason, I wanted to make sure that you and I had a dialogue here on the Floor about this issue. I do intend on supporting the issue. And -- but I want to, again, reemphasize that the role that the Department of Ag plays in this issue as we move forward is very important. I see that the findings of the task force will be presented to the -- to the Department of Ag. I assume that we will -- if they come up with some recommendations, we will try to incorporate them into some legislation at some point down the road. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, the question is, shall the Senate concur in House Amendment No. 1 to Senate Joint Resolution 56. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. There's 47 Ayes, 10 Nays, 1 voting Present. The Senate does concur in Amendment No. 1 to Senate Joint Resolution 56. And the resolution has received the required constitutional majority -- is declared adopted. Ladies and Gentlemen, we'll go to House Bills 3rd Reading. House Bills 3rd Reading. On your printed Calendar, on page 53 of your printed Calendar is House Bill 313. Senator Trotter. Do you wish to proceed, sir? He indicates he wishes to proceed. Madam

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Secretary, read the gentleman's bill. Senator Trotter is seeking leave of the Body to return House Bill 313 back to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is House Bill 313. Madam Secretary, has there been any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Trotter.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Trotter, to your amendment. sir.

SENATOR TROTTER:

If we can, there's four amendments, if we can adopt all four. Or if you want me to go through each one.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, is there any discussion? All those in favor of adopting Amendment No. 1 will say Aye. All those opposed will say Nay. The Ayes have it. It's the opinion of the Chair, the Ayes have it. The amendment is adopted. Have there been any further Floor amendments approved for consideration, Madam Secretary?

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Trotter.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SECRETARY ROCK:

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Floor Amendment 3, offered by Senator Trotter.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SECRETARY ROCK:

Floor Amendment 4, offered by Senator Trotter.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing none, all those in favor of adopting Floor Amendment No. 4 will say Aye. All those opposed will say Nay. It's the opinion of the Chair, the Ayes have it, and Floor Amendment No. 4 is adopted. Madam Secretary, has there been any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Now on the Order of 3rd Reading is House Bill 313. Senator Trotter, do you wish to proceed, sir? He indicates he does. Madam Secretary, read the bill for the third time.

SECRETARY ROCK:

House Bill 313.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. Excuse me. House Bill 313 is the -- is the comprehensive capital appropriation bill. It appropriates 2.9 billion in State-bonded funding for capital projects. It also includes 1.6 billion in reappropriations for the mini-capital bill that was passed in April, as well as reappropriates capital projects from P.A. 95-734. Further, the bill includes 21.1 million dollars from the Road Fund in order to leverage the federal funding made available by the American Recovery and Reinvestment Act. It has some technical changes in it as well. It has a cleanup amendment that -- one which reduces four civic center funding levels by two hundred thousand dollars each and provides eight hundred thousand dollars to the Quincy Metropolitan Exposition and Auditorium Authority for capital improvements. This is based on an agreement between the civic leaders. And it has also increased bond authorization to fund the -- the two capital bills.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Senator Radogno, for what purpose do you rise, ma'am?

SENATOR RADOGNO:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill -- to the bill, ma'am.

SENATOR RADOGNO:

Thank you. I just want to thank Senate President Cullerton

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and everyone who was involved in putting this together. I think this is a good model of collaborative effort that produced a really good bill in the end. Unlike previous capital bills, this does not have any lump sums, which I think is very good. It adds to the transparency that we've all been talking about. Whether or not you agree with every line item, at least it's out there for everyone to see. So that's definitely a positive. I would certainly urge everyone to vote for this. And I hope that the Governor keeps his word and separates this from the operating budget. The fact of the matter is, implementing the capital bill will actually help us with the operating budget. So we need to get this done as soon as possible. Again, thank you and I hope everyone votes for this.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any further discussion? President Cullerton, are you seeking recognition on this bill, sir?

SENATOR CULLERTON:

Yes. Just very briefly. Thank you, Mr. President. This is the second appropriation of our capital bill, and as Senator Radogno indicated, we worked with all four caucuses and the Governor. The Governor's requests are included in this provision, as well as the other four caucuses. It -- as -- as said, it's all open to the light of day. It's line-itemed. And it's a jobs bill that we need to get the economy turning around again. I appreciate everybody's help and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any further discussion? Seeing none, Senator Trotter, to close, sir. Senator Trotter, to close.

SENATOR TROTTER:

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Thank you. Just seeking an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, the question is, shall House Bill 313 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 59 Ayes, 0 voting Nay, 0 voting Present. House Bill 313, having received the required constitutional majority, is declared passed. I'd ask you to turn your printed Calendars to the page... Page 55 of your printed Calendar is House Bill 2424. Senator Crotty. Is there a change of sponsorship? There's been a change of sponsorship to Senator Trotter. Do you wish to proceed, sir? Senator Trotter is seeking leave of the Body to return House Bill 2424 back to the Order of 2nd Reading for the purpose of an amendment. Is that correct, sir? Now on the Order of 2nd Reading is House Bill 2424. Madam Secretary, has there been any amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Trotter.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter, to Floor Amendment No. 1, sir.

SENATOR TROTTER:

I understand there's four amendments. Can we adopt all four amendments, then I'll go forth on 3rd?

PRESIDING OFFICER: (SENATOR DeLEO)

Certainly. The sponsor requests -- is there any discussion on Floor Amendment No. 1? Seeing none, all those in favor will say Aye. All those opposed will say Nay. It's the opinion of

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the Chair, the Ayes have it, and Floor Amendment No. 1 is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Trotter.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter, Floor Amendment No. 2, sir.

SENATOR TROTTER:

We're going to table Amendment No. 2, please.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor wish -- wishes to withdraw Floor Amendment No. 2. Madam Secretary, withdraw Floor Amendment No. 2. Has there been any further Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 3, offered by Senator Trotter.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter, to Floor Amendment No. 3, sir.

SENATOR TROTTER:

If we can adopt -- Amendment No. 3, please. And we are also going to have Amendment No. 4.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, is there any discussion? Is there any discussion? Seeing none, all those in favor of adopting Floor Amendment No. 3 will say Aye. All those opposed will say Nay. It's the opinion of Chair that the Ayes have it, and Floor Amendment No. 3 has been adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 4, offered by Senator Trotter.

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PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter, on Floor Amendment No. 4, sir.

SENATOR TROTTER:

If we can adopt Amendment No. 4 and take it back to 3rd and I will combine the four amendments -- the three amendments.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing none, all those in favor of adopting Floor Amendment No. 4 will say Aye. All those opposed will say Nay. It's the opinion of the Chair, the Ayes have it, and Floor Amendment No. 4 is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Now on the Order of 3rd Reading is House Bill 2424. Do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, read the gentleman's bill for the third time.

SECRETARY ROCK:

House Bill 2424.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR TROTTER:

Thank -- thank you very much. As amended, House Bill 2424 creates various Acts and amends other Acts in order to implement the capital budget. Specifically, it adds language to implement

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funding for safety net hospitals, downstate hospitals, community health facilities, public libraries, parks, private colleges, school construction. It also amends the Video Gaming Act to provide further safeguards against the potential abuse of the Act. It amends the Illinois Lottery Law to address the transition to the selection of a private manager, the manager's use of the current department's employee services. It requires private managers to hire Lottery employees. And, again, there's many issues and -- and many Acts that are amended. And I will answer questions if there are any.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is -- is there any discussion? Any discussion? Senator Crotty, for what purpose do you rise, ma'am?

SENATOR CROTTY:

Questions of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

Sits next to you. Sponsor indicates he'll yield for a question, ma'am. Please go ahead.

SENATOR CROTTY:

I didn't ask where the sponsor was. I just had some questions for him, sir. Thank you. Is it the intent of this amendment that we are only contracting out the management?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

I'm making the assumption that you're talking about the Lottery amendment in which we are doing, and the answer is yes.

PRESIDING OFFICER: (SENATOR DeLEO)

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Senator Crotty.

SENATOR CROTTY:

Is it the case that all work that is not managerial or supervisory or is performed by bargaining unit members will continue to be performed by State employees and the employees performing that work will be covered by their collective bargaining agreements?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

That is correct.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Crotty.

SENATOR CROTTY:

And is it the intent of the General Assembly that subsection (c-5) of Section 9.1 be severable if that subsection is found to be violative by -- of the federal law or otherwise invalid by a court?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

Yes.

PRESIDING OFFICER: (SENATOR DeLEO)

Anything further? Okay, Ladies and Gentlemen, seeing nothing -- no further discussion, Senator Trotter, to close, sir.

SENATOR TROTTER:

I just seek an affirmative vote.

PRESIDING OFFICER: (SENATOR DeLEO)

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Okay, Ladies and Gentlemen, the question is, shall House Bill 2424 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 58 -- 59 Ayes, 0 voting Nay, 0 voting Present. House Bill 2424, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, I'd ask you to go to Supplemental Calendar No. 4. Supplemental Calendar No. 4. On the order of motion to concur is Senate Bill 2218. Senator Trotter, do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, read the gentleman's motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1, 2 and 3 to Senate Bill 2218.

Signed by Senator Trotter.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Trotter, to your motion, sir.

SENATOR TROTTER:

There are two amendments here if I -- we could adopt -- well, three. Then if we can adopt three amendments, I would like to explain on 3rd Reading.

PRESIDING OFFICER: (SENATOR DeLEO)

These are... You're on a concurrence, sir.

SENATOR TROTTER:

Concur. Concurrence. So -- so I want to concur. So on all -- one -- fine. As we go forward, this is and should be the last operating budget implementation Act of the evening. It makes changes to State laws addressing -- exempting the entities

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from CMS Data Security division, the legislative support service boards. Creates the American Recovery and Reinvestment Administrative Fund -- Revolving Fund. It creates a new fund for the Court of Claims in receipt of federal funds. Modifies the Medicaid financing and reimbursement structure of the University of Illinois. And as stated earlier, it also addresses about twenty other funds. Makes changes to those funds as well to implement the operating budget.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR MURPHY:

To the amendment, Mr. President. For those of you who voted against the underlying pieces of the budget, this is the implementation of the budget you voted against. So to be consistent, I would urge an -- a -- a No vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Seeing no further discussion, Senator Trotter, to close.

SENATOR TROTTER:

I just seek an affirmative roll call.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, the question is, shall the Senate concur in House Amendment No. 1, House Amendment No. 2 and House Amendment No. 3 to Senate Bill 2218. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there is 37 Ayes, 22 Nays, 0 voting Present. The Senate have -- the Senate does concur in House

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Amendment 1, 2 and 3 to Senate Bill 2218. Having received the required constitutional majority, the bill is declared passed. Okay, Ladies and Gentlemen, can I have your attention, please? Ladies and Gentlemen, may I have your attention, please? Senator Haine. Senator Haine. We've completed about -- most of the business of the Senate this evening. We have some paperwork to do and we have to read a constitutional amendment into the record before we do our adjournment resolution. President Cullerton is seeking recognition. President Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. I -- we -- we passed this year a capital bill, and as Senator Radogno had mentioned, it was a line-itemed capital bill. That required an incredible amount of work by our staff. And I just have to acknowledge our staff. Kristin Richards and team capital over here worked hours and hours into the night and they did a fantastic job and I want to thank them. No, we are not going to be having any celebrations at the Capitol -- I'm sorry, at the Mansion yet, 'cause we haven't done anything to quite celebrate. That'll be coming in a few weeks, hopefully. But we would like to indicate that we're going -- not going to be adjourning to a specific day, but rather at the call of the Chair. And we're going to be meeting -- the Leaders are going to be meeting tomorrow, but you all don't have to stick around and wait for that. So, we will be finishing our business and then we will be calling you back to conclude our budget. So I want to thank the cooperation that we've had this whole year. When I got inaugurated, I told you we were going to accomplish a few things. We've done a lot of that and I think we've changed the

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tone, brought a little -- a little more civility here, and I really appreciate working with all the Senators, all fifty-nine of us together. Thank you very much.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, Messages from the House, please.

SECRETARY ROCK:

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

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

Senate Bill 397

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

House Amendment 1.

We have received like Messages on Senate Bill 932, with House Amendment 2; Senate Bill 1421, with House Amendments 1 and 2; and Senate Bill 1833, with House Amendment 1. All passed the House, as amended, May 31st, 2009. Mark Mahoney, Clerk of the House.

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

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

House Joint Resolution 67

Offered by Senator Clayborne.

(Secretary reads HJR No. 67)

Adopted by the House, June 1st, 2009. Mark Mahoney, Clerk of

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the House.

PRESIDING OFFICER: (SENATOR DeLEO)

On the Order of Resolutions is House Joint Resolution 67 that the Secretary just read. Senator Clayborne moves to suspend the rules for the purpose of immediate consideration and the adoption of House Joint Resolution 67. Those in favor will say Aye. Those opposed will say Nay. It's the opinion of the Chair, the Ayes have it, and the rules are suspended. Now Senator Clayborne moves the adoption of House Joint Resolution 67. All those in favor will say Aye. All those opposed will say Nay. It's the opinion of the Chair, the Ayes have it, and the resolution is adopted. Madam Secretary, Reading of the Constitutional Amendments.

SECRETARY ROCK:

House Joint Resolution Constitutional Amendment 31.

(Secretary begins to read HJRCA No. 31)

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, having its 1st Reading on May 30th, 2009, we should now proceed to the 2nd Reading of House Joint Resolution Constitutional Amendment 31. Madam Secretary, please read the resolution for a second time in full.

SECRETARY ROCK:

House Joint Resolution Constitutional Amendment 31.

(Secretary reads HJRCA No. 31)

2nd Reading in full of this House Joint Resolution Constitutional Amendment 31.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen - Ladies and Gentlemen - there'll be no further business to come before the Senate. The

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Senate stands adjourned until the call of the Chair. The Senate stands adjourned.