

STATE OF ILLINOIS
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REGULAR SESSION
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66th Legislative Day

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PRESIDING OFFICER: (SENATOR CLAYBORNE)

The regular Session of the 96th General Assembly will please come to order. Will the Members please be at their desk? Will the -- our guests in the galleries please rise? The invocation today will be given by Pastor Shaun Lewis of Capitol Ministries, Springfield, Illinois. Pastor Lewis.

PASTOR SHAUN LEWIS:

(Prayer by Pastor Shaun Lewis)

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Jacobs, to lead the Pledge of Allegiance.

SENATOR JACOBS:

(Pledge of Allegiance, led by Senator Jacobs)

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Madam Secretary, Reading and Approval of the Journal.

SECRETARY ROCK:

Senate Journal of Wednesday, October 14th, 2009.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Silverstein.

SENATOR SILVERSTEIN:

I -- I have an inquiry of the Chair after I'm done. Mr. President, I move to postpone the reading and approval of the Journal just read by the Secretary, pending arrival of the printed Journal transcript.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Silverstein moves to -- to postpone the approval of the Journal -- to postpone the reading and approval of the Journal, pending arrival of the printed transcripts. There being no objection, so ordered. Senator Silverstein, for what purpose do you seek recognition?

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SENATOR SILVERSTEIN:

Inquiry of the Chair, Mr. President. As you're aware, this last Session I presented you with a broom because the Cardinals swept the Cubs. Now I understand, talking to staff - 'cause I don't follow baseball down here - the Cardinals were swept by the Dodgers. I just don't -- I want to know if you want another broom or not. I'll make it red this time.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

You know, the -- the broom you gave us was a blue -- Dodger blue. But, you know, at least we made the playoffs. You can't win if you're not in -- in the playoffs. Senator Silverstein, yes.

SENATOR SILVERSTEIN:

Wait until next year.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

That's a typical Cubs statement. The WICS NewsChannel 20 seeks leave to -- permission to -- to videotape. Leave granted. Madam Secretary, Introduction of Bills.

SECRETARY ROCK:

Senate Bill 2480, offered by Senator Martinez.

(Secretary reads title of bill)

Senate Bill 2481, offered by Senator Raoul.

(Secretary reads title of bill)

Senate Bill 2482, offered by Senator Frerichs.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Madam Secretary, Resolutions.

SECRETARY ROCK:

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Senate Resolution 436, offered by Senator Bond and all Members.

Senate Resolution 437, offered by Senator Bond and all Members.

Senate Resolution 438, offered by Senator Bond and all Members.

Senate Resolution 439, offered by Senator Bond and all Members.

Senate Resolution 440, offered by Senator Bond and all Members.

Senate Resolution 441, offered by Senator Bond and all Members.

Senate Resolution 442, offered by Senator Bond and all Members.

Senate Resolution 443, offered by Senator Bond and all Members.

Senate Resolution 444, offered by Senator Bond and all Members.

Senate Resolution 445, offered by Senator Link and all Members.

Senate Resolution 446, offered by Senator Link and all Members.

Senate Resolution 447, offered by Senator Link and all Members.

Senate Resolution 448, offered by Senator Link and all Members.

Senate Resolution 449, offered by Senator Frerichs and all Members.

They're all death resolutions, Mr. President.

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PRESIDING OFFICER: (SENATOR CLAYBORNE)

Resolutions Consent Calendar. WFLD Fox Chicago requests permission to videotape. Seeing no objection, leave is granted. Will all Members at the sound of my voice please come to the Floor? We're going to take substantive -- proceed with substantive action. Would all Members at the sound of my voice please come to the Senate Floor? Thank you. Michael Tercha of the Chicago Tribune requests permission to take still photos. Seeing no objection, leave is granted. Senator Righter, for what purpose do you seek recognition?

SENATOR RIGHTER:

Thank you, Mr. President. Good morning. I rise on a point of personal privilege, if I might. Thank you, Mr. President. Ladies and Gentlemen of the Chamber, today I hear that we're going to be visited by a number of students seeking to better themselves and, for many of them, seeking to better the economic standing of their families by accessing higher education, specifically through the Monetary Award Program. I am proud to have, seated right behind me in the gallery, students from Lake Land Community College, who left their campus at 6 o'clock this morning so that they could arrive here bright and early and encourage all of us to do what we could to help them with regards to that program. I'd appreciate very much, Mr. President, if the -- if we could give them a -- a warm Senate welcome.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Welcome to Springfield. Please stand. Welcome to Springfield. Enjoy your day. Senator Righter, for what purpose do you seek recognition?

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SENATOR RIGHTER:

Thank you, Mr. President, for recognizing me again. Again, I rise on a point of personal privilege. When I announced my students from Lake Land College, I omitted to announce that there are students, sitting exactly in the same gallery, from Arcola, who have come to -- to see us as well and see democracy in action. And those folks are from Arcola High School. Gentlemen, would you stand up and make sure that the Senate can give you a warm welcome? I would appreciate that very much as well, Mr. President. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Welcome to you all too. Thanks for coming to Springfield. Enjoy your day. We're going to proceed to page 3 of the Calendar, in the Order of Constitutional Amendment. Senator Noland, do you wish the Senate -- I mean, I'm sorry, the House Joint Resolution Constitutional Amendment 31 be considered? Madam Secretary, read the resolution.

SECRETARY ROCK:

House Joint Resolution Constitutional Amendment 31.

(Secretary reads HJRCA No. 31)

3rd Reading in full of this Constitutional Amendment.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Noland, to explain the bill -- I'm sorry, to explain the resolution.

SENATOR NOLAND:

Thank you, Mr. President. Thank you, Madam Secretary. I believe that the resolution has essentially been read. It is all rather anticlimactic at this point. I think, we all fairly well agree that this is a measure that needs to be taken. I

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would just like to simply say that I hope that this will not be the only measure that we take with respect to ethics reform here in the General Assembly during this Veto Session. So, to those who have stated that this is but a small part of an overall package, I would agree. I have more to say, perhaps in closing, but I think now is the opportunity for me -- or that I should extend you the opportunity to pose any questions that you may have. I'm willing to take any questions anyone might have with respect to the resolution.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator John Jones, for what purpose do you seek recognition?

SENATOR J. JONES:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates he will yield, Senator Jones.

SENATOR J. JONES:

Senator Noland, as -- as I read the resolution, I believe this pertains only to the Governor. Is that right?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Noland.

SENATOR NOLAND:

That is correct, sir.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Jones.

SENATOR J. JONES:

And it's my understanding that the Governor supports this resolution. Is that right?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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Senator Noland.

SENATOR NOLAND:

That is my understanding as well. He does support this -- this resolution.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator John Jones.

SENATOR J. JONES:

Then a -- then a question of you, Senator Noland, is that if this pertains to the Governor and Governor Quinn is supportive of this measure, since Governor Quinn was not elected to the office that he holds right now - he was actually just elevated up because of an impeachment - would this pertain to him between now and January of 2011 as he continues his term in office?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Noland.

SENATOR NOLAND:

Thank you for the question, Senator. This resolution will be voted on by the people in November of 2010 at the next general election. So, the direct response to your question is, no, it will not apply to him.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator John Jones.

SENATOR J. JONES:

Thank you, Mr. President. One -- one follow-up. Okay, it won't apply to Governor Quinn, but if, in the future, a Governor is impeached and the Lieutenant Governor is elevated up to that position, would that person that is elevated up from Lieutenant Governor to the Governor's office fall under this resolution?

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PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Noland.

SENATOR NOLAND:

This legislation does not call for that. We're talking about a Governor who has been elected in his own right to stand for recall by at least fifteen percent of those who elected him to office in the first place.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Murphy.

SENATOR MURPHY:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates he will yield, Senator Murphy.

SENATOR MURPHY:

Senator, how many signatures are needed to get this on the ballot and how long does a group pushing this have to gather those signatures?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Noland.

SENATOR NOLAND:

Thank you. Thank you for the question. They have a hundred and fifty days to gather fifteen percent of the known electors who voted in the last election for Governor - fifteen percent. They have to have at least ten signatures from Members of the Senate and they have to have twenty signatures from Members of the House of Representatives.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Murphy.

SENATOR MURPHY:

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My understanding is, is if we take the '06 governor race numbers - which would be applicable - to get on the ballot, you'd have to get thirty-five thousand signatures every single day of that one-hundred-and-fifty-day period -- excuse me, three thousand five hundred signatures every single day of that hundred-and-fifty-day period. Was any -- is there any ability, at this point still, to lower that threshold at least a little bit?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Noland.

SENATOR NOLAND:

Thank you, Mr. President. Thank you for the question, Senator Murphy. The language of the resolution is -- is fixed. We're going to vote on it here today, up or down. I don't think there's an opportunity for us to consider amending the resolution at this point.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Murphy.

SENATOR MURPHY:

To the bill then, Mr. President. I appreciate the remarks. I understand where we are in the process legislatively. I think we're creating an unreasonably high burden on people who want the opportunity to recall their governor. I think we're unreasonably restricting to the extent that we're not allowing them to recall unelected governors. And the notion that we need any legislative approval at all for the people to recall their governor strikes me as undermining, sort of, the populous nature of this provision. I support this as a good step forward. I think it is a good bill {sic} in its current form. It could

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have been a lot better bill {sic}. We could have made it a lot easier on the people of this State to remove future problems. But I would, nonetheless, urge an Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Duffy, for what purpose do you seek recognition?

SENATOR DUFFY:

To the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

To the bill, Senator.

SENATOR DUFFY:

I agree that this, also, is a -- is a good first step, but this is a very small step. I really would have liked this bill {sic} to have included all elected officials. This process is such a long and cumbersome process that even though it's a first step, it's not like we're going to be able to redo this or -- or pass another resolution quickly after this. So, again, I wish this would have included all elected officials in the State of Illinois. But since it is a first step, even a small step, I definitely support it. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Jacobs, for what purpose do you seek recognition?

SENATOR JACOBS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates he will yield, Senator Jacobs.

SENATOR JACOBS:

Senator, don't you worry that recall is going to lessen the independence of the Governor? Do you worry about that?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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Senator Noland.

SENATOR NOLAND:

No, I do not. The threshold for recalling the Governor, the terms that we use to inform the public as to why the Governor -- or the public is informed as to why the Governor needs to be recalled are -- is malfeasance and incompetence. I think the Governor would have to, over a sustained period of time, display malfeasance and incompetence in order to be subject to recall to begin with.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Jacobs.

SENATOR JACOBS:

Senator, you know, in America we've had this crazy idea, this principle where we hire -- where we hire people to work for us in the elective process. And we elect these good people and we give them the opportunity to do their job. Aren't you worried about undermining this principle?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Noland.

SENATOR NOLAND:

Not with respect to the Governor. The Governor has a four-year term. He would have to, again, display malfeasance or incompetence somewhere along the way to be subject to recall. Where I believe our democratic principles would be undermined is if we extended this to just about every other echelon of government throughout the State, where personality conflicts and other issues come to play, where petitions would be filed much more frequently. So I think, and when you look at the history of problems in the State of Illinois, the problem has been with

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the Governor. It has not been with these other elected officials.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Jacobs.

SENATOR JACOBS:

One other thing I'd like you to address is -- you know, in this business sometimes, when you're the Governor of Illinois, you have to make really hard decisions. For instance, you know, the Governor's foisted upon this Body that we should have twelve-day furloughs without pay. Buy maybe a labor union might get twelve-day furloughs and get very angry at the Governor. Aren't you worried about special interest groups using this as an ax to grind, to -- putting all their money and all their power into a -- a Governor who's trying to do the right thing? Isn't this going to make cowards of all of us in the end?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Noland.

SENATOR NOLAND:

Senator, thank you for the inquiry. Again, I respectfully would disagree. I don't think, given the -- the nature of the executive who has to make these very difficult decisions, such as to implement furlough, the ax an organization's special interest - to be held credible before fifteen percent of the voters, okay - I think the ax would be revealed and it would be seen for -- for what it is, that it's an ax to be -- that is grinding against the Governor. So I -- I believe that this provides for protection against some type of inconsistent use of recall.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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Senator Jacobs.

SENATOR JACOBS:

I'd just like to close here and just say that, you know, it just seems funny to me. Kids are calling my office every ten second {sic} about MAP grants. We're not restoring library funds. The State's in incredible disrepair because of our inactions. And the Governor of Illinois is saying he wants to recall himself. My problem is not with recalling the Governor that's currently in. My problem is in recalling future governors. I think we have to be very careful here. And I would hope that my colleagues would have the backbone to make the right vote and not the political vote. I know you didn't bring this bill {sic}, Senator, just today. And so, you -- really, I'm painting you with a little broader brush than I should. I think you're a good man. I believe you -- I believe that you believe -- believe in this bill {sic}. But I -- I just think, in the strongest terms possible, that this is a slippery slope. And if we want to destroy the political system that we've built, let's just give the people all the power, change the system in America away from a republic and go to a direct democracy. But, you know, the fact is, this is a republic, not a democracy. You know, I pledge allegiance to the flag -- to the republic, I think, is what we say. I don't remember pledging to the democracy. Now, I'm not saying people don't have the right to do what they want, but they do, and those are every four years or every two years, they get to vote us in or out of office. And I think anything in between that would move us out of those offices with a -- because we've -- we've stood up and made tough decisions is the wrong way to go. I salute

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the Senator on doing what he thinks is right. I realize this is a resolution, but I'm going to probably be the lone vote against it. But I look forward to it.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Millner.

SENATOR MILLNER:

Thank you, Mr. President. I would like to ask the sponsor of the bill -- first off, I'd like to say it's a good bill {sic}. I appreciate the work that -- that -- that you've done. But I filed an amendment to include the Cook County Board President to be included in this and I wondered if you could hold the bill until we could add the Cook County Board President. The amendment -- the amendment was filed.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Noland.

SENATOR NOLAND:

As politically rewarding as I'm aware that move might be or my -- my acceptance of that might be, I will respectfully decline. The time has come for us to really make attribution to the real problem and that is the Governor. Okay? The people of Cook County have the ability to -- there -- there is currently an election under way in Cook County. There's going to be a primary next February. Let the people speak then.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator -- Senator Millner.

SENATOR MILLNER:

Thank you. Then -- then to the bill: I -- I would just hope that the sponsor could wait another day. The -- the amendment is filed. It's there. The people of Cook County have

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been asking for relief again and again. And this additional name here -- this additional position would be very helpful to -- to the millions of people in -- in Cook County. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Syverson, for what purpose do you seek recognition?

SENATOR SYVERSON:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates he will yield.

SENATOR SYVERSON:

Senator, I'm probably going to support this legislation, but can you just walk through me the -- the time frame that it would take once citizens decided they wanted to undertake this? Give me an idea of when the soonest an election would actually occur.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Noland.

SENATOR NOLAND:

Just so I'm clear, are you talking about an original general election or are you talking about a recall election?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Syverson.

SENATOR SYVERSON:

I guess the first question would be the recall portion of it. We know that it's a hundred -- they have a hundred and fifty days to get the signature, and then, from that point on, when does the -- what -- what's the number of days it takes before the actual election occurs -- or that -- before the vote would occur I should say. Forget election. When would the vote

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occur after that signature time was completed?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Noland.

SENATOR NOLAND:

Sir, in response, not more than one hundred days. It has to occur within a hundred days of the certification by the State Board of Elections - the question of recall.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Syverson.

SENATOR SYVERSON:

Then after that one-hundred-day certification, what's the time frame before the actual -- people go to the polls and actually vote on the recall?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Noland.

SENATOR NOLAND:

Within that hundred days -- within the hundred days, and it would very likely be up to the State Board of -- of Elections to determine when it may hold that election within the hundred-day period at the earliest date possible. I think there may be some unknowns that we cannot anticipate here regarding the complexity of distributing ballots or posing the question to the public so that they might fully vote on the question.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Syverson.

SENATOR SYVERSON:

It's my understanding from just looking at this that it's - - you have your hundred days to certify, but then the election occurs a hundred days after that certification. You may want to

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clarify that -- make sure that -- that's right and clarify your comments -- or correct your comments to make sure that that's reflected then.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Noland.

SENATOR NOLAND:

Thank you, Mr. President. I -- Senator Syverson, I think we have both stated this correctly. A hundred days to certification and a hundred days to the election.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Syverson.

SENATOR SYVERSON:

Yes. So then we're talking about the total time frame of three hundred and fifty days. So a year it will take for this process to occur. So in the term of -- a four-year term, really the Governor is going to have to do something pretty dramatic in his -- really his first year. Because if it's going to take a whole year before the vote occurs, in an election every four years, it becomes a -- it becomes an issue. And then after that election occurs there's another election that occurs following that as well then?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Noland.

SENATOR SYVERSON:

The successor election.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Oh, I'm sorry. Senator Noland.

SENATOR NOLAND:

Thank you. If I believe I understand your inquiry

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correctly. To respond, there would be a total of, yes, three hundred and fifty days that may lapse between the original filing of the petitions and the recall election. That's -- that's correct. Now, bear in mind that the petitions cannot be filed initially until after a six months' period -- six-month period after the Governor is first elected. So, the Governor will have to, as you say, commit some type of, you know, overt act of malfeasance or incompetence for us to -- for the petitions -- for the prompting of the filing of petitions.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Syverson.

SENATOR SYVERSON:

Last question. Again, I appreciate your helping clarify that. The -- the cost issue then, if we have a -- we have the one election here and then we have a successor election that takes place, I think, forty days later, so there'd be two elections, do we know what the cost is for that and who pays for that cost? Do the local election boards pay for that or is that paid for by the State? So what is the cost of those two elections and who pays for those costs? And thank you for your indulgence.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Noland.

SENATOR NOLAND:

Absolutely, Senator, and thank you for that question. It's a -- it's an important consideration. The cost will be shared by the State Board of Elections and local election boards. Okay? I understand that -- at least in our congressional -- in the Fourteenth Congressional District, when we had our special

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elections there, which you may be familiar with, the upward estimate of what the total cost was, about -- was approximately four thousand dollars per precinct. So they're not cheap. They are expensive. And I would imagine that the numbers could be made very much available to the public to under -- fully understand what the cost of recalling a future governor might be. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Kwame Raoul, what purpose do you seek recognition?

SENATOR RAOUL:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates he will yield.

SENATOR RAOUL:

Senator, is it your experience or your knowledge of recall occurring in different states that it's usually just uprising of the people, the well-coordinated citizenry, or is it usually a well-financed special interest that leads to a recall petition drive?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Noland.

SENATOR NOLAND:

Well, if we take the experience of California, for example, in 2003 and Governor Gray Davis at the time, the original impetus to the filing of petitions was a special interest. That is true. But that special interest then has to reach out to the wider body of the electorate to convince - at least in our case - fifteen percent of the voters that recall is warranted. So a well-financed campaign -- recall campaign could be effective

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here in the State of Illinois. That is true. But, at the same time, this is a measure that will be voted on by the people and it will not be the special interests themselves that are successful in removing the Governor.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul.

SENATOR RAOUL:

And -- and I'm -- I'm so glad you referred to California. Do you know of any recall campaigns that just grew organically and didn't grow from a well-financed special interest?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Noland.

SENATOR NOLAND:

I -- I believe that the State of Arizona and the State of South Dakota had such -- such types of campaigns, where individual voters began the campaign themselves and it eventually grew. Aside from those three experiences -- three examples, I'm not aware of any others, Senator.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul.

SENATOR RAOUL:

So in those states that you mentioned, there was -- who -- who -- who was the individual that started it? Do you know?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Noland.

SENATOR NOLAND:

I do not. I do not. This is anecdotal information from articles that I've written -- or, have read.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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Senator Raoul.

SENATOR RAOUL:

To the bill: You know, I will probably vote for this bill not -- with great reservation. The sponsor has indicated of the recall efforts that he knows of. The only one that he firmly knows of is one that was well financed by special interests. And what this essentially is, is succumbing to public policy - bad public policy, as I see it - that will allow special interests to reverse what the people at large do in regularly set elections. I believe we elect people to terms of length - in -- in the case of the governor, to a -- a term of four years - to allow that chief executive to take bold action, to take bold action no matter whether or not that bold action is popular in the moment. Right now, on the national level, my predecessor is engaged in a debate on health care. We've seen in the last couple of months the public support of health care go up and -- of health care reform go up and go down and go back up. Now, if the President were to react to the moments when the public support for health care reform was down, he would give up on it in that moment. And if there is the pressure of recall at a moment when something is of less popularity or an individual may be less popular because of their action on a -- a single action of public policy, that person may be afraid to take that bold but necessary action because in that moment it's unpopular. And I think we're -- we're going down a path that's a very dangerous path. I've often referred to the politics of self-preservation here, that I often believe we do things or fail to do things because we're afraid of the shadow of our next election. But when you do this, when you put something like this in there,

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that shadow is upon you at all times. And notwithstanding the information you have, not -- notwithstanding you knowing what is right, you do what you may think is most popular in the moment but not is -- what is in the best interests of the citizens of Illinois. I think if we go down this path, we're just teeing the ball up for special interests. For somebody to say after they lost their election, "Okay, let's gather up everybody together and let's think of something that we'll refer to as malfeasance and let's get enough of the millions of dollars that goes into politics to get the requisite signatures." That's -- getting those signatures are not difficult if you have the money. Let's face it. And so I think we're surrendering. This Governor, who I respect very much, wants this measure to pass. He's narrowed it down. It's -- it's -- it's narrowed down much more so than the recall measures that were proposed in the past. And I -- I -- I will likely, reluctantly support this measure. But -- but I caution my colleagues that we're -- we're -- we're going down a path of danger, a path that will get us to a point where we'll be afraid to take bold, unpopular action that is in the best interests of the citizens of our State.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Garrett, for what purpose do you seek recognition?

SENATOR GARRETT:

Yes, thank you, Mr. President. I stand up in -- in full support of this resolution, because I think, for the first time, we are going to be giving reassurances to the voters that we are moving in the right direction. Once this referendum is passed, we will finally have in place a checks and balance system or process to ensure that if we have a governor that is out of

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control that we will have a legal recourse to remove him or her. This resolution is long overdue and I strongly support an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter, for what purpose do you seek recognition?

SENATOR RIGHTER:

Will the sponsor yield, please, Mr. President?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The sponsor indicates he will yield, Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. And first of all, I want to -- before I ask a question, I do want to compliment Senator Garrett on her words and her consistency. She voted for this same concept in May of 2008 when it was a little bit difficult for some to do so. Senator, first, it's my understanding that the threshold in terms of the percentage of voters or those who have voted that needs to be obtained in -- in order to qualify is fifteen percent. Is that correct?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Noland.

SENATOR NOLAND:

Yes, that's correct.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

SENATOR RIGHTER:

Now, it's my understanding that Senator Cronin's Senate Joint Resolution, Constitutional Amendment, 70, as well as the recall provision that passed the House that I believe Senator Trotter sponsored, also in 2008, both were at twelve percent.

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Why do you think fifteen is better than twelve? Why do you -- why are you for the higher threshold?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Noland.

SENATOR NOLAND:

Because I agree with some of the comments from the previous speakers that recall must be an arduous process that is not taken lightly and that has to have sufficient thresholds to protect against the vagaries of special interests and others who -- who may wish to bring recall.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

SENATOR RIGHTER:

So you find that significant of a difference in the difference between four hundred thousand and approximately five hundred and twenty thousand? You think that that's -- that's significant?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Noland.

SENATOR NOLAND:

Senator, just as this bill {sic} is a small step in the right direction, I believe that that marginal difference was a small, however marginal, step to take in protecting against the vagaries that I speak of. We negotiated this. This was probably the best that we could do and I'm not sure I would go any higher anyway.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

SENATOR RIGHTER:

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Who were you negotiating with, Senator Noland? Who wanted a -- either -- who wanted a lower or higher threshold than -- than this?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Noland.

SENATOR NOLAND:

Thank you, Mr. President. This was a -- a result of discussions by way of staff and I'm -- I'm led to understand, also with State Representative Jack Franks -- who was the author in the House. So there were Members of the House and there are Members here in the Senate who had -- had discussed this with me as well. And, you know, without going down the list, which I do not, you know, recall all of the folks that were -- were working on this. But this was the best that we could do when we finally came to draft the resolution.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

SENATOR RIGHTER:

You know, Senator Noland, you -- I think you said in your opening comments that this was anticlimactic and, boy, I'm not sure a truer phrase will be said on this Senate Floor today. You know, you can just sense - can't you, Senator? - in -- in the Chamber that this is kind of like watching a rerun or -- or watching a ball game that you've already -- that you -- that someone already told you who won the game and you TiVoed it and so now you're watching it. But there's really no thrill, there's no excitement, because all the work's already been done and you know what the result was. The question I have for you, Senator Noland, is, this issue was before us a year ago - this

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issue was before us a year ago - and had you and two more of your colleagues on either side of the - well, no, not on our side, 'cause I think we all voted for recall - two more of your colleagues on your side of the aisle voted for this, there was a chance that you and those two colleagues who also joined with you could have saved this State the embarrassment, the tremendous overwhelming embarrassment, and expense of an impeachment hearing and a trial. Why weren't you there then?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Noland.

SENATOR NOLAND:

First of all, Senator, you are aware that that recall measure would never have touched upon that seated Governor within the same time frame that we impeached him. We got rid of him long before that -- that recall measure would have gone into effect or had any impact on his being seated as Governor. Now why didn't I vote for it? Well, because, in my district, I am woefully aware that the smaller the village, the bigger the problem. And everybody here who has small villages in their -- in their districts understand this. There are personality conflicts. There are special circumstances that arise, whether it happens to be on anything from immigration to gun control, you name it. All of a sudden a special interest, a very special interest, maybe three or four people suddenly decide that they want to go out and file petitions against a seated trustee or a mayor. And I just don't believe that that is -- that is the -- the -- the -- the precepts of -- of democracy or the things that we believe in -- by way of process in electing our elected officials and how we should actually allow for the -- the -- the

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election to office. Please forgive me.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

SENATOR RIGHTER:

Senator, you said it -- you said it would -- it would be easier to impeach him and try him anyway. How did you know when we took that vote in May in 2008 that that's the road we were going down? How did you know that? 'Cause it's like you made the call and you decided we'd rather have impeachment and a trial rather than recall. How did you know that -- how did you make that choice at that time?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Right. Let's -- Senator Righter, I think we're kind of leaving the genesis of the bill {sic}. Yeah, this has to be germane to the topic. I mean, we're talking about the impeachment and a prior vote, which is not dealing with the substance of this bill {sic}. If you want to respond, you may respond, Senator Noland.

SENATOR NOLAND:

Senator, I just explained my vote, and as a fellow attorney, I'm sure that you can appreciate how that bill also was infirmed in a sense that we would have recall of judges. And if you want to talk about independence within an elective office, judicial independence should be something that we all consider sacrosanct, particularly those of us who are members of the bar. Now that said, I explained my vote otherwise, but let me tell you this, I do not have the gift of prophecy. I'm not sure if you do, but I know that I do not have the gift of prophecy and I did not know what was going to happen by way of

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impeachment and conviction of the Governor in 2009.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

SENATOR RIGHTER:

To the resolution, please. Well, thank you, Senator Noland and Ladies and Gentlemen of the Chamber. I think that while the sponsor had it right that this is most certainly anticlimactic, the sponsor was wrong when he said, in answer to an earlier question, that the time has come. The time has come and gone. The time was a year ago, and the problem here was that nineteen Members of this Senate decided to stand with a Governor who later we had to forcefully remove, for the first time in this State's history, rather than do the right thing on this Floor. You know, under the auspices of celebrating the fact that someone's late rather than not showing up at all, congratulations, Senator. But that's really the only congratulations that we should be giving on this resolution. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Hendon, for what purpose do you seek recognition?

SENATOR HENDON:

Thank you, Mr. President. To the bill {sic}.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

To the bill {sic}, Senator.

SENATOR HENDON:

Mr. President, this is a very important bill {sic}. You can tell by all of the speakers and I just wanted to comment about it real quick. And I hope people are paying attention. At first, Mr. President, I was against this bill {sic} because I

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had a bill that recalled everybody. I think if we're going to do this, we should be able to recall mayors, county board presidents, as someone said, recall everybody. But Governor Pat Quinn, being a reformer, wanted to dive on the sword. He's for this bill {sic} that could only recall the governor. We could only recall the governor. So he's saying to the people of the State of Illinois, "Get me." "You want to recall somebody, fine. Recall me." Do you think Blagojevich would have put a bill in to recall the governor? I don't think so. I hope it makes Pat Quinn a martyr. That may not be his purpose, but I hope he -- makes him a martyr because he's a decent man. But I was against this bill {sic} because it didn't include everybody. Now I have a scenario for you 'cause you need to be a little careful here. Just think about it, if Kirk Dillard or Brady gets to be Governor and Murphy gets to be Lieutenant Governor, guess what? Senator Murphy, who then will be Lieutenant Governor, could do a recall and then Murphy would be Governor. Don't clap so soon 'cause there's another side of the aisle. If Terry Link or Rickey Hendon gets to be Lieutenant Governor - well, that might be a reason to vote for this bill {sic} - and then Pat Quinn or Dan Hynes gets to be Governor, the next day we could start recall on the Governor and Rickey Hendon gets to be the Governor. I am going to vote for this bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Noland, to close.

SENATOR NOLAND:

All right. Thank you, Mr. President. I appreciate all of the inquiries and the color commentary here. I'd like to correct the record, if I may, with respect to a question that

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Senator Jones had asked regarding lieutenant governor, if a governor -- or lieutenant governor ascends to governor can that governor then - who would have been formerly lieutenant governor - be recalled. And the answer is yes, by the same measure, fifteen percent of the electorate. Okay? Thank you. With that, I'll make my closing comments brief. This version is, yes, less expansive than last year's version. Okay? That's true. You've heard the other elements of the bill {sic} and the practical side of this. Let me just close by reiterating something that a constituent of mine said to me when I asked her for her vote, and she said that she could not vote for me because she had seen it all. She had seen more governors - now she did not mention legislators; she did not mention other constitutional officers - she went down the list, she said Green, Stratton, Kerner, Walker, Ryan, and then Governor Blagojevich, who is under a cloud of suspicion. She did not mention Abraham Lincoln, Adlai Stevenson, Everett Dirksen, Paul Douglas, or Paul Simon. There are good people in government in the State of Illinois. The problem has been the governor. And today we provide the people -- we empower them to recall a governor for incompetence or malfeasance under reasonable circumstances and process. I urge an Aye vote for this. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Thank you, Senator Noland. The question is, shall House Joint Resolution Constitutional Amendment 31 be adopted and approved. Pursuant to Section 2 of Article XIV of the Illinois Constitution, amendments must be approved by three-fifths of the Members elected. All those in favor, vote Aye. Opposed, Nay.

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The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 51 voting Yea -- 56, I'm sorry -- 56 voting Yea, 1 voting Nay, none voting Present. House Joint -- House Joint Resolution Constitutional Amendment 31, having received three-fifths constitutional majority, is declared passed. Senator Hendon, for what purpose do you seek recognition?

SENATOR HENDON:

I just wanted to note that our Governor is on the Floor to see us vote to be able to recall him.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The Floor recognizes Governor Quinn. Thanks for coming to the Floor, Governor Quinn. Senator Rutherford, for what purpose do you seek recognition?

SENATOR RUTHERFORD:

Mr. President, thank you very much. For the purpose of introduction, if I may, sir.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your introduction.

SENATOR RUTHERFORD:

Thank you. Shortly after the introduction of our illustrious Governor of the State of Illinois, I'd like the Senate Body to recognize the women from the Morton Republican Organization who are visiting us here at the State Capitol from Tazewell County, up here in the President's box, please.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please stand and thanks for coming to -- to Springfield. Hope you enjoy your day. The Senate will stand at ease for a few minutes to allow the Committee on Assignments to meet. The

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members of the Committee on Assignments will come to the President's Anteroom immediately. The Senate will stand at ease. Senator Lightford in the Chair.

(SENATE STANDS AT EASE)

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Hendon in the Chair.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lightford in the Chair.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Clayborne in the Chair.

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to the Energy Committee - House Bill 4182; refer to the Public Health Committee - House Bill 342; refer to the State Government and Veterans Affairs Committee - Motion to Accept the Specific Recommendations for Change to Senate Bill 1682; and Be Approved for Consideration - Senate Bill 760, Senate Bill 2188, House Bill 2652 and House Joint Resolution 51. Signed by Senator James F. Clayborne, Chairman.

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have

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been assigned: Refer to the Commerce Committee - Senate Joint Resolution 74, Senate Joint Resolution 75, Senate Resolution 432; refer to the Education Committee - Senate Joint Resolution 76; refer to the Executive Committee - Floor Amendment 1 to Senate Bill 748 and Floor Amendment 1 to Senate Bill 2188; refer to the Higher Education Committee - Senate Resolution 434 and House Joint Resolution 54; refer to the Human Services Committee - Floor Amendment 1 to Senate Bill 760; refer to the Insurance Committee - Floor Amendment 2 to House Bill 2652; refer to the Public Health Committee - Senate Resolution 433; and refer to the Transportation Committee - House Joint Resolution 30.

Signed by Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Committee Announcements: At 12:45, Human Services Committee in Room 212; at 1 p.m., Exec Committee in Room 212; and 1:15, Insurance Committee in Room 400; and 1:15, State Government and Veterans Affairs in Room 409. Senator -- Senator Demuzio, for what purpose do you seek recognition?

SENATOR DEMUZIO:

Yes, thank you, Mr. President. A point of personal privilege, please.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point.

SENATOR DEMUZIO:

Yes, I have the privilege today to have with me an intern from SIU who is going to be interning in our office this next year. Her name is Sami Schrage and she is, of course, studying political science, which is always a great attribute. And we love to have our interns from the Vince Demuzio Internship from

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SIU. It's -- I'd like a -- give her a warm welcome today to her first day at the Illinois Senate.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please stand and be recognized. Thanks for coming to Springfield. Senator "Coach" Dave Luechtefeld, for what purpose do you seek recognition?

SENATOR LUECHTEFELD:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

State your point, Senator Luechtefeld.

SENATOR LUECHTEFELD:

In the gallery behind me are two young people - two impressive young people - by the name of Jane and Dominick Feeney. They're here today to try to see what goes on here and -- and -- and how things take place. I would ask you to welcome them. Back behind me are these two young people. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Thanks for coming to Springfield. Enjoy your day. Senator Tony Muñoz, for what purpose do you seek recognition?

SENATOR MUÑOZ:

Thank you, Mr. President. For the purpose of announcement. Senate..

PRESIDING OFFICER: (SENATOR CLAYBORNE)

State your -- please state your announcement.

SENATOR MUÑOZ:

Senate Democrats requesting a caucus immediately, for approximately one hour.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

That's in order. The Senate Democratic Caucus will meet in

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the President's Office immediately. Senator Syverson, for what purpose do you seek recognition?

SENATOR SYVERSON:

Thank you, Mr. President. First, I want to introduce Zac Wallace, who is with me today, who is a freshman helping me out. And we would also like to have a caucus for the same time period as well, Mr. President. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Thank you. And welcome to Springfield. Madam Secretary, any announcements -- motions?

SECRETARY ROCK:

Motions have been filed with respect to the Governor's actions on the following Senate bills: Senate Bill 51, filed by Senator Schoenberg, and Senate Bill 1391, filed by Senator Clayborne.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please have those printed on the Calendar. Thank you. The -- the Senate will stand in recess to the call of the Chair. After -- after committee meetings, the Senate will reconvene to -- after the caucus, the Senate will reconvene to receive committee reports and further Floor action. The Senate stands in recess.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR MUÑOZ)

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

SECRETARY ROCK:

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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 1180

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, October 15th, 2009. Mark Mahoney, Clerk of the House.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senate will stand at ease for a few minutes to allow the Committee on Assignments to meet. The members of the Committee on Assignments will come to the President's Anteroom immediately. The Senate will stand at ease.

(SENATE STANDS AT EASE)

PRESIDING OFFICER: (SENATOR MUÑOZ)

Will the members of the Committee on Assignments please come to the President's Anteroom?

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR MUÑOZ)

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

SECRETARY ROCK:

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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 to Senate Bill 1180.

Signed by Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Committee announcements: 1:15 p.m., Human Services in 212; 1:30 p.m., Executive, 212; State Government and Veterans Affairs {sic} (Affairs), 1:45 p.m., in 409; Insurance is canceled; Appropriations II, 2:15 p.m., in 212. The Senate will stand in recess to the call of the Chair. After committee meetings, the Senate will reconvene to receive committee reports and for further Floor action. The Senate stands in recess.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

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

SECRETARY ROCK:

Senator Demuzio, Chairperson of the Committee on State Government and Veterans Affairs, reports Motion to Accept the Governor's Amendatory Veto to Senate Bill 1682 recommended Do Adopt.

Senator Demuzio, Vice-Chairperson of the Committee on Human Services, reports Senate Amendment 1 to Senate Bill 760 recommended Do Adopt.

Senator Silverstein, Chairperson of the Committee on Executive, reports Senate Amendment 1 to Senate Bill 748, Senate

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Amendment 1 to Senate Bill 2188 recommended Do Adopt.

Senator -- Senator Sullivan, Chairperson of the Committee on Appropriations II, reports Motion to Concur with House Amendment 1 to Senate Bill 1180 recommend Do Adopt.

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 227

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.

We have received like Messages on Senate Bill 1894, with House Amendment 1 and 2, and Senate Bill 2106, with House Amendment 1.

Passed the House, as amended, October 15th, 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 passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bill 4625

Passed the House, October 14th, 2009. Mark Mahoney, Clerk of the House.

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PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, Introduction of Senate Bills, please.

SECRETARY ROCK:

Senate Bill 2483, offered by Senator Demuzio.

(Secretary reads title of bill)

Senate Bill 2484, offered by Senator Haine.

(Secretary reads title of bill)

Senate Bill 2485, offered by Senator Haine.

(Secretary reads title of bill)

Senate Bill 2486, offered by Senator Pankau.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, Resolutions, please.

SECRETARY ROCK:

Senate Resolution 450, offered by Senator Demuzio and all Members.

Senate Resolution 451, offered by Senator Demuzio and all Members.

Senate Resolution 452, offered by Senator Kotowski and all Members.

Senate Resolution 453, offered by Senator Kotowski and all Members.

Senate Resolution 454, offered by Senator Lauzen and all Members.

Senate Resolution 460, offered by Senator Emil Jones, III and all Members.

Senate Resolution 461, offered by Senator Emil Jones, III and all Members.

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They're all death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Resolutions Consent Calendar. Okay, Ladies and Gentlemen, we're about to go to Senate Calendar, Supplemental Calendar No. 1, Senate Bill 1180. All Members within the sound of my voice please come to the Senate Floor immediately. This is final action. This is final action on Senate Bill 1180. Ladies and Gentlemen, Senate Supplemental Calendar No. 1 has been printed and distributed. It should be on the Members' desks. We will now -- now go to the Order of Secretary's -- Concurrence on Senate Bills. We'll turn your attention to Senate Bill 1180. Senator Frerichs, do you wish to proceed on your motion, sir? Senator Frerichs, do you wish to proceed on your motion, sir? He indicates he does on motion to concur with House Amendment No. 1. 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 1180.

Signed by Senator Frerichs.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Frerichs, to your motion, sir.

SENATOR FRERICHS:

Thank you very much, Mr. President. House Amendment 1 to Senate Bill 1180 appropriates an additional two hundred and five million dollars GRF, for a total of four hundred and twenty-five million GFR, to the ISAC for operational expenses, awards, grants, and permanent improvements for Fiscal Year 2010.

PRESIDING OFFICER: (SENATOR DeLEO)

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Is there any discussion on the gentleman's motion? Any discussion? Senator Burzynski, for what purpose do you rise, sir?

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR BURZYNSKI:

Thank you. Senator, first of all, I -- I -- I want to thank you for bringing the bill forward. We know that the MAP awards are very important to our students throughout the State of Illinois. Unfortunately, they've come to rely so heavily on them, and I think it's time we recognize that this is not necessarily an entitlement program. But having said that, it certainly is something that our students are relying upon and that, I think, the administration has mishandled this year. Just a couple of questions. What exactly do the words appropriate or that we're going to appropriate two hundred and five million dollars more mean? What does that mean to you?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Frerichs.

SENATOR FRERICHS:

It means we're going to authorize the Governor's Office to spend an additional two hundred and five million dollars?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Burzynski.

SENATOR BURZYNSKI:

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Thank you. And -- and -- and thank you, Senator, because that's exactly what it means. But could the Governor already do this if -- if he chose to do it? Couldn't he have already appropriated those funds with the additional money that he had in -- after our budget -- budget this past July?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Frerichs.

SENATOR FRERICHS:

The Governor could have made that decision. We gave him discretionary funding of about 1.2 billion dollars. He chose to fund other things and that's why we have to come back now to help him with his priorities.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. Senator, are there funds available that you're aware of to support this appropriation? Or - recognize, I'm going to vote for the motion - but are there funds -- I think it's important for those students that are here and others to -- to get more clarity on this issue. Are there funds available currently to fund this two-hundred-and-five-million-dollar appropriation?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Frerichs.

SENATOR FRERICHS:

...are -- there are revenues that have come into the State of Illinois. There is money there. But it will require management on the Governor's part and will probably require cuts in some other place if new revenues are not found.

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PRESIDING OFFICER: (SENATOR DeLEO)

Further discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. So -- so, really, it -- it -- it does hinge upon new revenues being found, I think, to fund this two hundred and five million dollars for the MAP awards. I have a bill that -- that's in the Assignments Committee that will, I think at least partially, help this if we decide to go that way. And it's a tax amnesty bill, which everybody has indicated they think will generate about a hundred and four million dollars of -- of the two hundred and five million that would be necessary for this. My understanding, however, is that the Governor's not necessarily in support of that and doesn't think that's a wise move at this time. But I think it would be disingenuous of us to suggest that the funds are there, that they're ready to go, because they still have to be found and the Governor still has to make that decision. So I just want to make sure that our guests in the gallery understand that. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Further discussion? Chairman of Higher Ed, Senator Maloney.

SENATOR MALONEY:

Thank you, Mr. President. I -- I would just -- as the Chairman of the Higher Education Committee, I've been involved in this issue for a while, and I want to, first of all, congratulate the higher ed students from the State of Illinois who converged upon the Capitol today, not just for their work today, but they -- I know they have been reaching out to you for the last several weeks on the importance of this issue. I was

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recently at a couple of higher ed conferences in the last few weeks that indicated that Illinois now has -- of the ninth graders in the State of Illinois, twenty-one of one hundred will graduate from college. We are the lowest-ranking Midwest state and, clearly, finances plays a role in that issue. One of the priorities of the Obama administration is a college completion goal of raising our college completion throughout the United States, and certainly Illinois should be a part of this if we are going to remain competitive economically. And the way to do that is to provide higher education opportunities for all our students. We need to do this. I'd like to thank Senator Frerichs for moving this forward. This is a temporary fix, but we have to address the problem and its immediacy. And hopefully we can find a revenue source that we are not revisiting this each and every year. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR DILLARD:

Thank you, Mr. President. To the man's -- gentleman's concurrence motion, if I may.

PRESIDING OFFICER: (SENATOR DeLEO)

To the motion, sir.

SENATOR DILLARD:

Thank you. Obviously, Senator Frerichs, I'm in support of this. The MAP grant program is one of the things the State of Illinois does right. It is clearly a lifeline for college students to get out and become productive members of a society. And when we produce these students, they're going to contribute

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to our economy and be gainfully employed. But I think just the fact that we are here in the month of October having to do this and find funding for the MAP grant, one of the great things that the State of Illinois does, is symptomatic of how broken the budget process has become around here of late and how inept, I would say, the last couple of administrations have been. We also left here last May or June and we left with a budget with no agriculture research for a couple of our major State institutions. Illinois - one in four jobs comes from agriculture. And we take out all the money for agriculture research when every other state around us is increasing their research monies for agriculture and agribusiness. I mean, we are penny-wise and pound-foolish. And whether it's the MAP grant funding and -- and you, the Democrats - it's your budget, not ours - and Governor Quinn's forgetting to put in money for a MAP grant program or removing research for agriculture, it's no wonder we rate forty-eighth in economic development since your political party took over the State of Illinois some six years ago. So I'm obviously for taking care of the students, making them productive members of our society, but I sure wish that your side of the aisle and Governor Quinn would recognize the priorities of this State, which are educating our students and making sure that agriculture - our largest economic development component - has money for research. But I rise and will cast an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Further discussion? Senator Jacobs, are you seeing recognition on this concurrence motion, sir?

SENATOR JACOBS:

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Question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR JACOBS:

Senator, so everyone is clear -- clear in their understanding, the Legislature appropriated 1.2 billion dollars to Governor Quinn or made available 1.2 billion dollars to spend on MAP funding. The Governor has since then decided not to spend the money on MAP funding, so now your bill is going to appropriate it so that he could spend the money on -- on funding. Is that -- do I have that correct?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Frerichs.

SENATOR FRERICHS:

You have that correct, Senator.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs.

SENATOR JACOBS:

I think it speaks to a larger problem. We have some really serious concerns in Illinois. The MAP funding is part of it. Our budget is the other part of it. We stand around; we point fingers at this -- at this side and this side. We've passed resolutions that sort of do little. And then we throw up our hands and act like we don't know what happened. So I guess what we should do is we should cut our salaries in half, we should provide term limits, get rid of our pensions, get rid of our scholarships, decimate State government, so we can all smile in the press release. I want to apologize to my young friends in the gallery. This is not what you think it is. This is not two

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hundred and twenty million dollars to fund your MAP grants. We ought to be talking about -- and I appreciate the sponsor's work, because it is important. Governor Quinn does have the money. But someone has to provide some leadership in the State of Illinois. And, you know, we better do it quick or we may not have a State of Illinois. I'm getting thoroughly disgusted - not with my colleagues, just with the system. This system needs overhaul. We better do something to put it on solid financial footing and start taking care of the little issues. And if you don't put money into kids to go to college - well, I can tell you where those kids will be - those kids will be in our windows and that's where this country is going until we start working together, quit being partisan. And, Governor Quinn, I wish you were here on the Floor to explain to me right now, if we appropriate this two hundred and twenty million dollars, if you're going to give that two hundred and twenty million dollars to these kids to go to school. And if you do, then my question would be, why didn't you give it to 'em in the first place? Let's put aside the politics and move forward.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR BRADY:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for question. Ladies and Gentlemen, Ladies and Gentlemen of the Senate, our guests in the galleries, this is the Illinois Senate. Let's please show the speaker some decorum. Senator Brady, for a question, sir.

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SENATOR BRADY:

Thank you, Mr. President. Senator, I'm a little bit confused. Senator Jacobs just indicated that he doesn't know that your bill is actually going to fund next semester's MAP appropriation. Would you please respond to that?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Frerichs.

SENATOR FRERICHS:

I don't know if there was a question but I think it's been made clear, this is going to fund MAP grants for next semester.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Brady.

SENATOR BRADY:

Have you had a discussion with the Governor that he's actually going to use this money to do that?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Frerichs.

SENATOR FRERICHS:

I have not have any personal discussion with the Governor, but in public statements, he's made it clear he wants the authorization, and if he -- we -- if we give him that authorization, he will fund MAP grant programs.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Brady.

SENATOR BRADY:

What's the difference between the authorization he had under the budget you all passed and what he'll have here?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Frerichs.

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SENATOR FRERICHS:

We'll specifically authorize an additional two hundred and five million dollars for ISAC to be used for monetary award program grants.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Brady.

SENATOR BRADY:

Where's the money going to come from?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Frerichs.

SENATOR FRERICHS:

Money will come out of the General Revenue Fund.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Brady.

SENATOR BRADY:

The Comptroller just talked last week about the fact we can't pay three billion dollars in a backlog of bills. The Governor this week said he's nearly a billion dollars short on revenues. I fully support your program. And I -- I believe that one of the worst things we -- you all did, excuse me -- and it's not the system; it's the people, Senator Jacobs. ...happened last time was that we turned our backs on our college students. We appropriated - maybe you trusted that the Governor would use the 1.2 billion dollars, but we certainly didn't - and the Governor proved that he wasn't willing to use his 1.2 billion dollars to fully fund the MAP programs. But, yet, the Comptroller tells us he's -- the budget that you all passed is three billion dollars short on paying its bills. The Governor says he's short nearly a billion dollars in revenue estimates.

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I'm just curious, where's this money going to come from? You're saying out of General Revenue, but both the Comptroller and the Governor are crying that they're short nearly four billion dollars in revenues to pay our bills. So how do we know that this action is not going to be another false promise to not only the students here today, but to all of our college students around the State of the university -- the State of Illinois?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Frerichs.

SENATOR FRERICHS:

Could the Senator please restate his question? I -- I heard an awful lot of talk, but I didn't hear the question.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Brady, was there a question in that statement?

SENATOR BRADY:

Yes. Let me rephrase it. Last week your Comptroller cried that we were three billion dollars short in cash to pay bills - a record. The Governor this week cries that we're one billion short in revenues from last year, because we all misunderstood it. Four billion dollars that adds up to that we're short in paying bills. You're now acting like you're going to give second semester students their MAP grant, but yet the Governor and the Comptroller tell you all -- your -- your Governor and your Comptroller, your party's Governor and Comptroller, tell us there's no money to do it. What do we have as backup that this isn't just another false promise to the students in this State who are trying to become well-educated and eventually part of our work force? What do we have to prove this isn't...

PRESIDING OFFICER: (SENATOR DeLEO)

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Senator Frerichs, to answer the question.

SENATOR FRERICHS:

Okay. There were a lot of statements. I -- I think the answer to the question is we are all giving the Governor authority to spend this on MAP grants. He has stated that's something he wants to do. I appreciate the Senator's strong support for this program and look forward to perhaps cosponsoring revenue to ensure that the money's there.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Brady.

SENATOR BRADY:

Thank you, Mr. President. I -- to the sponsor, I appreciate what you're trying to do. But, again, I'm very concerned that this either another false promise to the students of this State or it is a debt that we are going to leave them with and their children with. It's time to get real about Illinois' budget. I'm going to support this proposal as I have in the past, but it's time for us to show the discipline that families in Illinois are showing, that businesses in Illinois are showing. And it's time for us to tighten our belt, to refrain from big government programs, and focus on priorities like this.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Seeing no further Member seeking recognition, Senator Frerichs, to close, sir.

SENATOR FRERICHS:

Okay. I -- I heard a comment about big government programs. This is a government program and it is a government program that I think is a wonderful investment. This money is

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going to educate some of our best and brightest in the State of Illinois. When we invest in higher education, we put people in our colleges; they come out more productive members of society. They make Illinois a more attractive place for businesses - high-tech businesses, high-scale businesses - to want to come and situate. That's why I'm putting this bill forward. I think it's something we need to do. We owe it to our business climate. We owe it to the individual students, the students who have upheld their end of the bargain. They're doing what they can to meet the requirements of their schools. They're doing it with a lot of pressure on them. And this is one thing I think we need to do to help with that. And I encourage an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Okay, Ladies and Gentlemen, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1180. 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 56 Ayes, 1 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 1180, and the bill is declared passed. Okay, Ladies and Gentlemen... Before we go -- Senator Hutchinson, are you seeking recognition, ma'am?

SENATOR HUTCHINSON:

Thank you, Mr. President and Members of the Body. I'd just like to take a quick moment to introduce a very, very special friend of mine. We are visited today in the Illinois State Senate by a Miss Merri Dee, a media legend from WGN for almost

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forty years and now President of the State Chapter of AARP, and here in town because she's just been appointed to a -- a Commission by Governor Quinn called Serve Illinois for volunteerism. Please join me in welcoming Miss Merri Dee to the Illinois State Senate.

PRESIDING OFFICER: (SENATOR DeLEO)

Welcome to the Illinois State Senate. Welcome. Ladies and Gentlemen, I'd like you to take your attention to the printed Calendar. Today's printed Calendar, on page 6 of the printed Calendar. On the top of page 6 is Motions in Writing, Override Total Vetoes, Senate Bill, Senate Bill 1743. Senator John Jones, do you wish to proceed? He indicates he wishes to proceed. Excuse me. We'll go to the Order of Motions in Writing, Senate Bill 1743. Senator John Jones. He indicates he -- he wishes to proceed. Madam Secretary, read the gentleman's motion.

SECRETARY ROCK:

I move that the -- I move that Senate Bill 1743 do pass, notwithstanding the veto of the Governor.

Signed by Senator John Jones.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jones, to the motion, sir.

SENATOR J. JONES:

Thank you -- thank you, Mr. President. You know, the -- the Governor vetoed this bill which deals with migrant workers in the -- in the State of Illinois that do not qualify -- can never draw unemployment insurance. And I had a constituent that came to me in my district that -- that had been audited.

PRESIDING OFFICER: (SENATOR DeLEO)

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Okay, Ladies and Gentlemen, the question is, shall the Senate concur in Senate Bill 743 {sic}, notwithstanding the veto of the Governor. 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 55 Ayes, 0 voting No -- Nay, 0 voting Present. Senate Bill 1743, having received the required three-fifths, is declared passed, notwithstanding the veto of the Governor. Continuing on page 6 of your printed Calendar, we have Motions in Writing. Senate Bill -- 1050. Senator Raoul, do you wish to proceed? The gentleman indicates he wishes to proceed. Madam Secretary, read the gentleman's motion.

SECRETARY ROCK:

I move to accept the specific recommendations of the Governor as to Senate Bill 1050 in manner and form as follows:

Amendment to Senate Bill 1050

In Acceptance of Governor's Recommendations

Filed by Senator Raoul.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Raoul, to your motion, sir.

SENATOR RAOUL:

The Governor's amendatory veto just makes technical changes to a bill that expanded the ability for circuit court to grant certificates of relief from disabilities.

PRESIDING OFFICER: (SENATOR DeLEO)

Any discussion? Senator Maloney, are you seeking recognition on this? After? Is there any discussion? Is there any -- Senator Righter, for what purpose do you rise, sir?

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SENATOR RIGHTER:

To the -- to the motion, please.

PRESIDING OFFICER: (SENATOR DeLEO)

To the motion, sir.

SENATOR RIGHTER:

Thank you, Mr. President, Ladies and Gentlemen of the Chamber. When Senate Bill 1050 left the Senate and the General Assembly, I think it was fair to say that it had been a carefully crafted and negotiated piece of legislation dealing with a pretty sensitive set of issues. But it's my understanding that the changes are merely technical; they don't affect the substance of what this Chamber and what the General Assembly were trying to accomplish. As such, I would speak in support of the motion. I appreciate very much, Mr. President, your time.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Raoul, nobody -- further members seeking recognition, to close, sir.

SENATOR RAOUL:

Urge a Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, the question is, shall the Senate accept specific recommendations of the -- of the Governor as to Senate Bill 1050, in the manner and form set in the motion. All those in favor will vote Aye. All those opposed will vote Aye. 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 55 Ayes, 0 voting Nay, 0 voting Present. The Senate -- the Senate

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-- on the specific recommendations of the Governor as to Senate Bill 1050, having received the required constitutional majority, is declared accepted. Continuing on Motions in Writing is Senate Bill 1698. Senator Kotowski. Senator Kotowski. Senator, one moment on -- on your motion. Senator Maloney, you were seeking recognition earlier, sir. For what purpose do you rise?

SENATOR MALONEY:

Thank you, Mr. President. I'd just like to be recorded -- I neglected to press my button on Senate Bill 1743. I'd like to be recorded as an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Record will so reflect your intention, sir. Now back to Motions in Writing. Senator Kotowski, do you wish to proceed? He indicates he does. Madam Secretary, read the gentleman's motion.

SECRETARY ROCK:

I move to accept the specific recommendations of the Governor as to Senate Bill 1698 in manner and form as follows:

Amendment to Senate Bill 1698

In Acceptance of Governor's Recommendations

Filed by Senator Kotowski.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Kotowski, to the motion, sir.

SENATOR KOTOWSKI:

Thank you -- thank you, Mr. President, Ladies and Gentlemen of the Senate. I'd just like to say, this is one of the first bill {sic} that combines the ethnic Polish power in the Illinois State Senate, and I'm very proud to be carrying this bill today.

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Essentially, the Governor's recommendations allow for the Chairman of the Illinois Student Assistance Commission shall make the appointment of chairperson to the Task Force, the Chair of the Illinois Board of Higher Ed shall make the appointment to the Task Force, and the Governor may appoint one additional member, and the Secretary of the Department of Financial and Professional Regulation shall make an appointment to the Task Force. I move to accept the recommendations as made by the Governor.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall the Senate accept the specific recommendations of the Governor to Senate Bill 1698, in the manner and form set forth in the gentleman's motion. 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 55 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1698, receiving the required constitutional majority, is declared accepted. Continuing on Motion in Writing is Senate Bill 1725. Senator Raoul, do you wish to proceed? One moment, sir. Senator Emil Jones, are you seeking recognition, sir?

SENATOR E. JONES:

Yes, Mr. President. I'd like to be recorded as a Yes on Senate Bill 1698.

PRESIDING OFFICER: (SENATOR DeLEO)

Record will so reflect your intention, sir. Senator Sandoval, how are you today?

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SENATOR SANDOVAL:

Thank you, Mr. President. Could I have a point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR SANDOVAL:

Thank you, Mr. President. I'd like to recognize an important person in my life, who's a young woman that came into my life nineteen years ago and she's made me very proud. She's National Honor Society President. She's done a wonderful job in high school and she's now a -- a proud sophomore at the University of Illinois in Chicago. And she's visiting, rallying the troops to try to find MAP funding. She actually held a press conference this afternoon encouraging the Senate and her father to pass MAP funding for -- so that she can continue going on to college. Like to introduce my daughter, Angie Sandoval, a sophomore at UIC.

PRESIDING OFFICER: (SENATOR DeLEO)

Would you please stand and be recognized by the Illinois State Senate? Welcome to Springfield. Okay, Ladies and Gentlemen, continuing on Motions in Writing is Senate Bill 1725. Senator Raoul, do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, read the gentleman's motion.

SECRETARY ROCK:

I move to accept the specific recommendations of the Governor as to Senate Bill 1725 in manner and form as follows:

Amendment to Senate Bill 1725

In Acceptance of Governor's Recommendations

Filed by Senator Raoul.

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PRESIDING OFFICER: (SENATOR DeLEO)

Senator Raoul, to the motion.

SENATOR RAOUL:

Thank you, Mr. President. I move to accept the specific recommendations of the Governor to extend the date of the -- for the Department of Human Services to develop recommendations to ensure the effective reintegration of youth offenders into families and communities to September 30th, 2010.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall the Senate accept specific recommendations to the -- of the Governor to Senate Bill 1725, in the manner and form set forth in the motion. 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 57 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 1725, having received the required constitutional majority, is declared accepted. Continuing on page 6, we have Motions in Writing. In the middle of page 6 comes Senate Bill 47. Senator Pankau, do you wish to proceed, ma'am? She indicates she does. Madam Secretary, please read the lady's motion.

SECRETARY ROCK:

I move that Senate Bill 47 do pass, notwithstanding the -- the specific recommendations of the Governor.

Filed by Senator Pankau.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Pankau, to the motion, ma'am.

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SENATOR PANKAU:

Thank you, Mr. President. Senate Bill 47 deals with contract transparency and it passed unanimously out of the Senate and also out of the House. The Governor amendatorily vetoed it to say that -- basically transferring the authority from the Comptroller's Office to CMS. It rightfully belongs in the Comptroller's Office. And I ask you to override.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall Senate Bill 47 pass, notwithstanding specific recommendations of the Governor. 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 56 Ayes, 1 voting Nay, 0 voting Present. Senate Bill 47, having received the required constitutional three-fifths majority, is declared passed, notwithstanding specific recommendations of the Governor. Senate -- continuing on page 6 in Motion in Writing is Senate Bill 1662. Senator Murphy, do you wish to proceed, sir? Out of the record. Senate Bill 1882. Senator Cronin. Senator Dan Cronin, do you wish to proceed, sir? The gentleman indicates he wishes to proceed. Madam Secretary, read the gentleman's motion.

SECRETARY ROCK:

I move that Senate Bill 1882 do pass, notwithstanding the specific recommendations of the Governor.

Filed by Senator Cronin.

PRESIDING OFFICER: (SENATOR DeLEO)

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Senator Cronin, to the motion, sir.

SENATOR CRONIN:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. This is a motion to override the Governor. We looked at this very carefully. I consulted with colleagues on - - on -- on the Democratic side of the aisle and staff. And I think this is the right thing to do. We approached this issue of seeking efficiencies in educational delivery system services, you know. And this is about a task force that is asked to study how regional offices of education can work more closely with the Illinois State Board of Education in delivering services to schools and schoolchildren across the State of Illinois in a much more efficient way. We had a...

PRESIDING OFFICER: (SENATOR DeLEO)

Seeing no further discussion, Ladies and Gentlemen, the question is, shall Senate Bill 1882 pass, notwithstanding specific recommendations of the Governor. 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 55 Ayes, 0 {sic} (1) voting Nay, 0 voting Present. Senate Bill 1882, having received the required three-fifths majority, is declared passed, notwithstanding specific recommendations of the Governor. Senator Steans, on Senate Bill 2043, ma'am. Do you wish to proceed? She indicates she does. Madam Secretary, read the lady's motion.

SECRETARY ROCK:

I move that Senate Bill 2043 do pass, notwithstanding the specific recommendations of the Governor.

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Filed by Senator Steans.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Steans, to the motion, ma'am.

SENATOR STEANS:

Thank you, Mr. President, Members of the Senate. Senate Bill 2043 passed both the Senate and the House unanimously. It requires departments -- three departments to integrate data so that we can identify births that are at risk and establish a prevention program to help get needed services to women who are at risk for adverse birth outcomes. It should save the State, conservatively, a hundred million dollars. The Governor's amendatory vetoes indicated that there were privacy concerns in integrating the data - everyone would still have to, though, comply with all State and federal requirements on privacy - and that there was a fiscal cost. Should note that when this was heard in committee, there was no fiscal impact noted and there were no opponents at that time. The departments were neutral on the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall Senate Bill 2043 pass, notwithstanding specific recommendations of the Governor. 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 56 Ayes, 0 voting No -- Nay, 0 voting Present. House -- Senate Bill 2043, having received the required three-fifths majority, is declared passed,

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notwithstanding specific recommendations of the Governor.
Senator Lightford in the Chair.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Madam Secretary, Introduction of Bills.

SECRETARY ROCK:

House Bill 4625, offered by Senator Kotowski.

(Secretary reads title of bill)

1st Reading of this House bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Madam Secretary, do you have any written motions?

SECRETARY ROCK:

Yes, a motion has been filed with respect to the Governor's
action on Senate Bill 1685 by Senator Sullivan.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Madam Secretary, please print them on the Calendar. On the
Order of 3rd Reading -- Senate Bill 3rd Readings on the top of
page 2. Senator Martinez, on Senate Bill 332. Senator
Martinez, do you wish to proceed? Out of the record. Senator
Haine, on Senate Bill 353. Senator Haine. Out of the record.
Senator Hunter, on Senate Bill 380. Senator Hunter. Out of the
record. Yes. With leave of the Body, we will return to Senate
Bill 332. Senator Martinez indicates that she wish to proceed.
She seeks leave of the Body to return Senate Bill 332 to the
Order of 2nd Reading. Leave is granted. On the Order of 2nd
Reading is Senate Bill 332. Madam Secretary, are there any
Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Martinez.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

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Senator Martinez.

SENATOR MARTINEZ:

Thank you, Madam President. And I'm sorry, I -- I thought it was the other bill. But the -- this amendment becomes the bill and I'll be happy to discuss it on 3rd Reading.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

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

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 332. Senator Martinez.

SENATOR MARTINEZ:

Thank you, Madam President, Members of the Senate. Floor Amendment No. 1 becomes the bill and removes the Office of Banks and Real Estate as the regulatory body and inserts the Department of Financial and Professional Regulations {sic} (Regulation). The Office of Banks and Real Estate is -- no longer exists and current regulatory body is IDFPR.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Martinez, give us one moment. Madam Secretary needs to -- read the bill into the record. Madam Secretary.

SECRETARY ROCK:

Senate Bill 332.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Martinez, go for it.

SENATOR MARTINEZ:

I will continue where I left off. The Office of Banks and Real Estate no longer exists and current regulatory body is IDFPR. The sunset will be extended for ten years, from January 1st, 2010, to January 1st, 2020. The bill also allows the Department to issue a fine of fifty dollars for disciplinary reasons. The bill also adds a requirement that those administering a sale of land must file a tax return with a final assessment of sale. The bill also establishes new hearing rules. And I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Seeing none, the question is, shall all -- the question is, shall Senate -- Senate Bill 332 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 332, having received the required three-fifths constitutional majority, is declared passed. Senator Koehler, on Senate Bill 390. Senator Koehler indicates he wish to proceed. Madam Secretary, please read the bill. Senator Koehler wish to proceed. He seeks the leave of the Body to return Senate Bill 390 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is Senate Bill 390. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

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Floor Amendment 1, offered by Senator Koehler.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Koehler.

SENATOR KOEHLER:

Yes, thank you, Madam President. This is a -- a small amendment to basically what we passed last Session, Senate Bill 1906. This Senate Bill 390 would include the language energy efficient {sic} (efficiency) projects as a function of the Illinois Finance Authority's bonding authority and its ability to provide credit enhancement. And I'd appreciate a Aye vote.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Thank you, Senator. Are there any further Floor amendments approved for consideration?

SECRETARY ROCK:

...further amendments reported.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 390. Senator Koehler, do you wish to proceed? He indicates that he does. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 390.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Koehler.

SENATOR KOEHLER:

Yes, I've already indicated what the bill does. And I'd be happy to answer any questions. Other than that, I'd appreciate an Aye vote.

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PRESIDING OFFICER: (SENATOR LIGHTFORD)

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

SENATOR RISINGER:

Yes, Madam President, I just want to make mention that this bill came through the committee by a unanimous vote. And I urge an Aye vote.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Thank you, Senator. Any further discussion? Seeing none, the question is, shall Senate Bill 390 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, 0 voting Nay, 1 voting Present. Senate Bill 390, having received the required constitutional majority, is declared passed. Senator Collins, on Senate Bill 395. Senator Collins indicates she wish to proceed. Senator Collins seeks leave of the Body to return Senate Bill 395 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 395. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Collins.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Collins.

SENATOR COLLINS:

Thank you very much, Madam Chair {sic} and Members of the Senate. Senate Bill 395, basically you've seen this bill before. It's coming back because it was -- this language was

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appended on another bill that was vetoed or amendatorily vetoed by the Governor. Basically what it does, it's cleanup language to keep the Treasurer's authority to invest in repurchase agreements of government securities current with changes implemented in the Government Securities Act of 1986. The Government Securities Act of 1986 has been amended several times; however, the Illinois statute currently only refers to the original Government Securities Act of 1986.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

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

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 395. Senator Collins. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 395.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Collins.

SENATOR COLLINS:

I would just ask for an affirmative vote. Thank you.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

The question is, shall Senate Bill 395 pass. All those in

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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, 0 voting Nay, 0 voting Present. Senate Bill 395, having received the required constitutional majority, is declared passed. Now on the Order of 3rd Reading is Senate Bill 588. Senator Kotowski. He indicates he wishes to proceed. Senator Kotowski seeks leave of the Body to return Senate Bill 588 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 588. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Kotowski.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Kotowski.

SENATOR KOTOWSKI:

Thank you, Madam President. It is wonderful to see you in the Chair today. Thank you. And thank you, Ladies and Gentlemen of the Senate. Floor Amendment No. 1 to Senate Bill 588 would change the procedure for the Cook County Board of Commissioners to override the veto of the Board President. Currently, it takes four-fifths of the vote to override a veto. Floor Amendment No. 1 to Senate Bill 588 changes it so only three-fifths of the Board could override a veto. The amendment has an immediate effective date.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Thank you, Senator. Is there any discussion? Senator Righter.

SENATOR RIGHTER:

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Thank you, Madam President. To the bill, please. To the bill, please, Madam President. Thank you very much.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Absolutely.

SENATOR RIGHTER:

I simply rise in support of Senate Bill 588, Madam President. The bill passed almost - almost - unanimously out of Executive Committee. There was a member who had some questions. And while Senator Kotowski really wasn't quite that impressive in his response, I think we've been able to overcome that hill and -- and congratulate him on his fine work. Thank you, Madam President.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

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

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 588. Senator Kotowski indicates he wish to proceed. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 588.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Kotowski.

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SENATOR KOTOWSKI:

I would simply like to thank you -- thank the previous speaker for his kindness and his understanding that I still have a lot to learn as a Senator here. This is a bill that rectifies a wrong that's existed for a long time in county government. It simply levels the playing field. In order to override a veto of the President of the United States, you need two-thirds of Congress. To override the veto of the Governor, you need three-fifths of the General Assembly. It shouldn't take four-fifths of the Cook County Board to override the Board President. This makes it consistent, makes it three-fifths, and it makes the taxpayers' voices to be able to be heard in the best way possible. I would simply ask for an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Seeing none, the question is, shall Senate Bill 588 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 {sic} (53) voting Aye, 1 voting Nay, 2 voting Present. Senate Bill 588, having received the required constitutional majority, is declared passed. Now on the Order of 3rd Reading is Senate Bill 595. Senator Koehler. He indicates he wish to proceed. Madam Secretary, please read the bill. Senator Koehler seeks leave of the Body to return Senate Bill 595 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 595. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

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Floor Amendment 1, offered by Senator Koehler.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Koehler.

SENATOR KOEHLER:

Yeah, thank you, Madam President. This extends the tax increment financing district in Bellevue in my district from twenty-three years to thirty-five years. All the letters from the other taxing bodies are in and I'd ask for approval.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Senator Meeks, are you seeking to speak on this legislation?

SENATOR MEEKS:

Thank you so much, Madam President. You look so delightful in your rightful place at the helm of the Senate. I rise for a point of a personal privilege. I wanted to -- the last time I stood to speak when aldermen from the City of Chicago were here, it made Crain's and it made The Huffington Post, all because I said to them that we didn't have any money and don't ask me for money. So there's some people who missed my humor and it made all the national papers that I rejected the local aldermen. And so now I'm here today to say to the aldermen who are here -- I want to recognize all of the aldermen: Alderman Latasha Thomas and Alderman Beale, who is my alderman, and Pat Dowell from the 3rd Ward, who is Mattie Hunter's alderman. I wanted to say to all the aldermen - Alderman Shiller who's here - we do have money. We have all the money, and everything that they come to ask for, they could get it. And I'm just waiting for the LRB to finish the bill for a pile of money that will go back to the City of Chicago with all of these fine aldermen. And we would

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like to welcome them to the Senate today.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Welcome to the Illinois General Assembly. Please rise and welcome our aldermen. Alderman Mitts, my alderman, is also here. Senator Lauzen.

SENATOR LAUZEN:

Thank you. To the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

To the bill, Senator.

SENATOR LAUZEN:

This passed out of Revenue Committee unanimously. Recommend an Aye vote.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

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

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 595. Senator Koehler. He indicates he wish to proceed. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 595.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Koehler.

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SENATOR KOEHLER:

Madam President, I'd just ask for an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

The question is, shall Senate Bill 595 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Aye, 1 voting Nay, 0 voting Present. Senate Bill 595, having received the required constitutional majority, is declared passed. Now on the Order of 3rd Reading is President Cullerton on Senate Bill 602. President Cullerton, on 602. Out of the record. Senator Demuzio, on Senate Bill 614. Out of the record. Senator Koehler - it's your show today - on Senate Bill 616. He indicates he wish to proceed. Senator Koehler seeks leave of the Body to return Senate Bill 616 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 616. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Koehler.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Koehler.

SENATOR KOEHLER:

Yes, thank you, Madam President. This bill is actually a repeat of a bill that we passed in the 95th General Assembly and it got caught up in the rulemaking and did not advance. But Representative Leitch sponsored it in the House. What it does is it allows all school districts leasing school construction projects from a public building commission, rather than just in

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Chicago, to use construction project grants to pay debt service or make lease payments. The bill also allows school districts to incur additional indebtedness or execute a lease with a public building commission if they apply to the State Board of Education for a school construction project grant, receive a grant, and lease the project from a public building commission. The State Board of Education and the Capital Development Board would be prohibited from restricting a district's eligibility for construction grant based on the project being owned by a public building commission and being leased to a school district. I'd ask for a Aye -- Aye vote on that.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Senator Holmes, did you want to speak on this bill? No. Senator Lauzen, are you speaking to this bill?

SENATOR LAUZEN:

Yes, ma'am.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

...the bill.

SENATOR LAUZEN:

Question for the sponsor.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

He indicates he will yield.

SENATOR LAUZEN:

Senator, my analysis says that this amendment or the amendment to this bill would -- a -- a school district will not have to take a question to the voters by referendum. So you'd be moving from the mass of all people having to approve their taxation to a handful of typically politically selected folks to

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approve what's going to affect a -- a large chunk of spending of their money. Is that right?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Koehler.

SENATOR KOEHLER:

Yes, thank you for your question, Senator. Actually, this -- this bill just clarifies that if you use a public building commission and you want to lease, then it gives you the right to do that. The larger question that you're asking is already in - - in place with a public building commission if they finance a project. This just clarifies that a lease arrangement is also acceptable.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Madam President. Then to the bill: I have served on a public building commission back in Kane County and I remember at that time being shocked by how easy it was for us to obligate substantial spending and property tax burdens on residents and fellow citizens. And to give more power to public building commission and take it away from permission by the people through referendum, I think is a serious step in the wrong direction. So I would recommend a No vote.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

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

SENATOR BURZYNSKI:

Thank -- thank you, Madam President. Will the sponsor yield for a question?

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PRESIDING OFFICER: (SENATOR LIGHTFORD)

He indicates he will. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Senator, this -- this goes to Senator Lauzen's question, maybe a little bit different. Can school districts increase their debt limitation without -- with the passage of this bill and this amendment?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Koehler.

SENATOR KOEHLER:

Yes, they could. And let me just speak to -- I know that you have a disagreement with public building commissions and school districts. That's already in place. What this does is it allows leasing arrangements to also be included in that. So I understand your -- your point, but this does not open up that whole issue other than to allow for leasing, which right now Chicago is the only place that does that. But, yes, it would.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Any further discussion? Seeing none -- that was speaking on the amendment. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 616. Senator Koehler indicates he wish to proceed. Madam Secretary, please read the bill.

SECRETARY ROCK:

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Senate Bill 616.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Koehler.

SENATOR KOEHLER:

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

PRESIDING OFFICER: (SENATOR LIGHTFORD)

The question is, shall Senate Bill 16 {sic} pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? On that question, there are -- take the record. On that question, there are 39 voting Aye, 14 voting Nay, 0 voting Present. Senate Bill 616, having received the required constitutional -- having -- yeah, having, yes -- having received the required constitutional majority, is declared passed. Senator Holmes, for what purpose do you rise?

SENATOR HOLMES:

Thank you, Madam President. I seemed to have missed pushing my button on Senate Bill 595. Could I please be recorded as a Yes?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Absolutely.

SENATOR HOLMES:

Thank you.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Holmes would like to be recorded as an Aye on Senate Bill 595. Senator Haine. On the Order of 3rd Reading, Senate Bill 728. Senator Haine. Senator Haine. Out of the

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record. Senator Muñoz. Senator Tony Muñoz. On the Order of 3rd Reading, Senate Bill 747. Out of the record. With leave of the Body, we will return to Senate Bill 728. Senator Haine. He indicates he wish to proceed. Madam Secretary -- he seeks leave of the Body to return Senate Bill 728 to the Order of 2nd Reading. Are there any Floor amendments -- are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Haine.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Haine.

SENATOR HAINE:

...you -- thank you very much, Madam President. Thank you for your indulgence and patience and that of the Senate. This is a trailer bill to the bill that we passed extending the sunset and redoing the Engineering Practice Act. It has very minor things that the IDFPR needed. And they include the sequential taking of exams and a few other things. There was no opposition. It's a merely bill. And it completes the engineering regulatory scheme as we just recently passed and was signed into law by the Governor.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

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

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

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3rd Reading. Now on the Order of 3rd Reading is Senate Bill 728. Senator Haine. He indicates he wish to proceed. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 728.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Haine.

SENATOR HAINE:

Thank you, Madam President. And I just wish to note that this Body has someone in the Chair that's especially beautiful and competent. And I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Thank you, Senator Haine. Is there any discussion? Seeing none, the question is, shall Senate Bill 728 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 728, having received the required constitutional majority, is declared passed. Senator Haine, would you like to seek leave to have Senate Bill 353? Senator Haine, on Senate Bill 353. Out of the record. Senator Muñoz, on Senate Bill 747. He indicates he wish to proceed. Senator Muñoz seeks -- Senator Muñoz.

SENATOR MUÑOZ:

Madam President, I request to move the bill back to 2nd.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Absolutely.

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SENATOR MUÑOZ:

'Cause there's an amendment on it.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Absolutely. Senator Muñoz seeks leave of the Body to return Senate Bill 747 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 747. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Muñoz.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Senator Muñoz.

SENATOR MUÑOZ:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Floor Amendment 1 is the cleanup language for which -- it was House Bill 470, the last -- this last spring. Once the bill was passed, we were advised that there was an error in the language because there is not a church and school within hundred feet of the establishment seeking an exemption, but a church-affiliated school. And Floor Amendment 1 corrects the error. And I would ask for its adoption.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

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

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

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3rd Reading. Now on the Order of 3rd Reading, Senator Muñoz indicates he wish to proceed. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 747.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Muñoz.

SENATOR MUÑOZ:

Thank you, Madam President. As I just explained, I would just ask for an Aye vote, unless there's any other questions.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Seeing none, the question is, shall Senate Bill 747 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Aye, 2 voting Nay, 0 voting Present. Senate Bill 747, having received the required constitutional majority, is declared passed. Now on the Order of 3rd Reading is Senate Bill 748. Senator Martinez, on Senate Bill 748. Out of the record. Senator Wilhelmi, on Senate Bill 931. He indicates he wish to proceed. He seeks leave of the Body to return Senate Bill 931 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 931. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Wilhelmi.

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PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Wilhelmi.

SENATOR WILHELMI:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Floor Amendment No. 1 becomes the bill. And I'll be happy to explain it on 3rd Reading.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

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

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 931. Senator Wilhelmi indicates he wish to proceed. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 931.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Wilhelmi.

SENATOR WILHELMI:

Thank you, Madam President. Senate Bill 931 amends the Income Withholding for Support Act regarding filing of notices. Specifically, the bill establishes the appropriate times in which a copy of an income withholding notice, a National Medical Support Notice and the related proofs of service must be filed

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with the clerk of the circuit court. This is an initiative of the Illinois Association of Court Clerks, in collaboration with the Department of Healthcare and Family Services. This bill will result in a savings of paper, postage and time. I'd appreciate your support.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Seeing none, the question is, shall Senate Bill 931 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 931, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, on page 3, beginning with Secretary's Desk, Concurrences. Senate Bills on Concurrence, on page 3. Senate Bill 932. Senator DeLeo. Senator DeLeo. Out of the record. Senate Bill 1421. Senator Bond. He indicates he wish to proceed. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1421.

Filed by Senator Bond.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Bond.

SENATOR BOND:

Thank you, Madam President. This is a concurrence vote on a bill passed out of the House unanimously. It's a great consumer protection bill. It's an anti-cramming bill for fraudulent and misleading charges placed on your phone bill.

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It's supported by CUB, Attorney General, AT&T, Illinois Telecom Association, and Verizon. Ask for a favorable concurrence.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Thank you, Senator. Is there any questions? Any discussion? Seeing none, the question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 1421. 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, 0 voting Nay, 0 voting Present. Senate Bill 1421, having received the required constitutional majority, is declared passed. Now on the Order of Senate Bills, 1833. Senator Crotty. Senator Crotty indicates she wish to proceed. 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 1833.

Filed by Senator Crotty.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Crotty.

SENATOR CROTTY:

Thank you. House Amendment 1 to Senate Bill 1833 provides that in the absence of a law enforcement traffic control assistant for a funeral procession, a funeral director or his or her designee may direct traffic during the funeral procession.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1833. All those in favor will vote Aye. Opposed, Nay. The

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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, 0 voting Nay, 0 voting Present. Senate Bill 1833 having received the required constitutional majority, the bill is declared passed. Now on the Order of House Bills 3rd Reading, page 3. The top of page 3. House Bills 3rd Reading. Senator Harmon. Senate {sic} Bill 806. He indicates he wish to proceed. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 806.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Harmon.

SENATOR HARMON:

Thank you, Madam President. Just a procedural inquiry. It's been a while since we've looked at this bill. Have all the amendments been adopted?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

One moment, Senator. Senator Harmon, both amendments are still on {sic} Assignments. So perhaps we should seek leave of the Body and return to this bill later. Senator Harmon, we'll take it out of the record until Committee on Assignments meet. Out of the record. Senate {sic} Bill 2239. Senator Harmon. He indicates he wish to proceed. Madam Secretary, please read the bill. Senator Harmon seeks leave of the Body to return House Bill 2239 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 2239. Madam Secretary,

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are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Harmon.

SENATOR HARMON:

Thank you, Madam President, Ladies and Gentlemen of the Senate. The amendment becomes the bill. I'd move for its adoption. And would look forward to explaining it and debating it on 3rd Reading.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

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

SECRETARY ROCK:

House Bill 2239.

(Secretary reads title of bill)

3rd Reading of the bill. I apologize, no further Floor amendments reported.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

3rd Reading. Now on the Order of 3rd Reading is Senate {sic} Bill 2239. Senator Harmon indicates he wish to proceed. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 2239.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

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Senator Harmon.

SENATOR HARMON:

Thank you, Madam President, Ladies and Gentlemen of the Senate. In last year's budget implementation bill, we changed the rules for the deduction of partnership compensation for purposes of the -- the partnership replacement tax. It -- it has been made apparent to us over the summer that our efforts to curtail the perceived abuse were probably over-extensive and this bill would -- would repeal those measures and restore the law to the status it enjoyed before our amendment in the spring. While there is still a concern that there is -- that the -- avenue for abuse here, this is not the proper solution. So I would ask you to join me in the -- in supporting this bill to repeal that -- that language. And we can work in the future on a better fix.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter, for discussion. Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Indicates he will. Senator Righter.

SENATOR RIGHTER:

Thank you, Madam President. Senator Harmon, I -- this is something we're broaching for the first time. We've -- we've searched, as diligently as we can, discussions that took place on hearings on the Fiscal Year 2010 budget and the debates on each Floor and we can't find any reference to an attempt to correct some kind of rule. So let's start, I guess, from the beginning. What is the problem that this language that we are

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now repealing sought to correct?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Harmon.

SENATOR HARMON:

Thank you. Obviously, the tax law is fairly complicated. I will do my best to explain it. And if I oversimplify it, I will apologize, but will try to make sure that folks understand. When a partnership prepares its replacement tax return, under the old law, it was permitted to deduct from its income reasonable compensation for partners. Now, in practice what happens in a partnership is that the -- the total profits of the partnership are then distributed to the partners as compensation, leaving little to no profit held in the partnership to be taxed under the replacement tax. There was some concern that some of those compensation packages were -- may not have been reasonable and there was no definition of reasonable in the statute. What the bill did - the BIMP bill - was to say that you could only deduct the guaranteed payments to partners. Now, as you might imagine, in most partnerships the guaranteed payments in a year are much less than the actual compensation. Much of that compensation for partners is impacted by the performance of the partnership during the year. So instead of permitting perhaps too much of a partner's compensation to be deducted, we would now be permitting far too little of a partner's compensation to be deducted. And therein lies the rub. This would restore the reasonable compensation standard, however ill-defined it may be, but would protect partners from a -- a -- a dramatic increase, an -- an unwise increase, in their partnership liability.

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PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter.

SENATOR RIGHTER:

What was the language that was used, Senator Harmon, to try to correct the alleged abuse? What was the mechanism used?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Harmon.

SENATOR HARMON:

I'd like to read to you from the bill, Senator. It's a -- a long bill and I'm -- want to make sure that I can find the... The language that we added, Senator Righter, for the deduction was "deductions allowed for guaranteed payments to an individual partner for personal services by that partner".

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Lauzen. Sorry. Senator Righter.

SENATOR RIGHTER:

I didn't put my light back on. I apologize. That's the extent of the language, Senator Harmon?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Harmon.

SENATOR HARMON:

There -- the -- the -- the language that's being struck in its entirety - I don't want to mislead you; I don't think I omitted anything substantive - but, "provided that no addition shall be required under the {sic} (this) subparagraph C for taxable years ending on or after December 31st, 2009, for deductions allowed for guaranteed payments to an individual partner for personal services by that partner".

PRESIDING OFFICER: (SENATOR LIGHTFORD)

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Senator Righter.

SENATOR RIGHTER:

Senator, who drafted that language that we are now repealing?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Harmon.

SENATOR HARMON:

I've been informed by our crack senior staff that it was the Department of Revenue.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter.

SENATOR RIGHTER:

At whose request?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Harmon.

SENATOR HARMON:

At the request of Senate President Cullerton.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter.

SENATOR RIGHTER:

Do you know whether or not there was any discussion that I may have missed or our staff may have missed in looking for public comment, either in committee or on the Floor of the House or the Senate, about this change or whether or not there was discussion of this among any of the four Leaders?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Harmon.

SENATOR HARMON:

I am not aware of any. I was not in many of those

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meetings, obviously. But I am not aware of any.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Righter.

SENATOR RIGHTER:

To the -- to the bill, please, Madam President.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

To the bill, Senator Righter.

SENATOR RIGHTER:

You know, most of us have heard from constituents and other groups about the dramatic effect that this language would have on many, many individuals and entities doing business in the State of Illinois. And I think it brings to light a couple issues, what we're doing here today. And I -- and I hope -- to some extent we all ought to be a little and some a lot embarrassed by what -- the exercise we're going through here today. First is the notion that this was not, Madam President, an issue that was discussed, that we're aware of, by anybody, at any level, in any Chamber, or any committee, between the parties despite what -- the impression was left was that this was a budget agreement between the Leaders last July. Second, and much more importantly, Madam President, is that when these things happen it deepens the mistrust between the parties. It makes it harder to get things done, not easier. And we hope, we fervently hope, that this exercise is not repeated again. Thank you, Madam President.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

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

SENATOR CROTTY:

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I move to the previous question.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Crotty moves the previous question. We have two speakers - two speakers. Senator -- Senate President Cullerton, for what purpose do you rise?

SENATOR CULLERTON:

Yes, thank you, Madam President. To the previous speaker, this -- I'll -- I'll tell you exactly what happened with this issue. We were looking, of course, for revenue last year, and during the course of that -- discussions, we had some -- were looking at tax loopholes. And we had some accountants that we inquired of to see if there was some tax loopholes that could be closed. It was suggested that this was one that could be closed. And the language was drafted by the Department of Revenue. And it was not drafted correctly. That's why we're here to repeal it. The fact remains that there still is a loophole and I hope that, in cooperation with the Republicans next year, we can move to get the proper language so as to close it. It was in the BIMP. If for some reason -- I -- I do know that the BIMP was circulated and I knew -- do know that you had time to read it. If it was not directly pointed out to you by our staff, then I apologize, because it certainly should have been. It wasn't anything we were trying to hide. It was simply misdrafted. So -- but I would -- I'm fairly certain we didn't just dump the BIMP on your desk and vote on it an hour later. So perhaps it wasn't noticed when your staff reviewed it. Perhaps our staff should have pointed it out and we didn't. I don't know. I wasn't there. So the -- the point is though that we could now negotiate and take the time to get a -- new

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language that closes the loophole. But rather than do that, in the interest of -- of clarity and good faith, we are totally repealing it, and we will come back next year. The money doesn't actually end up going to the State. If the local -- it's the locals that would receive this money from the personal property income tax. So it's something worth dealing with. We recognize that there was a mistake. It was in the drafting done by the Department of Revenue and that's why we're passing the bill. Hope that answers some questions.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Further discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you, Madam President. Just to the bill: This bill passed out of the Senate Revenue Committee unanimously. There's a problem; it's being corrected. It's being corrected in its entirety. And it's being corrected right away, which is a good outcome. So I recommend a Yes vote.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Harmon, to close.

SENATOR HARMON:

Thank you, Madam President. This was a -- a much longer debate than I expected on a bill that enjoys such broad support. Frankly, I -- one of the reasons I sponsored it is, I'm -- I'm proud when the Senate can candidly admit we got something wrong and fix it, and fix it quickly. We shouldn't be playing political games with that. These -- these are complicated measures. If you read the language that I -- I read in debate, it's arcane and confusing. And it's not surprising that we all didn't recognize its importance in the closing days of the

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Session. But we can candidly admit we got it wrong and we can fix it. And I think our constituents should be proud of that. I ask you all for your Aye votes.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

The question is, shall House Bill -- 2239 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, 0 voting Nay, 0 voting Present. House Bill 2239, having received the required constitutional majority, is declared passed. Madam Secretary, are there any written motions for consideration?

SECRETARY ROCK:

Motion -- a motion has been filed with respect to the Governor's action on Senate Bill 2090 by Senator Lauzen.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Thank you, Madam Secretary. Please print them on the Calendar. The Senate will stand at ease for a few minutes to allow the Committee on Assignments to meet. The members of the Committee on Assignments will you please come to the President's Anteroom immediately. We will continue with substantive action, if all Members can remain on the Floor. The Senate will stand at ease.

(SENATE STANDS AT EASE)

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Schoenberg in the Chair.

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(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senate will come to order. 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 - Senate Bill 354, Floor Amendment 1 to House Bill 806 and Floor Amendment 2 to House Bill 806; refer to the Executive Committee - Floor Amendment 2 to Senate Bill 354 and House Bill 4625.

Signed by Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

We'll now move to the Order of Supplemental Calendar No. 2, Motions in Writing to Override Specific Recommendations of Senate Bills. Senate Bill 51. Out of the record. Senate Bill 1391. Senator Clayborne. Senator Clayborne. The gentleman wishes to proceed. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move that Senate Bill 1391 do pass, notwithstanding the specific recommendations of the Governor.

Filed by Senator Clayborne.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President. This is a bill to provide -- to allow family therapists and counselors into the schools. Basically, the Governor is requiring that a special task force

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by set up to develop rules. In our bill, we just allow the State Board of Education to go through the rules process and make a determination as to what the appropriate educational standards and/or requirements should be for certification of the family therapists and -- and school counselors -- I mean, family therapist counselors, counselors employed by the schools. I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Is there any discussion? Senator Clayborne, do you wish to close?

SENATOR CLAYBORNE:

I just ask for your favorable vote.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The question is, shall Senate Bill 1391 pass, notwithstanding the specific recommendations of the Governor. 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, 1 voting Nay, none voting Present. Senate Bill 1391, having received the required three-fifths majority, is declared passed, notwithstanding the specific recommendations of the Governor. Senate Bill 1685. Senator Sullivan. Senator John Sullivan. The gentleman wishes to proceed. Madam Secretary, please read the bill {sic}.

SECRETARY ROCK:

I move that Senate Bill 1685 do pass, notwithstanding the specific recommendations of the Governor.

Filed by Senator Sullivan.

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PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The -- the bill was -- was the exemption to the smoking ban for recognized Native American religious ceremonies. It passed both the House and the Senate with huge majorities, almost all Yes votes. The Governor's AV will remove some rulemaking language which was not a part of the new bill that we passed. And for that reason, we believe that the Governor's veto exceeds his authority and I'm asking for a Yes vote to override the Governor's amendatory veto.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Is there any discussion? Senator Sullivan, do you wish to close?

SENATOR SULLIVAN:

I just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The question is, shall Senate Bill 1685 pass, notwithstanding the specific recommendations of the Governor. All those in favor, 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 57 voting Aye, none voting Nay, none voting Present. Senate Bill 1685, having received the required three-fifths majority, is declared passed, notwithstanding the specific recommendations of the Governor. Senate Bill 2090. Senator Lauzen. Senator Lauzen, do you wish to proceed? The gentleman wishes to proceed. Madam Secretary, please read the

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bill {sic}.

SECRETARY ROCK:

I move that Senate Bill 2090 do pass, notwithstanding the specific recommendations of the Governor.

Filed by Senator Lauzen.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Lauzen.

SENATOR LAUZEN:

...very -- thank you very much, Mr. President. Senate Bill 2090 had overwhelming support in the Senate and unanimous support in the House. Basically, what it did was eliminate the Compensation Review Board and it cut our own pay - to lead by example in budgetary hard times - in the form of four furlough days and then no cost of living increase in 2010. The Governor decided that that wasn't enough and so he increased the pain in the bill by cutting the cost of living increases in all future years. I move to override that veto. If the Governor or anyone wants to submit legislation for that additional area, they're welcome to file a bill and it'll go through the proper process.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Any discussion? Senator Haine. Senator Syverson.

SENATOR SYVERSON:

Thank you. A question of the sponsor.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Question of the sponsor. Will gentleman yield? Gentleman will yield.

SENATOR SYVERSON:

Senator, obviously, we're in a difficult situation here,

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because if we vote for this legislation, that means that we are not supporting the Governor's amendatory veto which had the permanent elimination of the COLA, as opposed to a one-time elimination. So I guess you can understand that this is a -- a difficult vote that the Governor has put this legislation into. So have you given that some consideration of what the -- the realities of the results of that voting this -- for this override, what happens -- what message that sends that we are not supporting the elimination of the permanent COLA?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Lauzen.

SENATOR LAUZEN:

Thank you very much. I certainly respect my colleague's point of view. I don't think that a vote in favor of the override is not supporting the Governor's -- the Governor's, you know, wanting to change the compensation for Members of the General Assembly. I think that a vote in favor of the override restores it to the original bill, which was seventy-five percent of the loaf of -- of eliminating a really bizarre kind of compensation scheme that's way too complex. That is huge improvement. And then, in addition, it is a decrease, a cut in pay for, again, Members in the General Assembly of -- of about five percent. So I think that the characterization -- we've overridden a lot of the Governor's vetoes today and on other days. I think that the proper way of looking at this override vote is that seventy-five percent of the loaf is achieved. We have significant reform. And we've cut our pay by effectively five percent.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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Senator Syverson.

SENATOR SYVERSON:

Didn't that -- did that cut already occur? That's already in place, the -- the vote that we took to reduce our pay. That reduced pay is already currently in place now, isn't it? What -- what is the result of -- of that if this legislation happens? Didn't we not -- we only funded it at the lower level, so does this have to be passed to keep that in place or does that reduction, which is already in place, continue?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. You and I have both managed companies, Senator Syverson. You know that to ask people to -- voluntarily to decrease their pay in whatever manner it comes -- I think that you're maybe referring to an appropriation bill, which we've been fiddling with that today. You know that to get voluntary reduction in pay from anybody on your staff or my staff in the private sector is like pulling teeth without Novocain, and, yet, that's something that passed over in the House unanimously and passed in this Chamber with ninety percent of the vote. So I think that when you make very substantial reform that - it's my personal interpretation that the Governor is playing to some audience - that it's good to have seventy-five percent of the reform, rather than put in jeopardy the reforms that this bill represents.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Syverson.

SENATOR SYVERSON:

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I guess my question wasn't real clear. Has the reduction already taken place right now? Is that reduced pay already in place for legislators?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Lauzen.

SENATOR LAUZEN:

I believe that the answer to your question is no, because we're still dealing with this in the process of the veto.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Syverson.

SENATOR SYVERSON:

My understanding is, yes, it has gone into place already. And so the reduction -- you know, you probably don't see it with your paycheck, but my understanding is, it has already gone into place. I mean, you probably didn't see it. Right. Because my understanding is, that it's already gone into place. So how does that work, I guess?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Lauzen.

SENATOR LAUZEN:

Okay, my impression is that it has not taken place because we're still dealing with in the normal legislative process. There may have been something with the furlough days. And I -- I -- I don't look that closely at it, but I don't think that I have seen the impact of this law on our paychecks. No, and -- and, by the way, I don't think our paychecks have gone down.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

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SENATOR LAUZEN:

Yes, thank you, Mr. President. I just ask for an Aye vote. There's substantial reform in this bill. I say three quarters of a loaf is better than no loaf at all.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Thank you. The question is, shall Senate Bill 2090 pass, notwithstanding the specific recommendations of the Governor. 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 49 voting Aye, 7 voting Nay, none voting Present. Senate Bill 2090, having received the required three-fifths majority, is declared passed, notwithstanding the specific recommendations of the Governor. We -- we will now proceed to the Order of House Bills 3rd Reading, page 3 of your Calendar. House Bill 806. Senator Harmon. Senator Harmon, do you wish to proceed? The gentleman wishes to proceed. Madam Secretary, please read the bill. Senator Harmon seeks leave of the Body to return House Bill 806 to the Order of 2nd Reading. Seeing no objection, leave is granted. On -- now on the Order of 2nd Reading is House Bill 806. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

..Amendment -- Floor Amendment 1, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the

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Senate. The underlying bill, House Bill 806, deals with the age eligibility for kindergarten. The amendment -- the first amendment that we're considering today would include a -- the creation of the Gateways to Opportunity professional development system for early childhood teachers. I'd move for its adoption and look forward to debating the full bill on 3rd Reading.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The second Floor amendment is a technical Floor amendment that corrects the substance of the original House bill. I move for its adoption.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Is there any discussion? Seeing none, all those in favor, vote {sic} Aye. Opposed, Nay. In the opinion of the Chair, the Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

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PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. Now on the Order of 3rd Reading, we have House Bill 806. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 806.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'd like to describe the two aspects of the bill. The first, the substance of the underlying bill as we've cleaned it up over here, would allow children who have attended a State-recognized private preschool and continued their kindergarten education at that school and who will turn six before December 31st of that year to start first grade if they transfer into a public school. Right now, I've heard from parents whose children are turned away from the first grade because they won't turn six until sometime during the fall. This would preclude them -- or allow them, subject to an assessment of their readiness, to -- to start first grade and not have to repeat kindergarten. The second component of the bill is an amendment offered by Action for Children and a coalition of early childhood advocates. It would create, subject to appropriation, a -- a new program in the Department of Human Services called the Gateways to Opportunity program. It's a professional development system for those teaching early childhood education. Again, it is subject to appropriation. I -- happy to answer any

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questions and I look forward to your support.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Thank you. Is there any discussion? Any discussion?
Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. To the bill: Senator, I -- I really do appreciate the first component of your bill. I think it's -- it's a good one that -- so that these children do not have to repeat a kindergarten program that they've already successfully been through. So I do applaud you for that. As well, the second part of the bill now, that creates development for teachers, I think, for early childhood, is probably a good aspect as well. But I think that right now -- and, you know, I realize the bill says it's subject to appropriation, but we have hundreds of bills that are on the books of the State of Illinois that are subject to appropriation. And I would like to see us, prior to passing any more bills subject to appropriation, having a tally of what each and every one of those bills would be and what the total cost to the State would be. So, again, this is an unfunded promise. I've said it time and time again. Although the -- it -- it has quite a bit of merit, I just have quite a bit of concern relative to the unfunded portion of the bill. Thank you.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SENATOR HARMON:

Very, very briefly. And -- and I -- it has been a while since we've looked at this substantively over the summer, but

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I've been reminded that this is, in fact, a program the Department is already running. It is not a statutory program, but it also enjoys private funding from the Joyce Foundation and the McCormick Foundation and other foundations. So, again, it is not -- it is still subject to appropriation, but there is private funding involved as well. And I think we're simply recognizing and codifying it.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The question is, shall House Bill 806 pass. All those in favor, 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 54 voting Aye, none voting Nay, none voting Present. House Bill 806, having received the required constitutional majority, is hereby declared passed. 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 327

(Secretary reads title of bill)

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 1371, with House Amendment 1 and 2 {sic}, and Senate Bill 1812, with House

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Amendment 1.

Passed the House, as amended, October 15th, 2009. Mark Mahoney,
Clerk of the House.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

There being no further business to come before the Senate,
the Senate stands adjourned until the hour of 10 a.m. on Friday,
October 16th, 2009. The Senate stands adjourned.