

STATE OF ILLINOIS
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REGULAR SESSION
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70th 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 -- will our guests in the galleries please rise? The invocation today will be given by Reverend Mark Gifford, Parkway Christian Church, Springfield, Illinois.

THE REVEREND MARK GIFFORD:

(Prayer by the Reverend Mark Gifford)

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Jacobs, to lead us in the Pledge.

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 28th, 2009.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Hunter.

SENATOR HUNTER:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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

SECRETARY ROCK:

Senate Resolution 494, offered by Senator Link and all

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Members.

Senate Resolution 496, offered by Senator Clayborne and all Members.

They are death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Resolutions Consent Calendar, Madam Secretary.

SECRETARY ROCK:

Senate Resolution 495, offered by Senator Sandoval.

It is substantive.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Introduction of Senate Bills, Madam Secretary.

SECRETARY ROCK:

Senate Bill 2493, offered by Senator Link.

(Secretary reads title of bill)

Senate Bill 2494, offered by Senator Meeks.

(Secretary reads title of bill)

Senate Bill 2495, offered by Senator Meeks.

(Secretary reads title of bill)

Senate Bill 2496, offered by Senator Meeks.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Will all Members at the sound of my voice please come to the Floor? We're going to proceed with substantive action. Again, all Members within the sound of my voice please come to the Floor so we can proceed with substantive action. Senator Risinger, for what purpose do you seek recognition?

SENATOR RISINGER:

Point of personal privilege, Mr. President.

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PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point.

SENATOR RISINGER:

I have with me today a Page, Jessica Birkey, who is from Logan Junior High School in Princeton. And her mother, LouAnn, is in the gallery. And also, her teacher, Julie Andris, is also in the gallery. We'll have 'em please rise and -- and give 'em a welcome, please.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please rise. And welcome to Springfield. Thanks for coming. Charles Thomas with WLS-TV Chicago requests permission to videotape. Permission is granted. Mike Melchiorre with WICS ABC 20 requests permission to videotape. Permission is granted. Senator Haine, for what purpose do you seek recognition?

SENATOR HAINE:

A point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point.

SENATOR HAINE:

Mr. President and Ladies and Gentlemen of the Senate, I -- at this time, I want to introduce Crystal Abbey, behind me here. And Crystal is a student at Southern Illinois University in Edwardsville. She is my third Vince Demuzio intern. This internship program was established in the name and in honor of our late Majority Leader. And all of these students have been superb. She lives in Senator Koehler's district and she thinks very highly of his work. Crystal Abbey, Ladies and Gentlemen.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Welcome to Springfield, Crystal. Hope you have a great

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day. Senator Hultgren, for what purpose do you seek recognition?

SENATOR HULTGREN:

Point of personal privilege, please.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point.

SENATOR HULTGREN:

Thank you very much, Mr. President. I am very pleased to have with me a Page today, Brian Anderson. Brian is a seventh grader at Edison Middle School in Wheaton, Illinois. And he is helping today as a Page. And also, his mom, Kenna Anderson, is up in the gallery up here. So I'm very glad to have them. Please welcome them with me.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Welcome to Springfield, Brian and Mrs. Anderson. Hope you enjoy your day. Thanks for coming. Senator Bond, for what purpose do you seek recognition?

SENATOR BOND:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point.

SENATOR BOND:

Today we have -- Taryn Wilcox is here visiting Springfield for the day, participating in the Page for a Day program. She's the daughter of Paul and Charis Wilcox. They reside in Gurnee, Illinois. Taryn attends Woodland Intermediate School in the 31st Senate District. Taryn also serves as the youth ambassador for the American Diabetes Association. And a little-known fact about Taryn is she is only three seconds away from qualifying

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for State in the breast stroke competition. Please wish her luck and welcome her to the Illinois State Senate.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Welcome to Springfield, Taryn. Have a wonderful day. Senator Luechtefeld, for what purpose do you seek recognition?

SENATOR LUECHTEFELD:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point.

SENATOR LUECHTEFELD:

I have two lovely ladies here from my district today that I would like to introduce to you, and hopefully you'll give them a warm welcome, Ruth Rieso and Linda Lehr.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Welcome to Springfield. Thanks for coming. Senator Sullivan, for what purpose do you seek recognition?

SENATOR SULLIVAN:

Mr. President, I have a point of personal privilege.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point, Mr. Sullivan.

SENATOR SULLIVAN:

Thank you very much. Ladies and Gentlemen, I have two guests here with me this -- this morning. To my left is Anna Herzberger. She's a senior in high school at Virginia High School. And she's going to be shadowing me today. And also with her is one of her teachers, Jeff Bennett, high school history teacher, also from Virginia. I'd like everybody to welcome them and give them a warm welcome.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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Welcome to Springfield. Hope you have a wonderful day. On the bottom of page 4 of the Calendar, the Order of House Bills 2nd Reading. House Bill 188. Senator Koehler. I'm sorry, 1188. Senator Koehler. Wish to proceed? Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 1188.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Executive adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

There been any further Floor -- any Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

3rd Reading. House Bill 4182. Senator Frerichs. Out -- out of the record. House Bill 4638. Senator Lightford. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 4638.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Have there been any Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

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PRESIDING OFFICER: (SENATOR CLAYBORNE)

3rd Reading. We have a very important, I guess, announcement that Senator Frerichs wants to make. So we would request that we have some silence in the Chamber so that Senator Frerichs can proceed. Senator Frerichs.

SENATOR FRERICHS:

Thank you very much, Mr. President. I'd like to take a moment to remember an outstanding citizen from my district who has bravely given his life in service to our country. Christopher Rudzinski was a twenty-eight-year-old Army sergeant from Rantoul. A daring and decorated soldier, Christopher was a member of the 293rd Military Police Company based out of Fort Stewart, Georgia. He was a loving husband to his wife, Caroline, and a proud father to his one-year-old son, Ryan. Christopher was killed last week while serving his fourth tour in Afghanistan when an improvised explosive device struck his vehicle. Sergeant Rudzinski was born to serve. The child of a third generation military family, Christopher spoke often and from an early age about how he wanted to drive tanks when he got older. But what separated Sergeant Rudzinski from many of his fellow soldiers was his compassionate nature. He wasn't just a soldier, he was a humanitarian. When Christopher would return from his service, he would visit local classrooms to speak with students about the importance of service. Before Christopher passed away, he and his father were in the midst of creating a care package program for suffering children in Afghanistan. It is no surprise that when Christopher returned to Rantoul this week, over fifteen hundred people turned up to pay their respects to his family, with several hundred local residents

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lining the motorcade route. Nearly every day we hear of brave men and women who give the ultimate sacrifice while serving their country. We often become desensitized to these tragedies because they seem so frequent, but this particular story hit really -- really hit home for me. I had the opportunity to teach Christopher at Rantoul High school when he was a student. He was always a very bright student and very determined individual. No doubt these qualities contributed to his success as a soldier. I ask that we take a moment to remember Sergeant Christopher Rudzinski and to pray for his family during these trying times. May they take solace in knowing that the world was a better place with Christopher in it and we are all deeply saddened by his loss.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please stand for a moment of silence. (Moment of silence observed) Thank you. Senator Althoff, for what purpose do you seek recognition?

SENATOR ALTHOFF:

Thank you very much, Mr. President. A point of personal privilege.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point.

SENATOR ALTHOFF:

Thank you. To the Body of the Senate, I, too, have very important guests with me today from my district. They not only are constituents, but they are extraordinarily good friends, great civic leaders - Cindy Swartzloff and John Sanders - both from the City of McHenry. May we give them a nice, warm Springfield welcome?

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PRESIDING OFFICER: (SENATOR CLAYBORNE)

Thank you and welcome to Springfield. Senator Bomke, for what purpose do you seek recognition?

SENATOR BOMKE:

Thank you, Mr. President. A point of personal privilege.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

State your point, Senator.

SENATOR BOMKE:

There's some students that just entered the galleries to my -- to my right that are from -- visiting here from the University -- that are visiting here from the University of Illinois in Springfield. I would ask that you help me welcome 'em here to the -- at the Capitol.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please stand and -- and we welcome you to Springfield. Hope you have a wonderful day. Madam Secretary, Introduction of Senate Bills.

SECRETARY ROCK:

Senate Bill 2497, offered by Senator Forby.

(Secretary reads title of bill)

1st Reading of the bill.

And Senate Bill 2498, offered by Senator Jacobs.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Madam Secretary, do you have any motions on file.

SECRETARY ROCK:

Yes, Mr. President. A motion has been filed with respect to the Governor's action on House Bill 2279 by Senator Dillard.

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PRESIDING OFFICER: (SENATOR CLAYBORNE)

Madam Secretary, please print it on the Calendar. Senator Millner, for what purpose do you seek recognition?

SENATOR MILLNER:

Thank you, Mr. President. I'm here to introduce my Page for a Day, Carlos Borro, who is also a trustee for Harper College. And we just welcome him to Springfield here today.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Welcome to Springfield, Carl {sic}. Thanks for coming. Senator Kotowski, for what purpose do you seek recognition?

SENATOR KOTOWSKI:

Thank you, Mr. President. It's a pleasure to see you today. Great -- always great to see you in the Chair. Thank you, Ladies and Gentlemen of the Senate. It gives me great pleasure today to introduce my mayor, of Park Ridge, Dave Schmidt. He was recently elected by a -- a very pronounced number in our area. People are strongly behind him. He's doing a wonderful job of encouraging great involvement in the community, great economic development. He's a wonderful addition to the leadership and our city. And I wanted to give him a great Springfield welcome, to Dave Schmidt, the Mayor of Park Ridge.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Welcome to Springfield, Mayor Schmidt. Glad to have you here. Thank you. Senator Forby, for what purpose do you seek recognition?

SENATOR FORBY:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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Please state your -- your point, Senator.

SENATOR FORBY:

Today I have a -- a mayor here from Metropolis, Illinois. They're sitting up in the audience, and he's got his right-hand man, Andy Clarke, with him. And I wish Mayor McDaniel and Andy Clarke would stand up today and the Senate give them a nice welcome. We're going to try to run them a bill for them today.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Welcome, Mayor. The home of Superman. Welcome to Springfield. Thanks for coming. On page 5, at the bottom of the Calendar, we're going to go to Concurrence, Senate Bills. Senator Dahl, do you wish to proceed? Senator -- Madam Secretary, read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 227.

Filed by Senator Dahl.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Dahl, to explain. Can -- can we have some -- make it a little quieter? Thank you.

SENATOR DAHL:

Thank you, Mr. President. Senate Bill 227 is a concurrence with the -- with the House on -- on the TIF extension for the cities of Mendota, Cahokia and Belleville from -- adding another ten years on for the -- twenty-three years to thirty-five year for these communities. The -- all of the paperwork's been done and all the taxing bodies have concurred. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is,

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shall the Senate concur in House Amendment No. 1 and 2 to Senate Bill 227. All those in favor, 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 Yea, 1 voting Nay, 1 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments 1 and 2 to Senate Bill 277 {sic} (227), and the bill is declared passed. Senator Link, for what purpose do you seek recognition?

SENATOR LINK:

Thank you, Mr. President. A point of personal privilege.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point, Senator Link.

SENATOR LINK:

Today I have the privilege of introducing my newest House Member, who replaced Representative Ryg. The newest House Member of the -- 59th House District, Representative Carol Sente. And I wish the Senate to give her a warm welcome.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Welcome to Springfield. Glad to be -- glad to have you here. Senator Lightford, what purpose do you seek recognition?

SENATOR LIGHTFORD:

Thank you, Mr. President. Personal privilege, please.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I, too, would like to welcome Michael Jackson to the Illinois General Assembly. He is a resident of the Village of

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Broadview, a graduate of Concordia University. And he's here with me today and he will be interning with me. So please welcome Michael Jackson to the General Assembly.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Welcome to Springfield, Michael. Senate Bill 327. Out of the record. Senate Bill 932. Senator DeLeo. Madam Secretary, read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 2 to Senate Bill 932.

Filed by Senator DeLeo.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator DeLeo, to explain.

SENATOR DeLEO:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. We move to concur in the House amendments {sic}. It makes -- this is the school bus driver communication Act. The House watered it down as usual. But it requires that the school bus must contain an operating two-way radio while the school bus driver is in possession of the school bus. And finally, the amendment adds the requirement that a school bus driver must test the two-way radio to ensure that it's functioning on an operating school bus. We took out the digital and the cellular and the GPS because the school bus -- school districts didn't want to spend -- spend money for safety of children, so I understand that. So I move to concur in the -- I move to concur in House Amendments No. -- Amendment No. 2.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Senator Righter.

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SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

He indicates he will yield, Senator Righter.

SENATOR RIGHTER:

Thank you. Senator DeLeo, I remember us discussing this bill at some length in the Executive Committee and then you made some changes before it left this Chamber. One of the issues that we had discussed was, if a school bus is pulled over and found not to have a two-way radio in it, to whom will the citation be issued? Would it be issued to the driver? Will it go to the school district? And if it does go to the driver, will the school district have to pay it or is that subject to negotiation? Can you provide a little clarity on that?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator DeLeo.

SENATOR DeLEO:

Thank you, Senator Righter. Those penalty provisions were removed in the House, and if the -- it's -- it's the responsibility of the bus company now. So there is no ticket issued to the driver.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

SENATOR RIGHTER:

In a situation where the bus is owned by the school -- you said bus company. If -- and obviously buses are either owned by private companies and they're leased by the school districts or they're owned by the school districts themselves. So, the penalty then would be directed either to the school district or

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to the private company that owns the bus?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator DeLeo.

SENATOR DeLEO:

I've been advised by staff that this House amendment removes the entire -- penalty provision.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

SENATOR RIGHTER:

So, if a bus or a fleet of buses all are found not to have 'em, then we -- there's -- nothing will happen then? Nothing will happen. Fair enough. The -- the second question I have, Senator, is, just, do you have an idea of how much it would -- it costs for two-way radio installation in a -- in a school bus?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator DeLeo.

SENATOR DeLEO:

No, we don't have an estimated number on that, Senator.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

SENATOR RIGHTER:

To the bill, please, Mr. President. Ladies and Gentlemen of the Senate, I would assume most, if not all, of us in this Chamber are getting calls from your school districts, saying that the State hasn't paid us in four months or six months. School districts are going out, they're borrowing money in order make up for the lack of general State aid payments. This is an unfunded mandate. To the sponsor's credit, he's -- he agrees with that and says this is worth it. I -- I have talked to a

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local school district back home who tells me that they believe that it's going to cost somewhere between four hundred and five hundred dollars a bus to have these installed. I suppose that depends on the area of the State in which you are at. But if you multiply that figure by the number of school buses in the State of Illinois, you come to a figure of around thirteen million dollars. That may be high; that may be low. We don't have another estimate. So, for those of you who -- who are concerned about unfunded mandates and get a call on a regular basis or calls from people in your school districts who are worried about the State telling school districts what to do but not paying the bill, then please watch this bill with caution. Thank you, Mr. President. Appreciate it.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Thank you, Senator. Any further discussion? Seeing none, Senator DeLeo, to close.

SENATOR DeLEO:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. If you'll remember when we first started this legislation, when everybody was so worried about cost - cost for child safety - we -- know, free rides for seniors. We're worried about all this and we come up with these estimated costs, and this person, the head of CTA, said, "Well, it's going to cost thirty-seven million for free rides for seniors." And today I hear a figure, it's going to cost nineteen million dollars to put -- two-way radios in school buses. First of all, most of 'em have 'em, number one. And since this incident -- since this very first incident that this started from - the child in Niles, Illinois - there was a newspaper clipping the

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other day that this happened once again. A child was left on a school bus in Hyde Park. And the bus was taken back to the bus yard and the child's sitting in the back of the bus. This is two students in the last sixty days -- ninety days. What are we going to wait? Till -- when -- when a child's missing? Then we're going to go spend a couple hundred dollars for two-way radios. This is a safety factor to know where your children are at. If we worry about a couple hundred dollars for two-way radios for safety, then we should all get out of this business. Mr. President, I ask for a Yes vote on this very important matter.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The question is, shall the Senate concur in House Amendment No. 2 to Senate Bill 932. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There are 40 voting Yea, 18 voting Nay, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment No. 2 to Senate Bill 932, and the bill is declared passed. Senator Crotty, on Senate Bill 1371. Do you wish to proceed? Madam Secretary, read the bill.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1371.

Filed by Senator Crotty.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Crotty, to explain.

SENATOR CROTTY:

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Thank you very much. This House amendment really replaces the bill. It is no longer having to do with nurse practitioners. This amendment changes the law by creating a new section for the outdoor facilities on the AED legislation that was passed six years ago. Sometimes schools or park districts allow youth groups to come in and use their -- their grounds. And -- and the law was interpreted that the -- the facility that was allowing not-for-profit or for-profit groups to come on their property would have to have their AED and have their employee there. This corrects that. The only time the AED and an employee that was trained to use that would be at that facility is only if that facility was running that event. So I think this is making it perfectly clear that schools and park districts and municipalities that have property that leave {sic} youth sport groups come in and practice, that they are not liable to have their AED or their trained employee there. It also makes sure -- it narrows the definition of individuals to include those persons actively engaged. I think there was -- I think the law said a hundred participants. Well, if a -- if it's a -- a mommy/baby exercise class, it would only be the participants in that and not anyone that would be there looking on as -- as counted as an individual. So, I ask for a Yes vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Jacobs, for what purpose do you seek recognition? Is there any discussion? Senator Dale Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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Sponsor indicates she will yield, Senator Righter.

SENATOR RIGHTER:

Thank you. Senator Garrett {sic}, as you know, we've had AED legislation floating around this General Assembly for what seems like a decade and to the point now where people, when they hear that there's another AED bill out there, they kind of sit up and say, "Wait a second, what are we doing here?" And -- and I want to make sure we're clear on just that issue. Right -- as the law stands now, if the Mattoon YMCA wants to have a softball tournament and they play it at a school district's softball field, the AED mandate would apply. Is that correct, as the law stands now?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Crotty.

SENATOR CROTTY:

Yes, that's correct.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Dale Righter.

SENATOR RIGHTER:

What you are suggesting with this bill is that that -- in that instance then, the YMCA would not have to bring an AED to the softball field. And as long as the school district doesn't have people out there, they're not liable either. Is that -- is that what -- the change that this bill will make? It will narrow the scope of liability or eliminate the liability in situations just like that. Is that correct?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Crotty.

SENATOR CROTTY:

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That's correct.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Dale Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Simply to the bill: I rise in support of the bill and I want to congratulate Senator Crotty on a first. I think of all the AED bills that have floated around here for a long time, I think hers is the first that actually brings some common sense and some clarity to the law and helps the locals deal with this issue, rather than telling them more and more what they have to do without any money. So, Senator Crotty, thank you very much for bringing the bill and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Any further discussion? Seeing none, Senator Crotty, to close.

SENATOR CROTTY:

No. Thank you very much.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1371. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There are 59 voting Yea, none voting Nay, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 1371, and the bill is declared passed. Senator Schoenberg, on Senate Bill 1732. Wish to proceed? Madam Secretary, read the -
- read the motion.

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SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 3 to Senate Bill 1732.

Filed by Senator Schoenberg.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Schoenberg, to explain the motion.

SENATOR SCHOENBERG:

Thank you, Mr. President. I move that the Senate concur in House Amendments 1 and 3 to Senate Bill 1732. House Amendment No. 3 is effectively a trailer to Senate Bill 51, which, you may recall, we overrode the Governor's amendatory veto when we were last here at the Capitol. That bill is a sweeping contracting and investment procurement reform legislation. This amendment simply changes the effective date back to July 1, 2010. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Senator Jacobs.

SENATOR JACOBS:

I'd like to move the previous question, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

So -- so moved. Senator Dale Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

...bill, Senator Righter.

SENATOR RIGHTER:

Thank you. Ladies and Gentlemen of the Chamber, the effect of Senate Bill 1732 is very simple: It is to delay the implementation of the sweeping ethics reforms. Of the few -- of

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the few - very few - ethics bills that actually became law earlier this year or was passed by the General Assembly, this is it. This is one of those. And Senate Bill 1732 would push back the effective date by six months. So the question really is very clear for us here and for your constituents back home. If you're for waiting another six months before we impose these new ethics regulations, then you should vote Yes. If you think we should have another six months of whatever this law would not prohibit, then you should vote Yes. If you believe that this ethics reform should go into place on January 1st as originally scheduled, you should vote No. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Thank you, Senator. Senator Schoenberg, to close.

SENATOR SCHOENBERG:

Thank you. Just to clarify, these reforms have not yet become law. They're currently pending the override of the amendatory veto back in the House and I anticipate that will occur this week. Because of the need to reconcile federal transportation procurement law with State procurement law, we require a bit extra time. In order to ensure that independent chief procurement officers are able to be put into place in a timely basis, we need just a little more time. And, finally, this -- the toughest penalties in the nation for violation of pay-to-play in municipal securities -- in -- that's groundbreaking new law for us and we need a bit more time in order to ensure that we do it right the first time. So for that reason and since this has not yet become law even, I ask your indulgence for an Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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The question is, shall the Senate concur in House Amendments No. 1 and 3 to Senate Bill 1732. 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 37 voting Yea, 21 voting Nay, and 1 voting Present -- none -- I'm sorry, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments 1 and 3 to Senate Bill 1732, and the bill is declared passed. Senator Haine, do you wish to proceed on Senate Bill 1894? Madam Secretary, read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1894.

Filed by Senator Haine.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine, to explain the motion.

SENATOR HAINE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This motion to concur for the two House amendments -- the House added amendments. This is the bill, as you recall, which was the real estate licensure Act. We must have a regulatory scheme in Illinois and this is the last year before it sunsets. So the Senate passed this matter some time ago, in -- in the spring, and the House added recently two amendments which included provisions from other bills and matters. One of the things they added was a much good that resulted from Senator Collins' work on establishing a priority for municipalities who are forced to secure and clean up abandoned property. And that

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of course passed the Senate overwhelmingly also. Next, it included some predatory lending database extensions to Will, Kane and Peoria counties, which are now extant in Cook County. The last provision was Senate bill -- was a -- in a previous bill, Senate Bill 268, which allows community banks to acquire up to fifteen percent - now, I believe, the cap is five percent - of another bank's stock, and this allows banks to survive in this difficult times. These are small banks and some of them are in jeopardy. And that's in essence what the two House amendments do.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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

SENATOR ALTHOFF:

Thank you very much. To the bill: I, too, support this piece of legislation and think it needs to pass. However, I do want to draw attention to a portion of this legislation that I intend to address as we enter into next Session in January. This bill contains an expansion of a database program to three new counties. We're not even sure that it works in Cook County. It's a 1.5-million-dollar expenditure currently, which we're not sure of its effectiveness, and it's a non-bid contract. At a time when Illinois is facing some substantial financial challenges, I think that this is one of the programs that truly needs to be investigated further to see if this is a wise expenditure at this time. Otherwise, the legislation needs to move forward for our Realtors and I would urge an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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Senator Syverson.

SENATOR SYVERSON:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates he will yield, Senator Syverson.

SENATOR SYVERSON:

Senator, I'm going to support this legislation, but I know there were some concerns raised by the -- the Illinois Rental Property Owners Association dealing with how abandoned properties are defined and the problem that creates for apartment owners. Now there's not time to get that language cleaned up. So I guess my question to you is, are you open to sitting down and working with them on legislation next year to address some of the concerns that both the Chicagoland area and the downstate apartment associations had in that definition which creates a problem for them?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine.

SENATOR HAINE:

Thank you, Senator, for that question. My answer to you is, I don't know if I'm open to that. The -- the -- I've talked to some representatives of that group and their issues concern notice and a few other things. Then these matters were thoroughly aired in Senator Collins' bill and she -- she's the expert in that bill. But I don't personally find the issues that were raised to me on behalf of that group to be enough to change the law, unless I'm not seeing something in the legal definition. So, I mean, I -- I -- I -- I don't know. I don't want to commit here to saying I agree with -- with them. I

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previously voted for Senator Collins' bill and I agree with her.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Syverson.

SENATOR SYVERSON:

Yes. I guess I'm not looking for any commitment, because I don't have the language in front of me as well. So, I guess we'll just -- we'll sit down later. We'll readdress those issues and see if there are some common ground that can be addressed to look at some of their concerns and especially in some of those specific urban areas. So, we'll -- we'll discuss that then next year.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. Chairman -- Mr. President and Ladies and Gentlemen of the Senate. Let me address Senator Syverson's concerns. I think the landlords were looking at the legislation in a very limited way and not putting it into context. I think they had problems with just the definition of "abandoned property". But if I were to put it into context, if they read the whole legislation, it deals with only properties that are in foreclosure. And so it's only giving a priority lien to those municipalities that have been in the service of upkeep and expenditures, where they can recoup their -- their moneys after the property goes into foreclosure and for sale. So I think, and giving in to the context, it's a very limited scope and really doesn't apply or would it have any affect because the property would be in foreclosure. So it would -- it'd be an understanding between the banks and the municipality and the

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purchaser of the property. So I stand in strong support of this legislation.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Lauzen.

SENATOR LAUZEN:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates he will yield, Senator Lauzen.

SENATOR LAUZEN:

Senator, I think that the great majority of us want to support your legislation because of the underlying provision - the benefit to the real estate brokers. I have the same concern that Senator Althoff has about the database being applied to my home county. The calls that I'm getting in -- you know, Senator Althoff puts it very nicely, that, well, we don't know at this point. I got to tell you, the verdict's in from the people who are calling my office. They say that it's a mess. It's unnecessary. It's expensive. It's just going into the -- it's -- it's failed. So now we're going to apply it to my home county, Will, and I think Peoria County. And so the question that I have for you is, you had said before that you're -- no, I think that it was Senator Althoff asked if you're going to work on language that will somehow assess to either improve that program so that it's working or scrap it because it has failed. Are you committing to working on that effort?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine.

SENATOR HAINE:

Senator -- Senator Lauzen, I appreciate your support for

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the -- the gist of the bill, but I can't commit to working on that issue. I don't know enough about it. I mean, I -- I mean, I -- I really -- I'm trying to be honest as I can. I mean, I'll be -- obviously, I'll be an interested Member of the Senate. I'm not on any -- any committee in the Senate which would deal with that problem. I mean, I will watch the debate and -- and hear your arguments against it and see how it unfolds.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Lauzen.

SENATOR LAUZEN:

Senator, I certainly appreciate the rationality of the answer that you just gave. If you were like a bystander on the issue, I would say, "Yeah, that makes sense." The problem is, in your bill, in accepting those amendments on and moving a concurrence forward, you are saying to the people in my Senate district and in my home county that they should have inflicted upon them a very bad thing. So, it's not a neutrality in this kind of thing. There is a serious flaw in the amendments that, unfortunately, you had no control over coming over from the House. However, you do have control over a commitment of your intention to improve what's -- damage that's being done. They're creating a new industry. We all recognize that. I don't want that industry applied to commerce and home ownership in the district where I serve. If you didn't play an active role today in applying it to us, then I'd say, "Sure, you know, just take a look at it both ways". But you are affirmatively inflicting a problem onto people who I serve and I just ask in - - in -- for my -- in order for me to vote for this, I want you on board to correct, you know, the pieces of imperfect

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legislation, which we all appreciate and understand.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine.

SENATOR HAINE:

Senator Lauzen, I appreciate that. I -- I will be happy to participate in a discussion without intellectually agreeing that this is a flawed bill. I will have an open mind and I'll participate in any meeting you set up on it, because I don't know. There -- there was a person who testified at the committee who said, actually, this predatory loan provision is working. But that's a -- a debate for another day. And I'm -- I suppose I'm like the -- an engineer of a train that's moving down the track and I've discovered that someone has attached a car, a caboose, on it, but I can't stop the train to -- to dislodge the caboose.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Mr. President. I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates he will yield, Senator Sullivan.

SENATOR SULLIVAN:

Thank you. Senator Haine, several of my colleagues have raised some issues about this legislation. I have another area of concern that I have. Can you -- tell me, does this bill eliminate a real estate salesperson's license? Does it eliminate salespeople in the real estate business?

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Senator Haine.

SENATOR HAINE:

It doesn't eliminate them as a licensee. It eliminates the classification of salesperson. They become brokers. And -- and then there's another provision for managing brokers and then there's another provision for an entry-level licensure. So, yes - it doesn't take away their license; there's a transition period here - it takes away the classification.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Sullivan.

SENATOR SULLIVAN:

And so, Senator, why are we changing the classification and eliminating the salesperson's license? What has happened that has caused this legislation to take effect? What -- what dramatic event has taken place that would -- that would call for this type of action, to take away the -- the classification of a salesperson, which, according to my numbers, there are nearly forty-five thousand licensed salespersons in the State of Illinois that now will have to become brokers? Can you answer that question, please?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine.

SENATOR HAINE:

It was the -- the opinion of the Association that this more clearly defined the professional duties and was easier for the consumer to understand. It provides also, in that framework, more training and coursework so that people can better serve the consumer. It raises the level of competence so that consumers can be, again, relatively certain that the person licensed by

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the State of Illinois is someone who's competent and diligent in -- in these affairs. But this is the debate which has occurred within the Association over the past two or three years. This is not a new concept for them. Many of them now, frankly, are somewhat disconcerted by the fact that they -- they have to take another course or more training. But there's a transitional period here. These matters will be handled by the Association. So these are -- these are colleagues and friends. They're not intended -- this doesn't create a scheme where the Association is adversarial to its own members. That would be self-destructive.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Sullivan.

SENATOR SULLIVAN:

Senator Haine, I know about the good job that the Association does and -- and I appreciate their efforts. But I think it's important for you and the Members of the Senate to understand that the Association actually represents a small -- a minority part of the licensed real estate salespeople -- brokers and salespeople in the State of Illinois. And I have heard -- and I don't know if anybody else has, but I've heard from a number of my real estate salespeople and brokers who, first of all, had no idea that this legislation is -- is -- was going through the General Assembly here, first of all, and actually are very fearful. There are, as I mentioned earlier, forty-five thousand licensed salespersons in the State of Illinois who are, generally speaking, part-time real estate people, which is good. They're -- they've found this to be another occupation. They're doing it on the side. They're doing it, perhaps, over the

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summer and they're teachers and they're retired people who are working under the supervision of a broker. And that broker is responsible for their salespeople that are licensed underneath them. They do not - I'm talking about the salespeople that have brought this to my attention - do not want to become full-time brokers. That is not their -- that's not -- that's why they're a salesperson instead of a broker right now. I've been a licensed real estate -- I was licensed as a real estate salesperson in '83. I was licensed as a broker in '85. I think that we are moving way too far with this legislation. I think we need to take a step back. We're all very aware of the sunset date that's approaching and that does need to be addressed. But these additional requirements and education requirements and so on and so forth, I think are unnecessary. And for that reason - - I hate to oppose my good colleague's legislation, but it would be my recommendation to my colleagues to -- to vote No on this legislation in its present form.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine.

SENATOR HAINE:

Thank -- thank you, Senator Sullivan. I appreciate your -- your comments. I just want to note that there's a transitional period, as I referred to, until 2012 to move from this category of salesperson to broker. And they -- and to -- to do that, they can satisfy that by taking a proficiency exam. And, again, I just don't -- I can't conceive that's going to be an obstacle to many people. But they -- this is a transitional period. If there are bumps in the road, this General Assembly is -- are -- we are going to be able to observe those bumps in the road in

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the coming year or -- or two. I understand the angst, but this issue has been around. We passed this matter before. It's been around in the Association. And now that people are focused on it -- they always focus on it as we get to the seriousness of passing a bill. I respect that. But there are ways to mitigate this. The -- the Association has mitigated it with programs to raise comfort levels, to provide for sufficient training to take that exam, and you've got, again, till 2012.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Koehler. Oh, I'm sorry. Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Mr. President. My name was used and that's why I -- I come back for just -- for just a final comment to the bill. And, Senator Haine, again, I appreciate your works here and I appreciate the works of the Association. The issue that I have with this legislation is that it is eliminating eventually - there is a phase-in period, you're absolutely right - but it is eliminating those individuals who want to be -- sell real estate as part-time. Now, if people have a problem with that, then I guess then they can support this legislation. But I feel very strongly that there are individuals who are very qualified to be salespeople, because they are under the supervision of a broker. That broker is responsible for them, to make sure that they are doing -- following the law and doing the -- doing everything proper. But I do not believe that we need to eliminate the part-time individuals who are salespeople and make it more difficult for them to -- to obtain their licenses. And I thank you very much.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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Senator Haine.

SENATOR HAINE:

I -- I just want to respond to my -- my distinguished and learned colleague on the point that this bill will not prohibit part-time real estate sales brokers. Someone can be a broker, transition in -- in -- into this and still work as many hours that he or she desires to do. There's no minimum number of hours you have to work. Just as in a -- as I'm a licensed lawyer, the Supreme Court doesn't tell me I have to work five days a week. In fact, most lawyers would be out of business if they had to work five days a week.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Koehler.

SENATOR KOEHLER:

Thank you, Mr. President. To the bill: This is a bill that I actually was sponsor of last spring. It was Senate Bill 268 at that point. And the piece of controversy that's been mentioned by a couple of my other colleagues on the predatory lending database, let me just say to Senators Althoff and Lauzen that I will commit working with you in monitoring this. I've conferred with the Senators on this side of the aisle whose areas are affected. That's Senator Holmes and Senator Wilhelmi, myself for Peoria County. This is an issue that we do have to watch. And we have to make sure that it -- it gets at what we think the good it can -- it can do without, you know, overburdening the -- the -- the whole system. I think personally that the mortgage industry has changed drastically since this legislation was first drafted. We're not in the same place that we were a year ago or two years ago. So that's my

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commitment to the two Senators that have mentioned this, Senator Lauzen and Senator Althoff, that I will work with you in -- in taking a look at this again if we should pass this. There are some important provisions of this bill that do need to be passed today. So I'm going to vote Yes, but you have my commitment to work with you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates he will yield, Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Senator, just a couple of, I hope, quick questions and I -- you did explain one of them - that it does not necessarily eliminate a part-time -- what will be called a broker in the future. It just states that they have to jump through a few more hoops - I'm going to guess some additional education, some things like that - to become that broker. Do we have any idea of what the cost of those programs might be?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine.

SENATOR HAINE:

No. I -- I can't conceive they'd be anything more than minimal.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Burzynski.

SENATOR BURZYNSKI:

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Thank you, Senator, and -- and, you know, I have grave concerns with the other provisions in this bill outside of the licensure Act itself for the -- for the Realtors. But I have a question to ask you and I don't know if you can answer, but maybe your staff can. What happens if we don't pass this legislation today? Will Realtors no longer be able to practice? Will they no longer be able to sell after -- sell after January 1st? Or will there be some other provision? Because there are a lot of concerns with -- with this piece of legislation. And I'd just like to know. I don't know that I've ever seen it. But what would happen if we did not pass the legislation today?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine.

SENATOR HAINE:

That's a profound question. The entire regulatory scheme of real estate would cease to exist. So, you would have -- it would be a major free-for-all, where you would have fraudulent salespeople, brokers, what -- whatever, plying the highways and byways of the State selling real estate and, in -- in effect, taking money from citizens either with the intent of fraud or they'd be doing it because they are grossly incompetent. So the -- it would just collapse.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Burzynski.

SENATOR BURZYNSKI:

Just -- just as a -- as a quick follow-up. I -- I do understand. That's worst-case scenario; it could simply collapse. I guess there are other options that are out there as well, if we were to be able to be sure that we could get these

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other provisions removed. We could always have a Special Session to deal with this issue as well. So -- maybe December 24th or something like that. I -- I don't know. But I -- I just have some grave concerns with the bill as it's written - not necessarily the real estate licensure part of it, but some of the other aspects. Thank you, Senator.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Seeing no further discussion, Senator Haine, to close.

SENATOR HAINE:

I would strongly urge my colleagues to vote for this bill. This is absolutely necessary to maintain the integrity and the competence of the State of Illinois in its ability to regulate and license this most important industry. It's got to be done now. As to the -- the issues between the real estate industry itself, the internal debate going on, this has been going on for a number of years. And this is the fruition of -- of it. There is a transitional period, as I have indicated, to 2012, which means we have two full years of legislative Session to correct any problems which may result in the way this matter is transitioned. As to the other portions of the bill, we have the Community Bankers bill, part of it, which is very important to - - to them. And they are strongly urging an Aye vote. This passed before. And without this, there are some banks that may be lost. They may fold. The -- the most problematic portion is, of course, the predatory loan provisions, and there are strong arguments, well made on both sides, that it -- that these provisions have helped in Cook County, stemmed the tide of predatory loans. There are well-made arguments on the other side that it's been an ill-conceived, ill-executed effort, which

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shouldn't be applied to these three counties. That's an issue which also can be raised in another Session. It certainly wasn't my idea to put that car on this train. But I'm asking for an Aye vote so that we maintain our licensure of one of the most important foundational industries in this State, the real estate industry, to assure honest, competent salespeople, brokers, managing brokers and maintain the image of the State - which has been really in tatters - maintain the image of the State as to its ability to license these professions. I would ask, even though one may hold their nose, I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Thank you, Senator Haine. The question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 1894. 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 53 voting Yea, 2 voting Nay, 3 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments 1 and 2 to Senate Bill 1894, and the bill is declared passed. Senator Forby, do you wish to proceed on Senate Bill 2106? Madam Secretary, read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 2106.

Filed by Senator Forby.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Forby, to explain the motion.

SENATOR FORBY:

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Thank you, Mr. President. I want to concur with House Bill {sic} (Amendment) No. 1. No. 1 becomes the bill. Senate Bill 2106 creates a Massac-Metropolis Port District, which includes all of Massac County. This is the eighteenth port district that we've run through the General Assembly. There's nothing different in the other eighteen districts we run. It'll be the same as that. This Port District will manage an airport, a water port on the Ohio River. The State is not responsible for any -- any of the District bond debts. There will be a seven-man board in this District. The Governor will appoint four and three of the largest towns - one mayor of each town - will put the other member in. And what this is all about is jobs. You know the State of Illinois needs jobs. We got a lot of farmers in our district. We got coal. We need to be using the Ohio River.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Senator Dahl.

SENATOR DAHL:

Thank you, Mr. President. To the bill: This bill passed out of committee unanimously. However, for those Members that need to know, there is the possibility of a tax increase here, but it does take a referendum in order to have it.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Thank you -- thank you, Senator Dahl. Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. I care about southern Illinois very much. I rise in support of this bill. And I met yesterday and had the privilege of meeting yesterday with the Mayor of Metropolis who was here, Senator Forby, and he explained this

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bill to me, and I share Senator Dahl's concerns, but it -- it has to be a referendum if there will ever be new revenue for this. But most importantly, I think that if we do not do this on our side of the Ohio River, the good people of Kentucky, which produced my mother, will eventually figure this out. And these jobs ought to be on the Illinois side of the Ohio River, not on the Kentucky side. Several hundred people will be put to work by this and I think this is a very good idea. And doesn't matter if you're from Chicago suburbs or where you're from, this is good for the State of Illinois and I rise in support of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Thank you, Senator Dillard. Senator Jacobs.

SENATOR JACOBS:

I rise in strong support of Senator Forby's bill. It's very nice to hear the word "jobs" in this Chamber. Seems like the only thing we don't talk about is borrowing a billion dollars like we did yesterday. We don't talk about creating jobs. We don't talk about opportunity. I salute you, Senator, for using that dirty word, that four-letter word, j-o-b-s.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Seeing no further discussion, Senator Forby, to close.

SENATOR FORBY:

Thank you, Mr. President. As -- as you've heard in here today from everybody on both sides of the aisle, jobs is our number one issue here today and that's what this bill is all about. And I want to thank everybody for speaking on this bill. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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Question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 2106. 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 49 voting -- voting Yea, 8 voting Nay, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments {sic} No. 1 to Senate Bill 2106, and the bill is declared passed. Turning to the top of page 7. Senator Demuzio, on Senate Bill 2148. Madam Secretary, read -- read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 and 5 to Senate Bill 2148.

Filed by Senator Demuzio.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Demuzio, to explain the motion.

SENATOR DEMUZIO:

Yes, thank you, Mr. President. Yes, this -- House Amendment 1 and 5 to Senate Bill 2148 deletes the underlying language and it rewrites the bill. And this amendment amends the Military Code of Illinois by authorizing the Department of Military Affairs, subject to appropriation, to expand the eligibility for grants given from the Illinois Military Family Relief Fund. Presently, we do have money in the -- according to the Comptroller's website, we have about 2.4 million dollars. We are receiving available funds. What this does is to expand it. And subject to appropriation and additional dollars, the program would be expanded.

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PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendments 1 and 5 to Senate Bill 2148. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Yea, none voting Nay, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments 1 and 5 to Senate Bill 2148, and the bill is 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 146

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 3.

We have received a like Message on Senate Bill 1896, with House Amendment 1.

Passed the House, as amended, October 29th, 2009. Mark Mahoney, Clerk of the House.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The Senate will stand at ease for a few moments.

(SENATE STANDS AT EASE/SENATE RECONVENES)

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PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Sullivan, for what purpose do you rise?

SENATOR SULLIVAN:

Thank you, Mr. President. A point of personal privilege.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point, Senator.

SENATOR SULLIVAN:

Ladies and Gentlemen, I have a -- a group of students here from Monmouth College, up in Monmouth, Illinois. They are participating in a campaign and elections class. They are under the supervision of their teacher, Robin Johnson. They are up in the gallery on the Republican side. And I'd like everybody -- would you, Ladies and Gentlemen, please rise? And we'd like everybody to welcome them to the Illinois State Senate.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Welcome to Springfield. Glad to have you here. 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 1942

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 a like Message on Senate Bill 2109, with

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House Amendments 1 and 3.

Passed the House, as amended, October 29th, 2009. Mark Mahoney,
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PRESIDING OFFICER: (SENATOR CLAYBORNE)

President Cullerton in the Chair.

PRESIDENT CULLERTON:

Senators, I'd like to make an introduction. We have a
number of consuls here visiting Springfield from the Ibero-
American Association. And we have our own Iris Martinez,
Senator Iris Martinez, who will make the introductions. So I'd
like to have Senator Martinez come to the -- preside.

SENATOR MARTINEZ:

Thank you. Today's a very special day here in Springfield.
We are actually visited by a wonderful group of individuals from
all over the countries as consul generals {sic}. I'm going to
introduce Dr. Castillo, who will then say a few words to the
Senate. But I -- I wanted to introduce Joao Andre Lima, the
Acting General Consul of Brazil; Jose Miguel Gonzalez, Consul
General of Chile; Nancy Pulecio Velez, Consul General of
Columbia; Gonzalo Andrade, Consul General of Ecuador. We have
Patricia Maza Pittsford, Consulate General of El Salvador --
Salvador and she's also Dean of Chicago Consular Corps and Vice
President of the ACIC; Ambassador Javier Ruperez, Consul General
of Spain. We have Jesus Rodriguez, Consul General of Venezuela,
and, of course, the great lady from the Dominican Republic, Dr.
Castillo - Gisselle Castillo Veremis.

DR. GISSELLE CASTILLO VEREMIS:

(Remarks by Dr. Gisselle Castillo Veremis)

PRESIDING OFFICER: (SENATOR HENDON)

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Senator Hendon in the Chair, so let's move these bills. Ladies and Gentlemen of the Senate, we're going to go to resolutions. So if you have a resolution to be passed, you need to be on the Senate Floor. We're going to resolutions. On the Order of Resolutions is Senate Resolution 432. Senator Trotter. Madam Secretary, please read the resolution. Senate Resolution 432. Senator Trotter. Madam Secretary, please read the resolution.

SECRETARY ROCK:

Senate Resolution 432, offered by Senator Trotter.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Trotter, to explain the resolution.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. Senate Resolution 432 recognizes the Black Wall Street of Chicago as a premier organization in the State of Illinois and celebrates the recognition of a Black Wall Street in the City of Chicago. It recognizes the potential to recreate on East 75th Street, which is in Chatham, one of the oldest and most stable middle-class -- black middle-class communities in this country. It is patterned after a -- the Black Wall Street District in Tulsa, Oklahoma. And the organization's mission is to sustain and increase black businesses, especially on 75th Street, and achieving stability, and is one of the only business districts that has African-American ownership in parity with its population. That number being eighty percent of the businesses on 75th Street are African-American owned and operated. And, again, it recognizes some of the strides that it is taking to get to that sustainability.

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PRESIDING OFFICER: (SENATOR HENDON)

Senator Trotter has moved the adoption of Senate Resolution 432. Is there any discussion? Seeing none, the question is, shall the Senate adopt Senate Resolution 432. All those in favor will signify by voting Aye. Those opposed will -- voting Nay. And 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 58 voting Aye, none voting Nay, none voting Present. The resolution, having received the required constitutional majority, is adopted. Senate Resolution 433. Senator Delgado. Senator Delgado. Out -- out of the record. Senate Resolution... Senate Resolution 434. Senator Hutchinson. Madam Secretary, read the resolution.

SECRETARY ROCK:

Senate Resolution 434, offered by Senator Hutchinson.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Hutchinson, to explain the resolution.

SENATOR HUTCHINSON:

Senate -- thank you, Mr. President and Members of the Senate. Senate Resolution 434 extends the report deadline for the Task Force on Illinois Community College System Funding that we passed in the last Session. We need a little more time to finish making all the appointments. It is very, very important to both me and Senator Althoff, who will be my partner on this, that it be strongly bipartisan. So we just need a little bit more time. I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Hutchinson moves the adoption of Senate Resolution 434. Is there any discussion? Seeing none, the question is,

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shall the Senate adopt Senate Resolution 434. All those in favor will signify by voting Aye. Opposed will vote Nay. And 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 58 voting Aye, none voting Nay, 1 voting Present. The resolution, having received the required constitutional majority, is hereby adopted. Senate Resolution {sic} (Joint Resolution) 74. Senator Garrett. Madam Secretary, read the resolution.

SECRETARY ROCK:

Senate Joint Resolution 74, offered by Senator Garrett.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Garrett, to explain the resolution.

SENATOR GARRETT:

Yes, thank you very much, Mr. President. Senate Joint Resolution 74 creates the Mobile and Manufactured Home Study Committee to study the process for relocating a mobile or manufactured home located in a mobile or manufactured home park that is closing. COGFA will provide administrative support to the Study Committee and the Committee shall consist of ten members and report its findings to the General Assembly on or by March 15, 2010. I really want to thank people from my -- colleagues from both sides of the aisle that made this happen.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Garrett moves the adoption of Senate Resolution {sic} 74. All those in favor, vote Aye. Is there any discussion? Seeing none, Senator Garrett moves adoption of Senate Resolution {sic} 74. All those in favor will vote Aye. Opposed, vote Nay. And the voting is open. Have all voted who

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wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. Senate Joint Resolution 74, having received the required constitutional majority, is hereby adopted. Senate Resolution 28. Sorry. House -- House Joint -- you know it's been a long time since I've been in the Chair. I have to get readopted here -- reacquainted. House Joint Resolution 28. Senator Steans. Madam Secretary, read the resolution.

SECRETARY ROCK:

House Joint Resolution 28, offered by Senator Steans.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Steans.

SENATOR STEANS:

First, I think you're doing very well, Mr. President, and moving things along nicely. House Joint Resolution 28 is identical to Senate Joint Resolution 30 that passed unanimously earlier this year. This resolution determines that the Department of Human Services will develop a seven-year plan with yearly benchmarks to enhance and expand access to quality community services and supports by December 1st, 2009. And increases resources available to the Department are to be appropriated to services and supports consistent with the benchmark. I urge an Aye vote. Thanks.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Steans has moved the adoption of House Joint Resolution 28. Is there any discussion? Seeing none, the question is, shall the Senate adopt House Joint Resolution 28. All those in favor will vote Aye. Opposed, vote Nay. The

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voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. House Joint Resolution 28, having received the required constitutional majority, is hereby adopted. House Joint Resolution 31. Senator Haine. Senator Haine. Senator Haine. Out of the record. House Joint Resolution 45. Senator Frerichs. Madam Secretary, please read the gentleman's motion -- resolution.

SECRETARY ROCK:

House Joint Resolution 45, offered by Senator Frerichs.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Frerichs, to explain your resolution, my friend.

SENATOR FRERICHS:

Thank you very much, Mr. President. House Joint Resolution 45 creates a task force to investigate how to retrofit three public schools in the State of Illinois to achieve LEED certification. The task force shall, in a written report that is to be delivered to the General Assembly on or before November 1st, 2010, make findings and recommendations concerning the creation and financing of a system to ensure that existing public schools are retrofitted and new public schools are constructed in a manner that promotes energy efficiency and sustainability.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Frerichs moves adoption of House Joint Resolution 45. Seeing no discussion, the question is, shall the Senate adopt House Joint Resolution 45. All those in favor will signify by voting Aye. Those opposed

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will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. House Joint Resolution 45, having received the required constitutional majority, is hereby adopted. House Joint Resolution 51. Senator Harmon. Madam Secretary, please read the gentleman's resolution, House Joint Resolution 51.

SECRETARY ROCK:

House Joint Resolution 51, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR HENDON)

Leader Harmon will -- explain your resolution, sir.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Joint Resolution 51 creates the Interstate Gun Trafficking Task Force within the Illinois State Police. It is agreed to by both law enforcement and the National Rifle Association. I'm not aware of any opposition and I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon moves the adoption of House Joint Resolution 51. Is there any discussion? Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Senator, I'm going to support your resolution.

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I'm just asking why it's necessary and why they aren't already doing this.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

That's an excellent question, Senator. I -- I presume they're looking to us for guidance and leadership and we're providing it today.

PRESIDING OFFICER: (SENATOR HENDON)

Any further discussion? Seeing none, the -- the question is, shall House Joint Resolution 51 pass. All those in favor will signify by voting Aye. Opposed will vote 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. House Joint Resolution 51, having received the required constitutional majority, is hereby adopted. House Joint Resolution 54. Senator Maloney. Madam Secretary, please read the gentleman's resolution.

SECRETARY ROCK:

House Joint Resolution 54, offered by Senator Maloney.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Maloney.

SENATOR MALONEY:

Thank you, Mr. President. Last year we had a group in Springfield who adopted the Public Agenda for College and Career Success. One of their recommendations is that Illinois engage in a study on the affordability of higher education in this State. We have gone from a grade of A in the year 2000 to an F.

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It is becoming increasingly difficult for not only lower-income but middle-income people to afford college opportunity. And this study would investigate ways in which we can make it more accessible.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Maloney moves adoption of House Joint Resolution 54. Is there any discussion? Seeing none, the question is, shall House Joint Resolution 54 pass. All those in favor will vote Aye -- signify by voting Aye. Opposed will vote 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 59 voting Aye, none voting Nay, none voting Present. House Joint Resolution, having received the required constitutional majority, is declared passed. The Chair would like to recognize Senator George Shadid, who's in the Chamber. Senator Shadid, it's good to see you. I'll tell you that life outside the Senate is good. You look younger. Seems like your hair is growing back. It's amazing, absolutely amazing. That's true. That's true. Good to see you, Senator. On the previous bill, to clarify the record - I got so excited seeing my good friend George Shadid, I misspoke - it's House Joint Resolution 54 is hereby adopted. House Joint Resolution 63. Senator Collins. Madam Secretary, please read the lady's resolution.

SECRETARY ROCK:

House Joint Resolution 63, offered by Senator Collins.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Collins, to explain your resolution.

SENATOR COLLINS:

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Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Joint Resolution 63 determines support for President Obama's proposal to significantly increase the efficiency and reduce the emissions of the nation's vehicle fleet and urges the Governor to represent the State of Illinois as a supporter of the proposed new standards as appropriate.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Collins moves adoption of House Joint Resolution 63. Is there any discussion? Senator Risinger.

SENATOR RISINGER:

Thank you, Mr. President. I want to remind everybody that this came out of committee unanimously, but this also raises the cost of a vehicle, and just to make you aware of that. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any further discussion? Seeing none, the question is, shall House Joint Resolution 63 pass. All those in favor will vote Aye. Opposed will vote 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 41 voting Aye, 14 voting Nay and none voting Present. House Joint Resolution 63, having received the required constitutional majority, is hereby adopted. House Joint Resolution 75. Senator Maloney. Madam Secretary, please read the gentleman's resolution.

SECRETARY ROCK:

House Joint Resolution 75, offered by Senator Maloney.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Maloney.

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SENATOR MALONEY:

Thank you, Mr. President. The Monetary Award Program has been in the news much lately. What this resolution would do is determine that the Board of Higher Education, the Illinois Student Assistance Commission and Community College Board undertake a study of the MAP, review its success rates, take potential steps to maximize its efficiency, and the feasibility of restructuring the Monetary Award Program. This, in many cases, as we know, provides the only opportunity for lower-income students to have a higher education opportunity. And I would urge its passage.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Maloney moves adoption of House Joint Resolution 75. Is there any discussion? Seeing none, the question is, shall House Joint Resolution 75 be adopted. All those in favor will signify by voting Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 59 voting Aye, none voting Present -- none voting Nay, none voting Present. House Joint Resolution 75, having received the required constitutional majority, is hereby adopted. House Joint Resolution 76. Senator Frerichs. Madam Secretary, read the gentleman's resolution.

SECRETARY ROCK:

House Joint Resolution 76, offered by Senator Frerichs.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Frerichs.

SENATOR FRERICHS:

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Thank you very much, Mr. President. House Joint Resolution 76 reaffirms the State's obligation for economic development, including job creation in Illinois and the attraction of job-creating businesses to the State.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Frerichs moves adoption of House Joint Resolution 76. Is there any discussion? Seeing none, the question is, shall House Joint Resolution 76 pass. All those in favor will vote Aye. Opposed will vote 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 Joint Resolution 76, having received the required constitutional majority, is hereby adopted. House Joint Resolution 77. Senator Meeks. Madam Secretary, please read the Senator's resolution.

SECRETARY ROCK:

House Joint Resolution 77, offered by Senator Meeks.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Meeks.

SENATOR MEEKS:

Thank you so much, Mr. President. It's just good to have you in the seat. House Joint Resolution 77 is our biannual School Code mandate waiver resolution. There were fifty-eight waivers submitted for the General Assembly's consideration. Our resolution will deny three.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Meeks moves adoption of House Joint Resolution 74 {sic} (77). Is there any discussion? Senator Cronin.

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SENATOR CRONIN:

Yes, thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in opposition and I do so reluctantly because I have great respect for Senator Meeks and -- but I think what's going on here is there's a number of school districts that were seeking to implement a new rating scale for teacher evaluation. And a couple of these school districts really spent a lot of time, I mean years, developing a model, and it has a lot of substance to it and a lot of merit to it. And so, for those of us who believe in the virtue of local control and those of us who try to get school districts to take leadership roles in evaluating teachers and promoting professional development properly, I think the right thing to do here is to vote No. There were a number of school districts that were seeking waivers from the physical education requirement that may be interesting to some of you here, that they would be permitted to -- to -- to not teach P.E. And so I know that there were objections from -- from many people in the teacher community. So, all in all, I think this is a -- a resolution that, really, it could be a lot better. And so, I think for that reason, I would urge a No vote.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Meeks, to respond.

SENATOR MEEKS:

Thank you so much to my good friend. P.E. waivers go through automatically. So, the P.E. waivers are not included in here. And number two, as it relates to teacher evaluation, this is a time in which we're trying to strengthen the evaluation process in our race to the top - the stimulus dollars that we're

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trying to capture from Washington, D.C. It suggests that we do a better job at evaluation. The problem that we had with these two particular school districts was one of them wanted to go from a -- a three-tier scale to a two-tier evaluation system and one wants to go to use peer coaches and we really think that the way that we have it is stronger. And also ISBE has legislation this year to go from a three-tier system to a four-tier system, even making our evaluation process stronger. So we're not looking to weaken the evaluation process; we actually want to make it stronger.

PRESIDING OFFICER: (SENATOR HENDON)

Further discussion? Senator Rutherford.

SENATOR RUTHERFORD:

Mr. President, thank you very much. Would the sponsor yield, please?

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will yield. Senator Rutherford.

SENATOR RUTHERFORD:

Thank you very much, Mr. President. Senator Meeks, what are the three schools that are -- not allowing the waivers to go through? And -- and as well, if you would at the same time, also tell us why?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Meeks.

SENATOR MEEKS:

All right. Thank you very much. Wheaton's request was to use simulators for three hours in lieu of three hours behind the wheel. That was one. Lake Park's request to evaluate teachers on a two-tier rating scale rather than a three-tier rating

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scale. And then Hononegah's request to use peer coaching instead of evaluation by an administrator. So those are the three.

PRESIDING OFFICER: (SENATOR HENDON)

Senate -- further discussion? Senator Pankau.

SENATOR PANKAU:

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

PRESIDING OFFICER: (SENATOR HENDON)

Indicates he will yield. Senator Pankau.

SENATOR PANKAU:

Lake Park District 108 is in -- in my Senate district, so needless to say, that's the one I'm going to ask about and that's the one that you talked about with the certification program, where they wanted to use two tiers instead of the three that the State Board is talking about. However, they also used the Danielson framework for professional practice. And this is a nationally recognized framework for teacher evaluation. Was the State Board of Ed or your committee able to give them some other guideline that they -- that they might be able to use?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Meeks.

SENATOR MEEKS:

Well -- well, actually, we were unable to get ahold of them. But -- but -- but, you know, Senator Pankau, the -- the actual impetus behind this is simple. During a time when the federal government is looking for us to do more, we don't want to send a signal that we're doing less. And so the federal government even wants us to do more than we're doing. We didn't want to send a signal that we were downing our rating scales in

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any way. And I think that was a part of the impetus behind it.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Pankau.

SENATOR PANKAU:

To the bill {sic}, Mr. President. Just because you're using two instead of three doesn't mean that it's any more or any less; it's just different. What is wrong with introducing something different to the State Board of Ed? I'm going to be voting No on this - not just because it's my school. It's because through this process we were trying to encourage people to bring forward different ideas, and if all you're going to do is say, "No, we're going to reject you, because you're -- you're not doing it the way the Illinois State Board of Ed wants you to do it." What is wrong with different ideas? In this State and with this education system, what is wrong with trying something different? I urge a No vote.

PRESIDING OFFICER: (SENATOR HENDON)

Senator -- Senator Meeks, to close.

SENATOR MEEKS:

I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall the Senate adopt House Joint Resolution 77. All those in favor will signify by voting Aye. 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, please take the record. On that question, there are 36 voting Aye, 19 voting Nay, 1 voting Present. House Joint Resolution 77, having received the required constitutional majority, is hereby adopted. Senator

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Harmon in the Chair.

PRESIDING OFFICER: (SENATOR HARMON)

Ladies and Gentlemen of the Senate, we're going to return to the Order of Secretary's Desk, Resolutions. Senate Resolution 433, we -- we passed over. Senator Delgado, do you wish to proceed? Madam Secretary, read the resolution.

SECRETARY ROCK:

Senate Resolution 433, offered by Senator Delgado.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Delgado, to explain the resolution.

SENATOR DELGADO:

Thank you, Mr. President and Members of the Senate. Senate Resolution 433 designates the month of November, 2009 as Pancreatic Cancer Awareness Month in the State of Illinois. And I would ask for your Aye vote.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Senator Noland, for what purpose do you rise? Seeing no discussion, Senator Delgado has moved for the adoption of Senate Resolution 433. The question is, shall the Senate adopt Senate Resolution 433. All those in favor will signify by voting Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Aye, none voting Nay, none voting Present. And Senate Resolution 433, having received the required constitutional majority, is declared adopted. Senator Noland, for what purpose do you rise?

SENATOR NOLAND:

Thank you, Mr. President. For a point of personal

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privilege, if I may.

PRESIDING OFFICER: (SENATOR HARMON)

State your point, Senator.

SENATOR NOLAND:

Thank you, Mr. President. In the -- on the Democrat side up in the balcony in the -- in the gallery above me, I have a family that has come down on a field trip. They -- they're big fans of homeschooling and I happen to be a big fan of homeschooling as well, where, of course, is appropriate. What we have are the family of Steven and Judy Volchko, from East Dundee, with their children Nathan, Bethany and Naomi. I'd like to provide them with a warm Senate welcome from -- from our -- all our colleagues here in -- in Springfield. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

Will our guests in the galleries please rise to be recognized? And welcome to Springfield. Senator Link, for what purpose do you rise?

SENATOR LINK:

Thank you, Mr. President. I would call for a Senate Democratic Caucus in the President's Office immediately.

PRESIDING OFFICER: (SENATOR HARMON)

That request is always in order. Senator Syverson, for what purpose do you rise?

SENATOR SYVERSON:

Thank you, Mr. President. We also would like a -- a one-hour caucus upon adjournment or recess.

PRESIDING OFFICER: (SENATOR HARMON)

That request is in order. Thank you, Senator. The Senate will stand in recess to allow the caucuses to caucus. It is our

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expectation we will return to the Floor in approximately an hour to take up substantive Senate business. The Senate stands in recess.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR HENDON)

The Senate will come to order. Will all Members under the sound of my voice please come to the Senate Floor? Will all Members under the sound of my voice please come to the Senate Floor? We're going to go at a serious pace, so you need to be on the Senate Floor immediately. Would all administrative assistants please find your Senator and send them to the Senate Floor? We're going to go to substantial Senate business, including Executive Appointments, so we know you want to be on the roll call. All Members come to the Senate Floor immediately. We're going to go to the Order of Resolutions. Madam Secretary -- Secretary, Resolutions.

SECRETARY ROCK:

Senate Joint Resolution 80, offered by Senator Lightford.
It is substantive.

PRESIDING OFFICER: (SENATOR HENDON)

Madam Secretary, Introduction of Bills.

SECRETARY ROCK:

Senate Bill 2499, offered by Senator Noland.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Madam Secretary, Messages from the House.

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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 2248

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 29th, 2009. Mark Mahoney, Clerk of the House.

PRESIDING OFFICER: (SENATOR HENDON)

Will all Members under the sound of my voice please come to the Senate Floor? Would all Members under the sound of my voice please come to the Senate Floor? Are there any motions on file?

SECRETARY ROCK:

A motion has been filed with respect to the Governor's action on House Bill 4096. Filed by Senator Hultgren.

PRESIDING OFFICER: (SENATOR HENDON)

Madam Secretary, please have the motions printed on the Calendar. We're now going to substantial Senate business. Would you please come to the Senate Floor? Will all Members under the sound of my voice please come to the Senate Floor? I am in the Chair for a reason. We're going to move action tonight. This is absolutely, positively my last announcement. Will all Members come to the Senate Floor? We're going to Executive Appointments. If you don't want to vote for it, don't come. If you want to vote for it, you need to come now. This

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is my absolute last announcement. To fulfill our -- our obligations under Article V, Section 9 of the Constitution, we will now proceed to the Order of Advise and Consent. Senator Muñoz.

SENATOR MUÑOZ:

I move that the Senate resolve itself into Executive Session for the purpose of acting on appointments set forth in the Messages from the Governor dated April 16th, May 4th, June 8th, June 18th, June 22nd, June 29th, July 6, July 17th, August 13th, August 20th, August 25th, September 4th, September 9th, September 17th, September 28th, September 30th, October 5th and October 13th, 2009, together with the Treasurer's Messages dated May 27th and August 7, 2009.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Muñoz moves that the Senate resolve itself into Executive Session for the purpose of acting on the appointments set forth in the Messages from the Governor dated April 16th, May 4th, June 8th, June 18th, June 22nd, June 29th, July 6, July 17, August 13th, August 20th, August 25th, September 4th, September 9th, September 17th, September 28th, September 30th, October 5th, and October 13th, 2009, together with the Treasurer's Messages dated May 27th and August 7th, 2009. Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Muñoz, Chairman of the Committee on Executive Appointments, to which was referred the Governor's Message of June 8th, 2009, reported the same back with the recommendation that the Senate do advise and consent to the following appointment.

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PRESIDING OFFICER: (SENATOR HENDON)

Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, with respect to the Governor's Message of June 8, 2009, I will read the salaried appointment of which the Committee on Executive Appointments recommends that the Senate do advise and consent:

To be the Director of the Department of Corrections, for a term commencing June 8th, 2009, and ending January 17th, 2011:
Michael Randle.

Mr. President, having read the salaried appointment from the Governor's Message of June 8, 2009, I will now seek leave to consider the appointment on a roll call. Mr. President, will you put the question as required by rules?

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, does the Senate advise and consent to the appointment just read from the Governor's Message of June 8th. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Aye, none voting Nay, none voting -- 0 voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to -- to the appointment just read. Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Muñoz, Chairman of the Committee on Executive Appointments, to which was referred the Governor's Message of June 18th, 2009, reported the same back with the recommendation

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that the Senate do advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, with respect to the Governor's Message of June 18th, 2009, I will read the salaried appointments of which Committee on Executive Appointments recommends that the Senate do advise and consent:

To be an Assistant Director of the Department of Central Management Services, for a term commencing June 24th, 2009, and ending January 17th, 2011: Steven McCurdy.

To be an Assistant Director of the Department of Central Management Services, for a term commencing June 23rd, 2009, and ending January 17th, 2011: Christina {sic} Cegelis.

Mr. President, having read the salaried appointments from the Governor's Message of June 18th, 2009, I now seek leave to consider the appointments on a roll call. Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, does the Senate advise and consent to the appointments just read from the Governor's Message of June 18th. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Aye, none voting Nay, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the appointments just read. Madam

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Secretary, Committee Report.

SECRETARY ROCK:

Senator Muñoz, Chairman of the Committee on Executive Appointments, to which was referred the Governor's Message of June 22nd, 2009, reported the same back with the recommendation that the Senate do advise and consent to the following appointment.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, with respect to the Governor's Message of June 22nd, 2009, I will read the salaried appointment of which Committee on Executive Appointments recommends that the Senate do advise and consent:

To be a Judge of the Illinois Court of Claims, for a term commencing July 1, 2009, and ending January 19th, 2015: Mary Patricia Burns.

Mr. President, having read the salaried appointment from the Governor's Message of June 22nd, 2009, I now seek leave to consider the appointment on a roll call. Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, does the Senate advise and consent to the appointment just read from the Governor's Message of June 22nd. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, none voting Nay, none voting Present. A majority of the

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Senators elected concurring by record vote, the Senate does advise and consent to appointment just read. Madam Secretary -- Senator John Jones, for what purpose do you seek recognition, sir?

SENATOR J. JONES:

Thank you, Mr. President. I -- I apologize, but I was voted as a -- as an Aye vote on -- on the June 8th motion for Director Randle and I would like to be recorded as a No vote.

PRESIDING OFFICER: (SENATOR HENDON)

The record will so reflect. Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Muñoz, Chairman of the Committee on Executive Appointments, to which was referred the Governor's Message of June 29th, 2009, reported the same back with the recommendation that the Senate do advise and consent to the following appointment.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, with respect to the Governor's Message of June 29th, 2009, I will read the salaried appointment for which the Committee on Executive Appointments recommends that the Senate do advise and consent:

To be the Director of the Department of Insurance, for a term commencing July 1, 2009, and ending January 17th, 2011: Michael McRaith.

Mr. President, having read the salaried appointment from the Governor's Message of June 29th, 2009, I now seek leave to

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consider the appointment on a roll call. Mr. President...

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Question is, does the Senate advise and consent to the appointment just read from the Governor's Message of June 29th. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, none voting Nay, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the appointment just read. Madam Secretary, Committee Report.

SECRETARY ROCK:

Senator Muñoz, Chairman of the Committee on Executive Appointments, to which was referred the Governor's Message of July 6th, 2009, reported the same back with the recommendation that the Senate do advise and consent to the following appointment.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Steans, for what purpose do you seek recognition?

SENATOR STEANS:

Sorry, I just didn't get to my button in time. I wanted to be recorded as a Yes vote on that last vote. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Record will so reflect. And it's probably because of the pace that I am keeping. So -- we have forty more pages to go, so I advise everybody to keep up with the pace. Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, with respect to the Governor's Message of

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July 6, 2009, I will read the salaried appointment of which Committee on Executive Appointments recommends that the Senate do advise and consent:

To be the Secretary of Director {sic} of Financial and Professional Regulation, for a term commencing July 1, 2009, and ending January 17th, 2011: Brent Adams.

Mr. President, having read the salaried appointment from the Governor's Message of July 16th {sic} (6), 2009, I now seek leave to consider the appointment on a roll call. Mr. President...

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? The question is, does the Senate advise and consent to the appointment just read from the Governor's Message of July 6. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the appointment just read. Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Muñoz, Chairman of the Committee on Executive Appointments, to which was referred the Governor's Message of July 17th, 2009, reported the same back with the recommendation that the Senate do advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Muñoz.

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SENATOR MUÑOZ:

Mr. President, with respect to the Governor's Message of July 17th, 2009, I will read the salaried appointments of which Committee on Executive Appointments recommends that the Senate do advise and consent:

To be the Director of the Department of Central Management Services, for a term commencing July 17th, 2009, and ending January 17, 2011: James Sledge.

To be the Assistant Director of the Department of Natural Resources, for a term commencing July 17th, 2009, and ending January 17th, 2011: John Rogner.

Mr. President, having read the salaried appointments from the Governor's Message of July 17th, 2009, I now seek leave to consider the appointments on a roll call.

PRESIDING OFFICER: (SENATOR HENDON)

The -- is there any discussion? Seeing none, the question is, shall the Senate advise and consent to the appointments just read by -- from the Governor's Message of July 17th. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Aye, none voting Nay, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the appointments just read. Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Muñoz, Chairman of the Committee on Executive Appointments, to which was referred the Governor's Message of August 13th, 2009, reported the same back with the

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recommendation that the Senate do advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, with respect to the Governor's Message of August 13th, 2009, I will read the salaried appointments of which Committee on Executive Appointments recommends that the Senate do advise and consent:

To be Members of the Illinois State Toll Highway Authority, for terms commencing August 13th, 2009, and ending May 1, 2011: William Morris and Thomas Weisner.

To be a Member and Chair of the Illinois State Tollway Authority, for a term commencing August 13th, 2009, and ending May 1, 2013: Paula Wolff.

Mr. President, having read the salaried appointments from the Governor's Message of August 13th, 2009, I now seek leave to consider the appointments on a roll call.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, does the Senate advise and consent to the appointments just read from the Governor's Message of August 13th. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 {sic} (53) voting Aye, none voting Nay, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to appointments just read. Madam Secretary, Committee Report.

SECRETARY ROCK:

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Senator Muñoz, Chairman of the Committee on Executive Appointments, to which was referred the Governor's Message of August 20th, 2009, reported the same back with the recommendation that the Senate do advise and consent to the following appointment.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, with respect to the Governor's Message of August 20th, 2009, I will read the salaried appointment of which Committee on Executive Appointments recommends that the Senate do advise and consent:

To be a Member of the Chicago Transit Authority Board of Trustees, for a term commencing August 20th, 2009, and ending September 1, 2014: Jacquelyne Grimshaw.

Mr. President, having read the salaried appointment from the Governor's Message of August 20th, 2009, I now seek leave to consider the appointment on a roll call.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? The question is, does the Senate advise and consent to the appointment just read from the Governor's Message of August 20th. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Aye, none voting Nay, none voting Present. A majority of the Senators elected having -- concurring by record vote, the Senate does advise and consent to the appointment just read. Madam Secretary, Committee Reports.

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SECRETARY ROCK:

Senator Muñoz, Chairman of the Committee on Executive Appointments, to which was referred the Governor's Message of September 4th, 2009, reported the same back with the recommendation that the Senate do advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, with respect to the Governor's Message of September 14, {sic} (4) 2009, I will read the salaried appointments of which the Committee on Executive Appointments recommends that the Senate do advise and consent:

To be a Member of the Property Tax Appeal Board, for a term commencing September 4th, 2009, and ending January 19th, 2015: Michael Goral.

To be a Member and Chair of the Property Tax Appeal Board, for a term commencing October 1, 2009, and ending January 19th, 2015: Donald Crist.

Mr. President, having read the salaried appointments from the Governor's Message of September 4th, 2009, I now seek leave to consider the appointments on a roll call.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, does the Senate advise and consent to appointments just read from the Governor's Message of September 4th. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53

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voting Aye, none voting Nay, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to appointments just read. Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Muñoz, Chairman of the Committee on Executive Appointments, to which was referred the Governor's Message of September 17th, 2009, reported the same back with the recommendation that the Senate do advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, with respect to the Governor's Message of September 17th, 2009, I will read the salaried appointments of which the Committee on Executive Appointments recommends that the Senate do advise and consent:

To be the Executive Director of Criminal Justice Information Authority, for a term commencing September 17th, 2009: John Cutrone.

To be a Member of the Illinois Labor Relations Board, State Panel, for a term commencing October 5th, 2009, and ending January 28, 2012: Jacalyn Zimmerman.

Mr. President, having read the salaried appointments from the Governor's Message of September 17th, 2009, I now seek leave to consider the appointments on a roll call.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? The question is, does the Senate advise and consent to the appointments just read from the

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Governor's Message of September 17th. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Aye, none voting Nay, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the appointments just read. Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Muñoz, Chairman of the Committee on Executive Appointments, to which was referred the Governor's Message of September 28th, 2009, reported the same back with the recommendation that the Senate do advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, with respect to the Governor's Message of September 28th, 2009, I will read the salaried appointments of which the Committee on Executive Appointments recommends that the Senate do advise and consent:

To be the -- to be the Chief Justice of the Illinois Court of Claims, for a term commencing September 24th, 2009, and ending January 19th, 2015: Robert Sprague.

To be a Member of the Illinois International Port District Board, for a term commencing upon confirmation and ending June 1, 2014: Terrence Sullivan.

Mr. President, having read the salaried appointments from the Governor's Message of September 28th, 2009, I now seek leave

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to consider the appointments on a roll call.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? The question is, does the Senate advise and consent to the appointments just read from the Governor's Message of September 28th. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 voting Aye, none voting Nay, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the appointments just read. Madam Secretary, Committee Report.

SECRETARY ROCK:

Senator Muñoz, Chairman of the Committee on Executive Appointments, to which was referred the Governor's Message of September 30th, 2009, reported the same back with the recommendation that the Senate do advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, with respect to the Governor's Message of September 30th, 2009, I will read the salaried appointments of which the Committee on Executive Appointments recommends that the Senate do advise and consent:

To be a Member of the Executive Ethics Commission, for a term commencing October 1, 2009, and ending June 30th, 2012: Gayl Pratt {sic} (Pyatt).

To be a Member of the Liquor Control Commission, for a term

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commencing October 1, 2009, ending February 1, 2012: Donald O'Connell.

Mr. President, having read the salaried appointments from the Governor's Message of September 30th, 2009, I now seek leave to consider the appointments on a roll call.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? The question is, does the Senate advise and consent to the appointments just read from the Governor's Message of September -- 30th. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 voting Aye, none voting Nay, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the appointments just read. Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Muñoz, Chairman of the Committee on Executive Appointments, to which was referred the Governor's Message of October 13th, 2009, reported the same back with the recommendation that the Senate do advise and consent to the following appointment.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, with respect to the Governor's Message of October 13th, 2009, I will read the salaried appointment of which the Committee on Executive Appointments recommends that the Senate do advise and consent:

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To be the Secretary of the Department of Human Services, for a term commencing October 13th, 2009, and ending January 17th, 2011: Michelle Saddler.

Mr. President, having read the salaried appointment from the Governor's Message of October 13th, 2009, I now seek leave to consider the appointment on a roll call.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? The question is, does the Senate advise and consent to the appointment just read from the Governor's Message of October 13th. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 voting Aye, none voting Nay, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the appointment just read. Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Muñoz, Chairman of the Committee on Executive Appointments, to which was referred the Governor's Message of April 16th, 2009, reported the same back with the recommendation that the Senate do advise and consent to the following appointment.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, with respect to the Governor's Message of April 16th, 2009, I will read the non-salaried appointment of which the Committee on Executive Appointments recommends that

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the Senate do advise and consent:

To be a Member of the Northern Illinois University Board of Trustees, for a term commencing April 15th, 2009, and ending January 21, 2013: Manuel Sanchez.

Mr. President, having read the non-salaried appointment from the Governor's Message of April 16th, 2009, I now seek leave to consider the appointment on a roll call.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? The question is, shall the Senate advise and consent to the appointment just read from the Governor's Message of April 16th. All those in favor, vote Aye. Opposed will vote Nay. And 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 55 voting Aye, none voting Nay, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the appointment just read. Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Muñoz, Chairman of the Committee on Executive Appointments, to which was referred the Governor's Message of May 4th, 2009, reported the same back with the recommendation that the Senate do advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, with respect to the Governor's Message of May 4th, 2009, I will read the non-salaried appointments of

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which the Committee on Executive Appointments recommends that the Senate do advise and consent:

To be a Member and Chair of Education Funding Advisory Board, for a term commencing May 4th, 2009, and ending January 20th, 2014: Sylvia Puente.

To be a Member of the Education Funding Advisory Board, for a term commencing May 4th, 2009, and ending January 16th, 2012: Edward Geppert.

To be a Member of the Education Funding Advisory Board, for a term commencing May 4th, 2009, and ending January 21, 2013: Dean Clark.

To be a Member of the Education Funding Advisory Board, for a term commencing May 4th, 2009, and ending January 18th, 2010: Arthur Culver.

To be a Member of the Education (Funding) Advisory Board, for a term commencing May 4th, 2009, and ending January 16th, 2012: Kenneth Swanson.

Mr. President, having read the non-salaried appointments from the Governor's Message of May 4th, 2009, I now seek leave to consider the appointments on a roll call.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? The question is, shall the Senate advise and consent to the appointments just read from the Governor's Message of May 4th. All those in favor, vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 voting Aye, none voting Nay, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and

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consent to appointments just read. Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Muñoz, Chairman of the Committee on Executive Appointments, to which was referred the Governor's Message of June 8th, 2009, reported the same back with the recommendation that the Senate do advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, with respect to the Governor's Message of June 8th, 2009, I will read the non-salaried appointments of which the Committee on Executive Appointments recommends that the Senate do advise and consent:

To be a Member of the State Board of Investment, for a term commencing June 2nd, 2009, and ending June 2nd, 2012: John Casey.

To be a Member of the State Board of Investment, for terms commencing June 2nd, 2009, ending June 2nd, 2013: Michele Bush and Fred Montgomery.

To be a Member of the State Board of Investment, for a term commencing June 2nd, 2009, and ending June 2nd, 2010: Heather Parish.

To be a Member of the State Board of Investment, for a term commencing June 2nd, 2009, and ending June 2nd, 2011: Ronald Powell.

To -- Members of the Teachers' Retirement System Board of Trustees, for terms commencing June 2nd, 2009, and ending July

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14, 2014: Matthew Berns, Livia Kiser, Sidney Marder.

To be Members of the Teachers' Retirement System Board of Trustees, for terms commencing June 2nd, 2009, and ending July 14th, 2012: Michael Busby, Janice Reedus, Sonia Walwyn.

Mr. President, having read the non-salaried appointments from the Governor's Message of June 8th, 2009, I now seek leave to consider the appointments on a roll call.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? The question is, does the Senate advise and consent to the appointments just read from the Governor's Message of June 8th. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 voting Aye, none voting Nay, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the appointments just read. Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Muñoz, Chairman of the Committee on Executive Appointments, to which was referred the Governor's Message of June 29th, 2009, reported the same back with the recommendation that the Senate do advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, with respect to the Governor's Message of June 29th, 2009, I will read the non-salaried appointments of

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which the Committee on Executive Appointments recommends that the Senate do advise and consent:

To be Members of the State Employees' Retirement System Board of Trustees, for terms commencing June 29th, 2009, and ending June 29th, 2014: Danny Silverthorn, Harold Sullivan, Maria Pelaez Peterson.

To be Members of the State Employees' Retirement System Board of Trustees, for terms commencing June 29th, 2009, and ending June 29th, 2012: Michael Noser, Renee Friedman, and Thomas Allison.

To be Members of the State Universities Retirement System Board of Trustees, for terms commencing June 29th, 2009, and ending June 29th, 2012: Steven Rogers and Patricia Cassidy.

To be Members {sic} of the State Universities Retirement (System) Board -- Trustees, for a term commencing June 29th, 2009, and ending June 29th, 2015: Marva Williams.

Mr. President, having read the non-salaried appointments from the Governor's Message of June 29th, 2009, I now seek leave to consider the appointments on a roll call.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? The question is, does the Senate advise and consent to the appointments just read from the Governor's Message of June 29th. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Aye, none voting Nay, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the appointments just read. Madam Secretary,

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SECRETARY ROCK:

Senator Muñoz, Chairman of the Committee on Executive Appointments, to which was referred the Governor's Message of August 13th, 2009, reported the same back with the recommendation that the Senate do advise and consent to the following appointment.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Muñoz.

SENATOR MUÑOZ:

...President, with respect to the Governor's Message of August 13th, 2009, I will read the non-salaried appointment of which the Committee on Executive Appointments -- that the Senate do advise and consent:

To be a Student Member of the Illinois Student Assistance Commission, for a term commencing August 13th, 2009, and ending June 30th, 2011: Johnathan Wilson.

Mr. President, having read the non-salaried appointment from the Governor's Message of August 13th, 2009, I now seek leave to consider the appointment on a roll call.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? The question is, does the Senate advise and consent to the appointment just read from the Governor's Message of August 13th. All those in favor, vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 voting Aye, none voting Nay, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does

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advise and consent to the appointment just read. Senator Viverito, for what purpose do you seek recognition, sir? Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Muñoz, Chairman of the Committee on Executive Appointments, to which was referred the Governor's Message of August 25th, 2009, reported the same back with the recommendation that the Senate do advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, with respect to the Governor's Message of August 25th, 2009, I will read the non-salaried appointments of which the Committee on Executive Appointments recommends that the Senate do advise and consent:

To be Members of the Community College Board, for terms commencing August 25th, 2009, and ending June 30th, 2015: Guy Alongi, Rudolph Papa and Suzanne Morris.

Mr. President, having read the non-salaried appointments from the Governor's Message of August 25th, 2009, I now seek leave to consider the appointments on a roll call.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? The question is, does the Senate advise and consent to the appointments just read from the Governor's Message of August 25th. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Aye,

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none voting Present, none -- none voting Nay, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the appointments just read. Madam Secretary, Committee Report.

SECRETARY ROCK:

Senator Muñoz, Chairman of the Committee on Executive Appointments, to which was referred the Governor's Message of September 9th, 2009, reported the same back with the recommendation that the Senate do advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, with respect to the Governor's Message of September 9th, 2009, I will read the non-salaried appointments of which the Committee on Executive Appointments recommends that the Senate do advise and consent:

To be a Member of the University of Illinois Board of Trustee {sic}, for a term commencing September 4th, 2009, and ending January 14th, 2013: Lawrence Oliver.

To be a Member of the University of Illinois Board of Trustees, for a term commencing September 4th, 2009, and ending January 12th, 2015: Christopher Kennedy.

To be a Member of the University of Illinois Board of Trustees, for a term commencing 2009 -- (September 9) 2009, and ending January 19th, 2015: Pamela Strobel.

To be a Member of the University of Illinois Board of Trustees, for a term commencing September 9th, 2009, and ending January 19th -- January 10th, 2011: Karen Hasara.

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To be a Member of the University of Illinois Board of Trustees, for a term commencing September 9th, 2009, and ending January 14th, 2013: Timothy Koritz.

Mr. President, having read the salaried appointments from the Governor's Message of September 9th, 2009, I now seek leave to consider the appointments on a roll call.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? The question is, does the Senate advise and consent to the appointments just read from the Governor's Message of September 9th. All those in favor, vote Aye. Opposed, vote Nay. And 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 53 voting Aye, none voting Nay, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the appointments just read. Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Muñoz, Chairman of the Committee on Executive Appointments, to which was referred the Governor's Message of October 5th, 2009, reported the same back with the recommendation that the Senate do advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, with respect to the Governor's Message of October 5th, 2009, I will read the non-salaried appointments of which the Committee on Executive Appointments recommends that

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the Senate do advise and consent:

To be a Member of the Metropolitan Pier -- Exposition Authority, for a term commencing October 5th, 2009, and ending June 1, 2013: Peter O'Brien.

To be a Member of the Metropolitan Pier and Exposition Authority, for a term commencing October 5th, 2009, and ending June 1, 2014: James Riley.

To be a Member of the Metropolitan Pier and Exposition Authority, for a term commencing October 5th, 2009, and ending June 1, 2010: Devon Bruce.

Mr. President, having read the non-salaried appointments from the Governor's Message of October 5th, 2009, I now seek leave to consider the appointments on a roll call.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? The question is, does the Senate advise and consent to appointments just read from the Governor's Message of October 5th. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Aye, none voting Nay, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the appointments just read. Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Muñoz, Chairman of the Committee on Executive Appointments, to which was referred the Governor's Message of October 13th, 2009, reported the same back with the recommendation that the Senate do advise and consent to the following appointment.

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PRESIDING OFFICER: (SENATOR HENDON)

Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, with respect to the Governor's Message of October 13th, 2009, I will read the non-salaried appointments of which the Committee on Executive Appointments recommends that the Senate do advise and consent:

To be a Member of the Advisory Council on Spinal Cord and Head Injuries, for a term commencing October 13th, 2009, and ending October 13th, 2012: Marshall Witzel.

Mr. President, having read the non-salaried appointment from the Governor's Message of October 13th, 2009, I now seek leave to consider the appointment on a roll call.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? The question is, does the Senate advise and consent to the appointment just read from the Governor's Message of October 13th. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Aye, none voting Nay, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the appointment just read. Madam Secretary, Committee Report.

SECRETARY ROCK:

Senator Muñoz, Chairman of the Committee on Executive Appointments, to which was referred the Treasurer's Message of May 27th, 2009, reported the same back with the recommendation that the Senate do advise and consent to the following

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appointments.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, with respect to the Treasurer's Messages of May 27th, 2009, I will read the non-salaried appointments of which the Committee on Executive Appointments recommends that the Senate do advise and consent:

To be Members of the Charitable Trust Stabilization Committee, for terms commencing June 1, 2009, and ending June 1, 2015: Bruce Karmazin, Trinita Logue, William McCoy, John Stremsterfer.

Mr. President, having read the non-salaried appointments from the Treasurer's Messages of May 27th, 2009, I now seek leave to consider the appointments on a roll call.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? The question is, does the Senate advise and consent to appointments just read from the Treasurer's Message of May 27th. All those in favor will vote Aye. Opposed, vote Nay. And 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, none voting Nay, none voting Present. A majority of the Senators elected having concurred by record vote, the Senate does advise and consent to the appointments just read. Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Muñoz, Chairman of the Committee on Executive Appointments, to which was referred the Treasurer's Message of

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August 7th, 2009, reported the same back with the recommendation that the Senate do advise and consent to the following appointment.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, with respect to the Treasurer's Message of August 7th, 2009, I will read the non-salaried appointment of which the Committee on Executive Appointments recommends that the Senate do advise and consent:

To be a Member of the Charitable Trust Stabilization Committee, for a term commencing June 1, 2009, and ending June 1, 2015: Marcia Lipetz.

Mr. President, having read the non-salaried appointment from the Treasurer's Message of August 7th, 2009, I now seek leave to consider the appointment on a roll call.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, does the Senate advise and consent to the appointment just read from the Treasurer's Message of August 7th. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 voting Aye, none voting Nay, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the appointment just read. Madam Secretary -- Senator Muñoz.

SENATOR MUÑOZ:

Thank you, Mr. President. I move that the Senate arise

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from Executive Session.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Muñoz moves that the Senate arise from Executive Session. All those in favor will say Aye. Opposed, say Nay. The Ayes have it, and the motion carries. The Senate arises from Executive Session. Senator Maloney, for what purpose do you seek recognition, sir?

SENATOR MALONEY:

A point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

State your point, my friend.

SENATOR MALONEY:

I hate to interrupt the riveting debates here that has been going on here, but we have some good news. My seatmate, Bill Haine, just received word from his wife that their daughter gave birth to James Lincoln Stirton, their eighteenth grandchild.

PRESIDING OFFICER: (SENATOR HENDON)

Congratulations, Senator Haine. I didn't know you had it in you. Congratulations on the birth. It's always wonderful when another Haine comes into the world. Senator Lightford, for what purpose do you seek recognition, ma'am?

SENATOR LIGHTFORD:

Thank you, Mr. President. For a personal privilege, please.

PRESIDING OFFICER: (SENATOR HENDON)

State your point.

SENATOR LIGHTFORD:

Ladies and Gentlemen of the Senate, I'd like for you to please welcome the Village of Forest Park, Park District. The

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Executive Director, Larry Piekarz, and four of the commissioners are with us: Eric Entler, Cathleen McDermott, Sam Alonzo and Roy Sansone. If you could please welcome them to the Illinois General Assembly.

PRESIDING OFFICER: (SENATOR HENDON)

Welcome to the Illinois Senate, those fine people with the Softball Hall of Fame there in Forest Park. We got to help them out, you all. They don't need that much. Let's help 'em out. These are wonderful people. Say hello to the mayor. Senator Koehler, for what purpose do you seek recognition, sir?

SENATOR KOEHLER:

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

PRESIDING OFFICER: (SENATOR HENDON)

State your point, my friend.

SENATOR KOEHLER:

With me today is a young man who is a city councilman from the City of Peoria. He actually lives in Senator Risinger's district. So we're both welcoming him here. But we'd like to have you give a big hand to Ryan Spain, who's from the city council in Peoria.

PRESIDING OFFICER: (SENATOR HENDON)

Welcome. Welcome, young alderman. See how we do it down here - or don't do it. Stick around for a minute. Senator Crotty, for what purpose do you seek recognition, ma'am?

SENATOR CROTTY:

On a point of personal privilege.

PRESIDING OFFICER: (SENATOR HENDON)

State your point.

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SENATOR CROTTY:

Up in the gallery, I, too, have some visitors from Matteson District 162, where Dr. Blondean Davis is the superintendent. I think also here is Shernita Mays, the Associate Principal, and the students are from Illinois School and Huth School. So if you'd please welcome them.

PRESIDING OFFICER: (SENATOR HENDON)

Will our young people please rise and be welcomed to the Illinois Senate? Welcome. Welcome to the Illinois Senate, both sides of the aisle. Welcome. Going to go to House Bills 3rd Reading. House Bills 3rd Reading. Turn to the bottom of page 2 of your Calendar. House Bill 5. Senator Clayborne. That's been changed to Senator Harmon, I believe. House Bill 5. We'll come back to it. Out of the record. Out of the record. House Bill 84. Senator Schoenberg. Senator Schoenberg, 84? Out of the record. House Bill 303. Senator Forby. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 303.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Forby.

SENATOR FORBY:

Thank you, Mr. President. This is a bill that John Jones and I have been working on. This bill was passed in the House. House Bill 303 provides two thousand dollars tax exempt on veterans monuments or statues, which we should support our -- our veterans. And the -- the amendment is to clarify the sales

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of tax exempts on mine machinery and equipment. Both of these are -- provisions are -- are supported by the Department of Revenue. Both of these bills are good -- are good -- good issues. We need to take care of our fallen soldiers. It's up to two thousand dollar exempt and just clarified about the coal mines on the roof bolts.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 303 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. House Bill 303, having required {sic} the constitutional majority, is declared passed. Senator James Clayborne in the Chair. Leader Clayborne.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

House Bill 3rd Reading. House Bill 342. Senator Delgado. Madam Secretary, read the motion {sic}.

SECRETARY ROCK:

House Bill 342.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Delgado, to explain the bill.

SENATOR DELGADO:

Thank you, Mr. President, Members of the Senate. House Bill 342 delete -- Committee Amendment No. 1 deletes House Bill 342 and became the bill. It amends the Department of Public Health Powers and Duties to act -- I'm sorry, and Duties Act to

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permit the Department of Public Health to require any health care facility licensed by the Department to implement an influenza vaccination program that matters -- that makes sure that employees of the facility are afforded the opportunity to be vaccinated against any seasonal flu and other new or pandemic flu viruses as vaccines become accessible. And this would have an immediate effective date. And I would ask for your support as the Department of Public Health is a proponent.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. I'm going to support this legislation. But as was raised in the -- in committee yesterday, it is frustrating that we're talking about passing a piece of legislation that is going to tell the Department to send out a memo to health care providers that they should offer the flu vaccination to their employees. Now the fact that they tell us that they don't have the authority to send out a memo is -- is ridiculous. And, you know, I think this is why people get frustrated with government, when we have to deal with -- with this. But this is non-mandatory. This is -- does not force flu shots for anybody. All it says is that the Department wants permission to send a memo out to tell hospitals and other facilities we should give flu shots to their employees, even though ninety-nine percent have already done it, I'm sure, and they're about three or four months late for doing that. But the Department says they won't send out a memo unless we do this. Is that correct?

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Senator Delgado.

SENATOR DELGADO:

Thank you. And -- and that is correct and I share the frustration of my counterpart on the Public Health Committee from the Minority Spokesperson's view. As the Department indicated, it is a guideline. And as you well -- indicate there, it serves more as a -- as an urging message as the Department on Disease and -- Control has found that health care workers by most -- about forty percent go out and actually get a vaccination and possibly the others do not and so this would force -- serve -- and continue to go to work, therefore creating the opportunity for those to get ill. So this is more of a -- of an urging and I do agree as to what Senator Syverson has pointed out. But this would codify it and I think it's the Department's reaction to the CDC findings that it's better to prevent than to wait until it's too late. Although it doesn't have a lot of teeth, it does have some.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Syverson.

SENATOR SYVERSON:

Lastly, from the urgency standpoint, if -- if this is as serious an issue as it is, the fact that this legislation still has to go to the Governor, that the Governor has to sign it before any of this can happen, are we saying that the -- that the State is at a standstill in talking about the need for flu vaccination and they can't do anything until we pass this legislation? That they can't send a memo or an e-mail out that says people ought to get the flu vaccination until the Governor signs this legislation? I guess what I'm -- the frustration is,

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is my guess is the Health Department has already sent out notices and -- which is the frustrating thing about why we're even doing this. But is it true that nothing happens on this until after the Governor signs it?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Delgado.

SENATOR DELGADO:

And although it does have an immediate effective date, the gentleman is correct.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates he will yield, Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. I'm a little bit confused. I'm looking at the amendment to House Bill 342 and it says here that the Department of Public Health "may require". Now to me, that's a mandate. If they require something, it's a mandate. What I hear you and Senator Syverson talking about is this is just a notification. Well, why doesn't it say "may notify" rather than "may require"?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Delgado.

SENATOR DELGADO:

Yes. Thank you for that question, Senator. First of all, the Department's legal site said that they are not mandating it, although it -- in the language it does say "require any health

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care {sic} facility licensed by the Department to implement an influenza vaccination program", is there. However, the Department in-house is not looking at it as a mandate. There will be no penalties for those employees who don't take it.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Burzynski.

SENATOR BURZYNSKI:

That's -- that's exactly my point. In -- in -- with all due respect, it is a mandate when it says "could require that". They could make this a mandate if they choose to. And, again, another unfunded mandate - something else that we can put on the books that's going to cost everyone. And, you know, I realize the frustration that, you know, probably should be offered anyway. But when I hear you saying one thing and I'm reading something different, if that's the intent, then take this bill back and put on the appropriate language for the amendment.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Delgado.

SENATOR DELGADO:

Thank you, Mr. President. I -- this bill is fine as it is. Let's keep in mind, we're in a period right now of pandemics. We're in a period now of just a flu season. We're in a period of time now that it -- it can always fluctuate and we should always be on the preventative side and we should not get hung up on technical sides of a piece of language that is addressing health care and jumping to that -- and -- well, with all due respect, it will be put into place and we are having quite a few epidemics in our community. I'm not sure in what other communities that are being not exposed to these type of fears.

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And this would help our public employees be as healthy as they can possibly be. And I would ask for your Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Burzynski, are you -- Senator Burzynski, are you finished? Senator Steans.

SENATOR STEANS:

I just wanted to speak to the resolution {sic}. I'm appreciative of Senator Delgado bringing it and want to point out, too, that I think until we have this in statute, only then can they really do rules that are just, making sure we get good reporting on what is happening with vaccinations for health care workers as well. So I thank Senator Delgado for -- for bringing this and would also encourage an Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

No -- seeing no further discussion, the question is, shall House Bill 342 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 50 voting Yea, 6 voting Nay, none voting Present. House Bill 342, having received the required constitutional majority, is declared passed. Senator Harmon, on House Bill 607. Senator Harmon. Out of the record. Senator Haine, on House Bill 644. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 644.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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Senator Haine, to explain.

SENATOR HAINE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill is a bill which authorizes townships that -- that manage and control sewage systems to be able to disconnect people who do not pay. It provides for a -- a protection by mandating that township -- townships must take into account ability to pay. But, up until now, most of these township systems do not have any ability to prevent someone from using the water and not paying, which drives up costs for those who do pay, which is really unfair. This passed the House in May with an overwhelming margin. I don't know of any opposition and I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Dahl.

SENATOR DAHL:

Question for the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The sponsor indicates he will yield, Senator Dahl.

SENATOR DAHL:

Just a quick question, Senator. Is it my understanding that if somebody has a hardship, that they can ask for a hearing and -- and possibly be -- go -- go before a -- a board of some type to get -- get relief on -- on not having their water and their sewers shut off?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine.

SENATOR HAINE:

Yes, Senator Dahl. I appreciate very much that question.

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The answer to that question is yes. I should have mentioned that in my earlier presentation.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Any further discussion? Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates he will yield, Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Senator, I voted for the bill in committee and I think I will again, but I just wanted to ask a very quick question. In -- in looking at the bill again, my understanding is that the utility must be notified in writing that the delinquent fees have been paid in full before they can turn the -- the water back on. Is there a time frame -- a time limit on how long the township has to notify the utility so that the water services can be turned back on once the bill's paid in full?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine.

SENATOR HAINE:

I believe it's thirty days.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Burzynski.

SENATOR BURZYNSKI:

Now, I think -- I think you mean for shut off, don't you? I mean, I'm talking about to -- to reinstate the customer. Once the customer's paid his bill, I believe, as I read this, as I

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look at this, that the service cannot be turned back on until the township or board certifies in writing to that utility that they've paid their -- their back bills. And -- and that's the one I'm concerned about. If -- you know, you could be delinquent, shut it off, fine, and I go in and pay. But if it's going to take me thirty days to get it put back on, I don't think that's an incentive. So, you -- you understand what I'm -- where I'm trying to go, Senator Haine?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine.

SENATOR HAINE:

Senator, could -- could you point to what you're -- to what you are referring in the bill?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Senator, I -- it's not in the bill. There's no provision in the bill that says how long a township has to notify the utility that the person is paid in full.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine.

SENATOR HAINE:

Okay. I understand that now. I would recommend that we do a trailer bill with the support of the townships. I'm sure that's an oversight, that they don't -- they don't want to lose a customer because of a artificial timeline on a written -- I mean, these are people who not only pay for the service which the township wants because they're losing money, but also they -- they're people who vote. And they're going to vote the

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supervisor out of office if he becomes a -- kind of a nut on...

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank -- thank you, Senator. And -- and I think that that's a good idea, a trailer bill that would address a specific time period that they have to notify the utility. And I don't know what that time frame is currently for municipalities or anybody else, but we might want to take a look at that. And if it's an extended length of time, narrow that down as well, because if I pay my bill in full, then I ought to get service ASAP. So, that's all I'm asking you to do.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine.

SENATOR HAINE:

That -- that's more than reasonable. Again, these are people that the township wants to pay because they're losing money, so I don't know why it would make any rational sense to say, "Well, I'm going to keep your water turned off." They lose money. And secondly, these people also vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Lauzen.

SENATOR LAUZEN:

Thank you very much, Mr. President. You know, in the old days -- and I -- I'm going to have a -- just two questions for the sponsor. In the old days, there was a consistency in the standards that we held ourselves to as State government, local government, consistent with what taxpayers and citizens typically are held to. You and I would probably agree that

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water and sewage services are essential public works, public service. Would you agree with me that the standard of fiscal responsibility should be about the same that we require of our citizens to pay the bill to us or some local, that it should be consistent with how we pay our bills to, like, nursing homes and social service agencies and all the rest of 'em? If I -- if I hadn't read on this that it's a thirty-day standard -- thirty days. You know, in the good old days, that's how we used to pay our bills, but no longer. I mean, it's a hundred twenty, hundred eighty, eight months. Now, first question is, why would you hold -- why would you hold up people's water and sewage services to -- hold that up when we don't, again, apply that same standard to ourselves in paying our own bills?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine.

SENATOR HAINE:

I don't know why we would do that, Senator, and I'm not -- and I don't understand why there's so much sinnin' going on in the world either.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Senator. It's not -- it is not an unfair question. I -- I appreciate your good sense of humor. But it is a serious question. We're going to cut off people's water, Ladies and Gentlemen. We're going to cut off their water. We're going to plug up their toilets. And yet, we can't get our payments out to nursing homes and social service agencies for shorter than eight months. Out of just a sense of what's right

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and wrong, you ought to vote No on this. What are the ten townships? I -- I see there are ten townships. What ten townships are going to be given greater power to collect their bills than nursing homes and social service agencies? I understand that there are ten townships, or is it all township {sic}?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine.

SENATOR HAINE:

Senator, this matter is -- affects township -- townships that operate sewer systems and they've been doing it for many, many years. It's a public service. This doesn't have anything to do with the alleged fiscal problems of Illinois. And I -- I would prefer -- I would hope that we could keep those matters separate. By voting for this, we're just granting authority to townships to do the right thing on behalf of the taxpayer. We're not making -- I'm not making a statement about this having any relationship to our own fiscal lack of discipline. I -- I would appreciate it if we could just keep to the -- and not shoot the townships in the foot because of the mistakes made here at the State level.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Chris Lauzen.

SENATOR LAUZEN:

Thank you. Then to the bill: These are not alleged -- alleged problems with our fiscal management at the State level. These are actual, factual habits that we have here. Now, I understand that, in some folks' minds, perhaps this is not connected in any way. I think that before you tell somebody

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else, "By God, you pay your bill or we are going to shut off the water to your family; we're going to plug up your toilets", I think that we ought to have at least an equal standard before we say that our hands are clean enough that we can then apply those kinds of standards against the folks who we're elected to serve. So, I suggest a No vote out of the principle that what's good for the goose is good for the gander.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Any further discussion? Seeing none, Senator Haine, to close.

SENATOR HAINE:

I -- I would respectfully ask for an Aye vote. The points made by the previous speaker are valid criticisms and reasonable of State -- of the failure of the State to make its payments in due time, but this is a township bill which they have asked -- this is the third time it's been around. It's been passed out of here before and got tied up in the House. I -- I would respectfully urge a consideration. These are responsible local governmental bodies that are doing the fiscally prudent thing. And to vote No because we're not doing the fiscally prudent thing doesn't make much sense. And this is not either a goose or a gander, it's a township system. I would respectfully ask for an Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Thank you. And the question is, shall House Bill 644 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 49 voting Yea, 8 voting Nay, none voting Present. House

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Bill 644, having received the required constitutional majority, is declared passed. House Bill 1526, out of the record. Senator Raoul, on House Bill 1800. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 1800.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul, to explain the bill.

SENATOR RAOUL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1800 incorporates provisions of House Bill 2383, which we passed out of the Senate this past spring. It incorporates what was the Governor's amendatory veto, which extended the effective date until July 1, 2010. The bill, to remind you, increases access to Temporary Assistance for Needy Families for families with marginal and part-time jobs who don't qualify for unemployment insurance when they're laid off. Due to challenges accessing this program, fewer than one in five children living in deep poverty receive access to TANF. This bill would make all families -- living in deep poverty financially eligible for TANF, increase work incentives, provide applicants with the timely assistance needed to stabilize their lives, and expand crisis assistance for victims of domestic and sexual violence. I urge your support.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Senator Syverson.

SENATOR SYVERSON:

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Thank you, Mr. President. Some questions of the sponsor.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates he will yield, Senator Syverson.

SENATOR SYVERSON:

Senator, this is an expansion of the current programs we have in Illinois. Do we have an idea of what the price -- the cost of this program is going to be?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul.

SENATOR RAOUL:

It -- it is difficult to determine with this extension what that price is going to be, because as we passed it out originally in House Bill 2383, we were anticipating recouping some money through the stimulus bill. What will be happening in the next calendar year is -- is the federal government will be reauthorizing TANF and we don't know what the federal government will do for that next fiscal year.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Syverson.

SENATOR SYVERSON:

So, at this point, we're -- we're past -- we're not going to qualify for the stimulus money, which would only be for one more year anyways. So this -- is this something that is going to be totally GRF, and if that's the case, do we have at least an estimate of what it's going to cost? I hate the idea of saying we're going to expand a program. We don't know what it's going to cost. Unfortunately, part of the reason we're in this problem in Illinois is we started a lot of programs and never asked what it's going to cost. So, at a time when we're in debt

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the level we are, to expand another program, we ought to at least try to have some kind of an estimate of what we think it's going to be. So, do we have that? And then -- and I guess the other question is, is -- so there would be no match for -- under stimulus. Is that correct?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul.

SENATOR RAOUL:

That -- that would be assuming that the federal government doesn't see it in its heart to do anything for people in deep poverty. And -- and in worst-case scenario, if that were to happen, the cost could be as high as twenty million in fiscal year 2011.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Syverson.

SENATOR SYVERSON:

I guess this would be -- this is -- I understand your need and your desire to try to do this. At a time when we are telling our -- our nursing homes and our human service providers that they can't get paid, it's difficult for us to go back home and say, "We're not going to pay you, but we're going to start a new program and we're going to try to pay them". I think that's -- it sends the wrong message at this time. And also, with the rewrite of TANF coming up next year, wouldn't it make sense for us to wait until next year? Let's see what the rewrite is going to be, see what the federal government is going to be offering and willing to do before we start this program. I just don't know how we can in good conscience go out and spend more money at a time when we don't have money to pay our current bills.

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PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul.

SENATOR RAOUL:

I -- I don't know whether that was a question. It sounded like a statement. I appreciate the statement. My -- my intent is to help people who are in deep poverty. I've been watching us help all sorts of entities, whether it's corporate entities -- even myself, I'm -- I'm bringing forth a bill to incent corporations to be in the -- stay and employ people in the State of Illinois as we've been trying to help and bail out all sorts of people. The banks have been bailed out. Auto industry has been bailed out. But poor people who are working and trying to make it -- make it by are not being helped and I don't think we -- we can or should turn our -- our backs on them.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Hunter.

SENATOR HUNTER:

Thank you, Mr. President. I'd like to commend the sponsor of this bill. Only one in five children in deep poverty in Illinois receive TANF, in terms of facts. While the unemployment rate in Illinois has increased by fifty percent in the last year, TANF caseloads have barely risen. Many workers who lose their jobs don't qualify for unemployment insurance. They need this TANF program as a safety net. And I would urge all of our Members on this -- in this Chamber to vote Yes for this bill. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Seeing no further discussion, Senator Raoul, to close.

SENATOR RAOUL:

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I -- I urge your strong support for all the people of the State of Illinois in deep poverty.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The question is, shall House Bill 1800 pass. All those in favor will vote Aye. All those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 43 voting Yea, 12 voting Nay, 1 voting Present. House Bill 1800, having received the required constitutional majority, is declared passed. Senator Collins, on Senate {sic} Bill 1801. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 1801.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Collins, to explain.

SENATOR COLLINS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 1801 allows the Illinois Public Aid Code to allow applications for aid to be filed with any local Department of Human Services office. This bill replicates House Bill 745 that passed out unanimously in the Senate. The only difference, it incorporates the Governor's recommended effective date change from January 1st, 2010, to January 1st, 2011. I'll appreciate a positive vote -- affirmative vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Senator Lauzen.

SENATOR LAUZEN:

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Thank you, Mr. President. Just a question for the -- for the Senator -- for the sponsor. What -- what is the purpose for this bill? Why in applying for public aid would it not be natural and necessary for a person to file for the -- that benefit near where they live? Why would I file at any other place beside where I live?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Collins.

SENATOR COLLINS:

It's not necessarily just filing, but it's to apply for other services. A lot of times, people have to commute long distances from where they live to work, and sometimes they can't make it to the site of the location -- the resident's location to make changes or to apply for other services. And so it would be easier to have the access to where they work or maybe where they have to pick up a child from daycare, instead of commuting all the way back. It might be miles to get back to the resident's site. So it just -- and I think in this age of technology that we should have a -- a computer system -- it's really bringing the computer database up to, I guess, par with other agencies, where you can just go and access information from a computer.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates she'll yield, Senator Burzynski.

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SENATOR BURZYNSKI:

Thank you. Senator, I understand what you're trying to do and I -- I -- I think it's a valid concern that people be able to access services that are closer to where they either do business, et cetera. I -- I don't know, though -- right now, since we passed that last bill, I've had some contacts from some of my DHS offices, and their caseloads in my area are so tremendous right now, as I'm sure they are in every area of this State. I'm very concerned about the people that live in a specific area having to vie for time, if you will, at their office -- local office. And is there anything that would perhaps provide more funds to those offices that might see an influx of -- of clients?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Collins.

SENATOR COLLINS:

I think -- now, previously DHS was opposed to it and then they came and they raised the issue of the load. But once -- But they said, if given the time. They were moving to update their computer system, so that would alleviate the overburden of certain offices, if they had the time to start in January 2011. Until 2010, the more -- the burden was basically based on the time restriction to -- to avail the access and to get the reports. And that was probably the heart of the argument that DHS made. But now they're supporting it, given the extended time.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any further discussion? Seeing none, Senator Collins, to close.

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SENATOR COLLINS:

I just ask for an affirmative vote. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The question is, shall House Bill 1801 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 59 voting Yea, none voting Nay, none voting Present. House Bill 1801, having received the required constitutional majority, is declared passed. Senator Frerichs, on House Bill 1802. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 1802.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Frerichs, to explain the bill.

SENATOR FRERICHS:

Thank you very much, Mr. President. House Bill 1802 eliminates statutorily defined deposits into the Community Mental Health Medicaid Trust Fund outlining how much money can be used for what services and instead allows for one hundred percent of federal matching funds to be deposited directly into the Fund.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, Senator Frerichs, to close.

SENATOR FRERICHS:

I'd ask a favorable vote.

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PRESIDING OFFICER: (SENATOR CLAYBORNE)

Thank you. The question is, shall House Bill 1802 pass. All those in favor will -- will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There are 59 voting Yea, none voting Nay, none voting Present. House Bill 1802, having received the required constitutional majority, is declared passed. Senator Althoff, on Senate -- House Bill, I'm sorry, 1911. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 1911.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Althoff, to explain.

SENATOR ALTHOFF:

Thank you, Mr. President. House Bill 1911 is a mirror image of House Bill 1322, which passed out of these Chambers unanimously, with two changes. One, the Governor's Office asked us to make the beginning date 2012 and, two, he asked for the removal of a consideration to the Metropolitan Planning Organizations. We acquiesced to both of those requests and have this bill in front of you. I would ask again for an affirmative vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 1911 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

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record. There are 58 voting Yea, none voting Nay, none voting Present. House Bill 1911, having received the required constitutional majority, is declared passed. Senator Delgado, on House Bill 1995. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 1995.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Delgado, to explain the bill.

SENATOR DELGADO:

Thank you, Mr. President, Members of the Senate. House Bill 1995 requires the Department of Corrections to create a pilot program at one or more institutions to allow inmates to remotely visit family members through interactive video conference and to report back to the General Assembly on the implementation of the pilot program. And I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Senator Dale Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates he will yield.

SENATOR RIGHTER:

Thank you. Senator Delgado, has the Department of Corrections weighed in on this legislation?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Delgado.

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SENATOR DELGADO:

Yes. They are proponents.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

SENATOR RIGHTER:

Have they given you a -- a cost estimate for a pilot program?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Delgado.

SENATOR DELGADO:

The Department of Corrections did not provide one. And for the record, there are -- a lot of the video machinery is already in existence. And they did not provide any kind of fiscal on this particular one. And they are supporters. There was no opposition.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any further discussion? Seeing none, the question is, shall House Bill 1995 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 55 voting Yea, none voting Nay, none voting Present. House Bill 1995, having received the required constitutional majority, is declared passed. Senator Cullerton, on House Bill 2240. Out of the record. 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 come to the President's Anteroom immediately. The Senate will stand at ease.

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(SENATE STANDS AT EASE)

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Tony Muñoz in the Chair.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Clayborne back 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 State Government and Veterans Affairs {sic} (Affairs) Committee - House Joint Resolution 72 and House Joint Resolution 66; Be Approved for Consideration - House Bill 1597 and House Bill 1306.

Signed by Senator James F. Clayborne, Chairman.

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to the Executive Committee - Floor Amendment 2 to House Bill 5, Floor Amendment 1 to House Bill 607, Floor Amendment 4 to House Bill 1306, Floor Amendment 2 to House Bill 1597, Floor Amendment 4 to House Bill 2652, Motion to Concur with House Amendment 1 to Senate Bill 1896, and Floor Amendment 2 to House Bill 3997.

Signed by Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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The Senate Executive Committee will meet at 5 p.m. in Room 212. The -- the order of the Calendar -- we'll turn to the top of page 4. House Bill 2414. Senator Raoul. Senator Raoul seeks leave of the Body to return Senate Bill -- I mean, I'm sorry, House Bill 2414 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is -- is House Bill 2414. Madam -- Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Raoul.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul, to explain.

SENATOR RAOUL:

Floor Amendment 2 deletes all and becomes the bill. I'll explain it on -- on 3rd.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

3rd Reading. Now we'll go back to House Bills 3rd Reading. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 2414.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul, to explain.

SENATOR RAOUL:

Thank you, Mr. -- Mr. President, Ladies and Gentlemen of the Senate. House Bill 2414, as amended, addresses an issue brought to my attention by Ernst & Young, which is a -- one of the firms that -- that is a pass-through entity that has been awarded the EDGE tax credit. What House Bill 2414 does, it -- it -- it allows pass-through entities to treat the tax credits as tax payments for the purposes of -- the Illinois Income Tax Act. The purpose of this amendment is to fix the situation where the benefit of the credits earned by a partnership may end up being paid as additional taxes to states in which out-of-state partners reside. For legislative intent, it's to be made clear that -- that the Department of Revenue, which does not oppose the bill, wanted to make sure the language of the bill could not be misinterpreted by a taxpayer to mean that they could double or triple the amount of the credit. That is not the intent of the bill and any such interpretation would be contrary to the intent of the Legislature. This bill is revenue-neutral.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Senator Dale Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates he will yield, Senator Righter.

SENATOR RIGHTER:

Thank you. Senator Raoul, can you -- for those of us who

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are not tax experts, can you walk through a hypothetical that would help us better understand the practical impact of this change?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul.

SENATOR RAOUL:

I'll -- I'll do my -- my very best since I'm not a tax expert either. But under -- we -- we have the EDGE tax credit to try to incent partnerships to do business and locate and employ people in the State of Illinois. Under the current circumstance, where this cannot be treated as a tax credit on the payment, what -- what happens is if there's a partner -- for instance, there was a partner who testified in committee who's a partner in -- who's a resident of the State of Minnesota. His tax liability is -- is higher as a result of the way it -- the language is currently in the State of Minnesota. Whereby if we allow him to -- use this tax credit as a credit to payment, while it remains revenue-neutral to the State of Illinois, it creates a benefit to that partner and to the -- to -- to the firm, in that their tax liability is lessened to the other state, and thereby they're doing more business in the State of Illinois.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any further discussion? Seeing none, the question is, shall House Bill 2414 pass. All those in favor will vote Aye. Opposed will vote -- will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yea, none voting Nay, none voting Present. House Bill

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2414, having received the required constitutional majority, is declared passed. Senator Harmon, on House Bill 2643. Out of the record. Senator Muñoz, on House Bill 2652. Out of the record. Senator Haine, on House Bill 3997. Senator Link, on House Bill 3997. Out of the record. Senator Muñoz, on House Bill 4124. Out of the record. Senator Kotowski, on House Bill 4625. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 4625.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Kotowski, to explain the bill.

SENATOR KOTOWSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 4625 is very similar to legislation that we've passed a couple times out of the Senate, except for the fact that we now have an immediate effective date for this bill. It 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 Board - that is eighty-two percent of the Board - to override a veto. House Bill 4625 changes the Counties Code so only three-fifths of the Board could override a veto. More than happy to answer any questions.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Murphy. Is there any discussion? Senator Murphy.

SENATOR MURPHY:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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Sponsor indicates he will yield.

SENATOR MURPHY:

Senator, I just want to make sure I'm clear. Is this an immediate effective date or is there an amendment being attached to this to make the effective date December 6, 2010?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Kotowski.

SENATOR KOTOWSKI:

Thank you for your question, Senator Murphy. This is a immediate effective date.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Murphy.

SENATOR MURPHY:

Do -- do we have a legal analysis or opinion as to whether or not, when this bill is signed into law, it will apply for measures passed by the Commission previously, particularly the -- the sales tax increase?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Kotowski.

SENATOR KOTOWSKI:

I'm not completely clear as to what you're getting at, Senator. I'll just read to you the effective date. "This Act takes effect upon becoming law and applies as soon as permissible under (the) Illinois Constitution."

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Murphy.

SENATOR MURPHY:

What I'm trying to figure out is, will the -- will the County Board, once this gets passed, be able to override a -- a

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veto on a repeal of the Cook County sales tax increase with a three-fifths majority? And do -- has anybody looked into the legality of that?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Murphy. Sorry, Senator Raoul. I mean, I'm sorry, Senator Kotowski.

SENATOR KOTOWSKI:

Thank you. Thank you, President. I know Senator Raoul and I share the same hair line, but I think there's a slight difference between the two of us. He's -- he's -- he's a little bit more muscular than I am. The -- in reference to the question, Senator Murphy, yes, that can occur and we've looked into the legal components of the decision and essentially have determined, based on everything I've -- I've discussed with our legal counsel, that this is absolutely constitutional.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Murphy.

SENATOR MURPHY:

To the bill, Mr. President. I'd like to thank the sponsor for leading on this issue. The Cook County sales tax hike that has been protected by this inordinately high veto override measure in Cook County is really devastating areas in Cook County. It's driving much-needed jobs out of the County. As the economic engine of the State, Cook County needs to be -- remain vibrant. And being number one in the country in sales taxes is not going to get that done. So, I applaud the sponsor for his relentlessness on this and getting this done, and urge a resounding Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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Senator Raoul.

SENATOR RAOUL:

Question for the sponsor.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates he'll yield.

SENATOR RAOUL:

I'm not going to ask about my muscles, but you -- the decision has been made to lower the -- what would be the supermajority at the county level from four-fifths to three-fifths. Is that -- is that the intent of this bill?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Kotowski.

SENATOR KOTOWSKI:

Thank you, Senator. Yes, that is the intent. Currently, it takes fourteen votes to override the veto. That's eighty-two percent. This would bring it down to eleven out of seventeen, essentially three-fifths, making it consistent with what we do here in order to override the Governor's veto. Plus -- plus - just one other thing I wanted to add - making it consistent with every other form of county government in the State of Illinois.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul.

SENATOR RAOUL:

So you settled on three-fifths as a kind of reasonable amount of supermajority as opposed to something like two-thirds, which would have been in between four-fifths and -- and three-fifths, because -- because three-fifths is kind of a more reasonable number.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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Senator Kotowski.

SENATOR KOTOWSKI:

I think it's -- it's consistent with what we do here in this State and I -- I think it's fair.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul.

SENATOR RAOUL:

To the bill: You know, while I -- I do have concerns about the implementation date, I -- I join my colleague on the other side of the aisle who asked for resounding support for supporting the notion that a three-fifths supermajority is kind of the standard that should -- should be used. And I -- I -- I look forward to -- to the consistency using that standard.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Jacobs.

SENATOR JACOBS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates he'll yield, Senator Jacobs.

SENATOR JACOBS:

Senator, I'm looking at the analysis here and it says that Cook County Board -- Stroger had -- had a bill and they tried to override him and they were one short of overriding him. Is that correct?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Kotowski.

SENATOR KOTOWSKI:

Yes, sir, that is correct.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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Senator Jacobs.

SENATOR JACOBS:

And your -- and your new bill would make it so that -- that if they got the same vote, that he would be overridden, right? Correct?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Kotowski.

SENATOR KOTOWSKI:

That -- that is correct, Senator. It is -- as I indicated earlier, it would take eleven votes. It essentially would be a little over sixty percent in order to override the veto on any issue.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Jacobs.

SENATOR JACOBS:

If that vote number would change between now and then, would you come back next week and lower the threshold again? My concern is, Senator, is that, first, this is county business, not State business. I feel like we're meddling in county affairs that are none of my business, frankly, though I know we do from time-to-time make rules for everyone. I -- and I know that voters -- some voters don't like Todd Stroger. Frankly, I don't even know the man. I really don't know his record. But I get really nervous when people create bills aimed at people. And will you assure me this is bill is not aimed at him? And if it's not aimed at him, wouldn't it be better if we took an adoptive clause for the next County Board Chairman or the next term, rather than changing the rules in the middle of the game?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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Senator Kotowski.

SENATOR KOTOWSKI:

I -- I appreciate all your questions and this isn't targeted at any one individual. It's targeted to a specific situation. There have been three times where they've attempted to override a veto, which, as I indicated before - eighty-two percent - it takes eighty-two percent. And across the country and in the State of Illinois, you just don't simply see that. And what we're trying to do is -- is rectify a wrong and make sure our County Board members have more of an opportunity to represent their constituents on very important issues. Imagine a scenario in the State of Illinois where it would take us eighty-two percent to override the Governor of the State of Illinois. That would be incredibly -- an incredible impediment to our ability to be able to best represent our constituents.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Jacobs.

SENATOR JACOBS:

Just to close, I would just say that, you know, it just seems to me that we have to be very careful here. The fact is, is that I'm often on the minority point of view in the Senate. And there's a lot of times I would like things to be lowered or raised to suit my personal -- my personal preference. I know we're going to be voting on a bill coming up here that's going to give the -- take away power from Members and give more power to the Leaders. I would like a lower threshold on that vote. So I think we just have to be careful. I applaud what you're trying to do, Senator. I know you're looking out after the taxpayers, but, you know, he's an elected official and I think

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we ought to give him his head in -- in this area.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Lightford.

SENATOR LIGHTFORD:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates he'll yield, Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President. Senator Kotowski, during debate in Exec, the Cook County Department brought up a point that there was some constitutionality that was in question. And can you explain that? I don't know that I got an answer that really, really explained the situation to the best that it could be. I was a Yes vote before. My vote was a Present. And I need just a little more clarification on the constitutionality of the change of the effective date right in the middle of the person's term.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Kotowski.

SENATOR KOTOWSKI:

Thank you. Thank you, Senator Lightford. And I'm glad you brought up the point here. Just so -- just wanted -- the court case that was cited is Dunne versus Cook County, and basically what it said is as a legal precedent against changing the form of government in mid-session - that was argued. The argument is misleading. Dunne versus Cook County involved a change to the veto override provision achieved through a county ordinance. This action by the county was ruled unconstitutional because it was not achieved through a referendum. We are not passing a

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county ordinance here. What we are doing is changing statute in the State of Illinois and it's completely within our constitutional authority to do just that.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Lightford.

SENATOR LIGHTFORD:

I -- I'm not an attorney and I don't have that interpretation in front of me as you just, you know, so eloquently stated. But I guess the issue is, it's taking away some powers, and I know the word "powers" has something to do with what you just said. So I'm pretty sure that there is another side of the coin in this matter where someone else could argue it very differently from you. I just want to say to the bill, Mr. President, that I think that this legislation is fair, in that you want to change it to two-thirds, just as what we do here, but I think the part that's not fair about the bill is that it's interrupting a term. And I believe when that gentleman was sworn into office, he was sworn under oath under a matter of areas that he had to adhere to. And I don't know that he was aware of that someone would just come along, have this grand idea, something that you've worked on that you brought to my attention, and decide right in the middle of his term that you can change the rules that he was sworn up under. I'm concerned that the constituency in Cook County will have an adverse effect. They have a balanced budget, I believe - that's what they've said. We're eleven billion dollars in the hole. We have nothing to give them or anyone else. And I would hate that this will pull resources away from that budget at this point. During testimony, it was stated that there will be a six

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-- six-hundred-million-dollar hole created if these powers were changed at this point. And I just want to make sure that that six-hundred-million-dollar hole does not have an adverse effect on the constituency that I represent and many others in Cook County. So I'm still at that point where I don't know where I should be on this particular issue. So I'm going to continue to listen to debate and then I'll vote my conscience.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Trotter.

SENATOR TROTTER:

Thank you, Mr. President. You know, I just want to say that I -- I agree with the -- the previous speakers. What we're doing here is we're changing the rules in the middle of the game. Like it or not, when they voted for this President that is now serving the County Board, the rules were that they had a four-fifths vote. It's been that way, as we found out, since 1870. So for them to sort of say that they're not doing it because of one individual, I believe is just very disingenuous. This is certainly -- and if that's not the case, as pointed out by the good Senator who just spoke, they can move the effective date until the next term, when that individual who's running for office and whoever wins knows what the rules are. Just because you don't get your way, you don't change the rules. This isn't a game of -- I don't know if you all remember Calvin and Hobbes and they played Calvinball and those kinds of good things. No, this -- these rules were -- been in place since 1870. I also have a problem with interfering with local government. There's a reason why they have our federal government and they have their laws and why we have State laws that the -- the -- the

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workings of the State and why they have local laws as well, 'cause those people are more closer to their action and their people have the right to know what the rules are when they're going into -- into the voting booth. Well, in this case -- we talk about all the time about giving power to the people, and we spoke of this in committee, that in fact the people of the County of Cook have the power to put -- this on a referendum and make the decision themselves, if they in fact want to change how they use their veto power. Is that correct, Senator?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Kotowski.

SENATOR KOTOWSKI:

That's correct.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Trotter.

SENATOR TROTTER:

So if the local government and those individuals that live in the County of Cook have the power by virtue of their single vote to change the rules, why are we playing bigger than they are, bigger than those individuals that have to be impacted by the laws that is presented to them? In a home rule environment, why is it incumbent upon us? Why do we have to feel so compelled that we have to interfere with that?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Kotowski.

SENATOR KOTOWSKI:

Thank you, Senator Trotter. I think that's a -- a fair point. Last I checked, we're the State Legislature and we have the authority to enact laws and make a difference on a wide

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range of issues. I know the phrase -- be used about, you know, changing rules. We -- we pass laws all the time and policy which creates situations for the better. I happen to argue and have argued and have a respectful difference of opinion on this that gives -- this gives people a greater opportunity to have their voice heard in Cook County. When it takes -- when it takes fourteen out of seventeen commissioners, eighty-two percent, to override a veto, it's an extraordinary number. I mean, when the Bulls were 72 and 10, I don't even believe that number was eighty-two percent in terms of their winning percentage. And the fact remains is, we have a great number of people that the commissioners represent who are seeking to override a veto and they have been vetoed three separate occasions. Simply what we're trying to do is change this to best reflect the facts so they can have a greater voice in government, so we can restore a more consistent form of democracy in Cook County, as we've been attempting to do in this legislative Body in a variety of different ways. So I respectfully disagree with your assessment. I think this is the right thing to do and I -- and I continue to have that opinion.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Trotter.

SENATOR TROTTER:

To the bill: And -- and I understand, we all can disagree, but for the last one hundred and thirty-nine years, this has been the game. And when you talk about democracy, there is no better way to exercise your democratic will than the single vote. We come down here in Springfield and we say that we're the voice of the people - and in some cases, especially for

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those who are voiceless. In this instance, those individuals, those five million people that live in the County of Cook, had their voice and that voice is no more powerful than that vote that they take when they go into the polling place. Just as they have the -- can vote for whatever President they want - might not be the person who wins, but they have that power to speak for themselves. And I think it's just unnecessary for us to take on the -- the jacket, or the robe in this case - the royal robe - of the power of the State to circumvent the rights that they already have.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Kotowski.

SENATOR KOTOWSKI:

Since this statute would -- was put into place -- since this statute was put into place - I want to be very clear here - since this statute was put into place, the Board has expanded twice since then, from fifteen members to sixteen then seventeen members. This last expansion in the early 1990s also saw the introduction of single-member mixed city-suburban districts, rendering the reason behind the original four-fifths requirement a moot point. The fact remains is, the changing of the -- the law -- the veto override threshold did not -- did not change to meet the expansion of the number of the Board members. The fact is, they changed the rules in midgame. But guess what? They didn't change the capacity to override the veto and that's what we're trying to do. We're trying to make it consistent with the changes that existed within the Cook County Board.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Kotowski, to close.

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SENATOR KOTOWSKI:

Thank you, Mr. President, Ladies and Gentlemen of the General Assembly - the Senate. I would just simply ask for an Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The question is, shall House Bill 4625 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 -- have all voted who wish? Take the record. On that question, there are 48 voting Yea, 1 voting Nay, 8 voting Present. House Bill 4625, having received the required constitutional majority, is declared passed. Senator Jimmy DeLeo in the Chair.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, continuing on House Bills 3rd Reading. Senator Clayborne, do you wish to proceed, sir? He indicates he does. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

House Bill 4628.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR CLAYBORNE:

Thank you, Mr. -- Mr. President. Basically, House Bill 4628 comes out of the genesis of what has been happening with the federal government negotiated bankruptcy. And basically what we're doing in this bill is it provides that there's a four-year period after a successor manufacturer assumes the

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business of a predecessor, it shall be unlawful for the manufacturer to enter into a -- a same line -- in a same line make franchise located within a relevant market area without first offering an addition or relocated franchise to the former franchisee. Basically what this does is, it's a first right of refusal for all of those dealers who've had their dealership terminated, and if the manufacturer decides to come back in the -- in that area and sell that same line, they must offer that new dealership to the old owner.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR BOMKE:

Thank you, Mr. President. To the bill: This came out of Transportation unanimously. And I'd encourage an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Further discussion? Senator Rutherford.

SENATOR RUTHERFORD:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RUTHERFORD:

Thank you, Mr. President. And, Senator Clayborne, would this apply to a franchise of McDonald's or a Starbucks or a Coca-Cola distributor?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR RUTHERFORD:

Would this...

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PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

No.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Rutherford, press your button.

SENATOR RUTHERFORD:

I did.

PRESIDING OFFICER: (SENATOR DeLEO)

Oh, okay.

SENATOR RUTHERFORD:

Yes, I wasn't finished on the last question though either.
Why not?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

I guess, as far as I know, Senator, they've not requested this and they have not had the same experience as the car dealers.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Rutherford.

SENATOR RUTHERFORD:

Thank you, Mr. President. So, what you're saying is that the government is about to tell a company that has a legal contract with a distributor or franchise or licensee how to deal with that in the future? And let me ask the question. So what you're saying is this is specific only to the automobile industry. But would there not be a nexus for this to be for other distributors, such as soft drink distributors, beer

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distributors, liquor distributors?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Clayborne.

SENATOR CLAYBORNE:

I -- I don't know, Senator Rutherford. We're just dealing with automobile dealers and manufacturers.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Rutherford.

SENATOR RUTHERFORD:

Thank you, Mr. President. You know, I -- I'm quite sensitive to the issue, because I, too, got a number of calls from some constituents and concerns from companies that this affected. But I guess what bothers me most is when we start to go down this slippery slope of government telling companies what they can and cannot do with their intellectual property, with their franchise rights, with their trademarks and their service names. And albeit today, Senator Clayborne, perhaps your legislation is drafted specifically for the auto industry, which I have a great deal of sensitivity to, but I also know that -- as I'd used in my previous queries, that there are other types of distributors and franchises. And I'm fearful that once we start here, this is very inappropriate activity, what I see, in a very good capitalist economy that we have.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Syverson, for what purpose you seek recognition, sir? Are you happy, sir?

SENATOR SYVERSON:

I'm always happy. This is a great day.

PRESIDING OFFICER: (SENATOR DeLEO)

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Good -- good to see you.

SENATOR SYVERSON:

Thank you, sir.

PRESIDING OFFICER: (SENATOR DeLEO)

For what -- what purpose do you rise, sir?

SENATOR SYVERSON:

Just to comment on the legislation that the -- do you mind?

PRESIDING OFFICER: (SENATOR DeLEO)

The bill, sir.

SENATOR SYVERSON:

Yes, sir.

PRESIDING OFFICER: (SENATOR DeLEO)

Please proceed.

SENATOR SYVERSON:

Thank you very much. Senator, I appreciate you carrying this legislation. The issue of slippery slope started when the federal government started putting pressure on these manufacturers to do away with these dealerships and to start taking control of -- of dealerships. And what -- what has happened to these dealerships has been unexcusable. And so we appreciate you carrying this. This may not save all the dealerships that have been -- that have been hurt by this, but at least this gives them a fighting chance when the government's going to be weighing in and putting -- and opening up new dealerships, or trying to open up new dealerships, where they have previously closed those. So, I want to thank you for carrying this important piece of legislation.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Further discussion? Senator Millner.

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How are you this afternoon, sir?

SENATOR MILLNER:

I'm very well, sir. How are you?

PRESIDING OFFICER: (SENATOR DeLEO)

Good, thank you. For what purpose do you rise, sir?

SENATOR MILLNER:

Well, I -- I'm rising in strong support of this bill. And I'd like to also respond to a previous Senator -- Senator's comment about other businesses. This bill is different, because in this particular bill, the manufacturing -- the manufacturers are neutral. So these other ones, perhaps they're not neutral -- if they, you know, sign in in opposition. They -- they -- they're neutral on this. The other thing is we're talking about thousands of employees throughout our State. We're talking about dealers that have been in family -- families for ninety years. We're talking about some dealers -- for example, one dealer that I know of personally that's been in business for so many years losing these employees. They -- they're the largest selling -- one of the largest selling Cadillac dealerships in the nation and GM decides they're going to just yank it from them. And who knows if they're going to give it to their next-door neighbor or someone else? There's no reason for this. All of us should be concerned about what these manufacturers are doing. They're neutral. And all of us should be concerned about the -- the jobs in Illinois that we have in front of us that we potentially are losing every day because of the -- the dealers that are being closed. And for that reason, I would ask each and everyone in this Chamber to please vote for this bill. Thank you.

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PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. At this time, Senator Rutherford, we're going to have Senator Clayborne close, sir. Senator Clayborne, to close, sir.

SENATOR CLAYBORNE:

Thank you, Mr. -- Mr. President. I just want to tell my two colleagues I appreciate their comments. And I would ask for this Body's favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, the question is, shall House Bill 4628 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 56 Ayes, 1 voting Nay, 1 voting Present. House Bill 4628, having received the required constitutional majority, is declared passed. Senator Rutherford.

SENATOR RUTHERFORD:

May I have a verification of the last vote, please?

PRESIDING OFFICER: (SENATOR DeLEO)

We'll get back to you. Okay, Ladies and Gentlemen, I ask you to turn your printed Calendars to page 5. We're going to return to Secretary's Desk, Resolutions. In the middle of page 5 is House Joint Resolution No. 31. Senator Haine, do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, please read the gentleman's resolution.

SECRETARY ROCK:

House Joint Resolution 31, offered by Senator Haine.

PRESIDING OFFICER: (SENATOR DeLEO)

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Thank you, Madam Secretary. Senator Haine, to explain the resolution, sir.

SENATOR HAINE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a House Joint Resolution that asks that wherever possible the State of Illinois encourage buying American products, putting our people to work. It's an initiative of the State AFL-CIO and the United Steel Workers of America.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, Senator Haine has moved the adoption of House Joint Resolution 31. Is there any discussion? Is there any discussion? Seeing none, the question is, shall the Senate adopt HJR 31. All those in favor will signify by voting 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, please take the record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. Resolution -- House Joint Resolution 31, having received the required constitutional majority, is declared adopted. Senator Clayborne in the Chair.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

We'll now go to the Order of - page 2 of the Calendar - House Bills 3rd Reading. Oh! I'm sorry, Senate Bills 3rd Reading. Senator Haine, on Senate Bill 353. Out of the record. Senator Cullerton, on Senate Bill 354. Out of the record. Senator Hunter, on Senate Bill 380. Senator Hunter seeks leave -- seeks leave of the Body to return Senate Bill 300 -- I mean, 380 to the Order of 2nd Reading. Seeing -- seeing no objection,

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leave is granted. Madam -- Senator, do you wish to proceed?
Madam Secretary, read -- read the -- read the... Madam Secretary,
are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Hunter.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Hunter, to explain.

SENATOR HUNTER:

Thank you, Mr. President. This amendment basically changes
the -- the -- the deadline date from December 31st, 2009, to
December 31st, 2010, for the Commission to Study the --
Disproportionate Justice.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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 CLAYBORNE)

3rd Reading. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 380.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Hunter, to explain.

SENATOR HUNTER:

I basically just explained the amendment, so I ask for an
Aye vote.

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PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Senator Dale Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates she will yield, Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Senator, I remember we acted on similar legislation during the spring. And it was in committee and I think that it was Senator Meeks who was carrying the bill then and there was give-and-take about the fact that the group hadn't met yet. And the reason the group hadn't met yet was because -- maybe because there weren't any appointments or they just hadn't scheduled a meeting. What's the status of the task force? Have the appointments been made? Is it -- has it met at all?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Hunter.

SENATOR HUNTER:

Thank you -- thank you, Senator Righter. That's a good question. Actually, the Commission did meet. All of the -- well, the vast majority of the positions has been appointed. And we basically would like to extend the deadline by one year to allow hearings to take place throughout the State.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Seeing no further discussion, the question is, shall Senate Bill 380 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There are

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57 voting Yea, none voting Nay, none voting Present. Senate Bill 380, having received the constitutional majority, is declared passed. Senator Cullerton, on Senate Bill 602. Out of the record. Senator Demuzio, on Senate Bill 614. Out of the record. Senator Lightford, on Senate Bill 655. Senator Lightford. Out of the record. Senator Kotowski, on Senate Bill 660. Senator -- Senator Kotowski, do you wish to proceed? Senator -- Senator Kotowski seeks leave of the Body to return Senate Bill 660 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 660. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Kotowski.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Kotowski, to explain.

SENATOR KOTOWSKI:

The amendment -- thank you, Mr. President. The amendment becomes the bill. And essentially what it does is, it repeals the current Public Insurance adjusters Article of the Insurance Code and creates the Public Adjusters Law, which regulates the licensing of public insurance adjusters. This is a agreed-upon bill in the House and the Senate. It's supported by the Cook County State's Attorney's Office and the Department of Financial and Professional Regulation.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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

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approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

3rd Reading. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 660.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Kotowski, to explain.

SENATOR KOTOWSKI:

As I mentioned earlier, it just -- this is a -- it does what I -- what I indicated before. It provides for a brand-new Public Adjusters Law and regulates the licensing of public insurance adjusters.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall Senate Bill 660 pass. All those in favor, 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 58 voting Yea, none voting Nay, none voting Present. Senate Bill 660, having received the required constitutional majority, is declared passed. Senator Harmon, on Senate Bill 1973. Out of the record. Senator Collins, on Senate Bill 2101. Senator Collins seeks leave of the Body to return Senate Bill 2101 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 2101. Madam Secretary, are there any Floor amendments approved

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for consideration?

SECRETARY ROCK:

Floor Amendment 4, offered by Senator Collins.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Collins, to explain.

SENATOR COLLINS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Floor Amendment No. 4 to Senate Bill 2101 deletes all and instead removes the Board of Trustees of the Illinois Banks {sic} (Bank) Examiners' Education Foundation. It reduces the size of the State Banking Board from seventeen members to twelve members and reduces the extent of the State Banking Board's powers. I can explain it on 3rd Reading further.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

3rd Reading. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 2101.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Collins, to explain.

SENATOR COLLINS:

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Thank you, Mr. President. This legislation is an initiative of the Illinois Department of Financial and Professional Regulation, in conjunction with the Community Bankers Association. They reached an agreement in reference to -- primarily one of the key points is reducing the required seventeen members to serve to twelve. Part of the reason was that according to the Department that currently they say there are only two of the seventeen required members and the Board has not met since October 2003. And so the Department believes these changes will make the Board more viable.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Senator Dan Rutherford.

SENATOR RUTHERFORD:

Mr. President, thank you. I just would make a comment. I support the legislation, but I think it's important to note that there has been multiple vacancies for multiple years. And by reducing the size of this -- this -- this group, what I do hope happens is that under -- we now have a new Governor, so we can allow him those opportunities - that he does actually take action and do appoint members to fill these. I would also note for the Body that we're also expanding the definition of what the authority and the activity of this group is. So it isn't just as though it was a vacant seventeen-member board since 2003. So we are trying to -- to bolster it with some true activities on behalf of the administration and the banking community. So I do hope that our Governor does fulfill the obligation to appoint these. And I stand in support of Senator Collins' legislation.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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Seeing no further discussion, the question is, shall Senate Bill 2101 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There are 57 voting Yea, none voting Nay, none voting Present. Senate Bill 2101, having received the required constitutional majority, is declared passed. With leave of the Body, we're going to turn to page 4. Middle of page 4 is House Bill 4124. Senator Muñoz seeks leave of the Body to return House Bill 4124 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 4124. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 3, offered by Senator Muñoz.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Muñoz, to explain.

SENATOR MUÑOZ:

One minute. Thank you, Mr. President, Ladies and Gentlemen of the Senate. Floor amendment deletes everything and becomes the bill. As amended, House Bill 42 {sic} creates the offense of unlawful possession of a firearm by a street gang member - a Class 2 felony, three to ten years, twenty-five thousand dollars, with an extended term of up to ten years and a mandatory sentence of incarceration for violations involving a loaded firearm. I'd like to thank Senator Delgado and Representative Soto for letting us use this bill. Their bill was sitting on 2nd Reading, and as a result, we were able to put this amendment in there. So I would like to thank them. Ladies and Gentlemen of the Senate, it's unfortunate gang members and

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violence are plaguing our communities. The Chicago Crime Commission estimates there are between seventy to one hundred gangs in Chicago alone. Those seventy to one hundred have between them seventy to a hundred and twenty-five thousand members. Currently there are approximately thirteen thousand police officers -- Chicago police officers. This legislation will punish more severely gang members who possess firearms and ammunition in areas where gang violence is most likely to erupt - the streets, sidewalks, alleys, gangways and roadways of urban areas throughout Illinois. The purpose of this legislation is to protect innocent citizens, public areas by severely and justly punishing those individuals who are prone to cause violence in public areas - gang members. On June 1, 2009, at approximately 12:12 a.m., Chicago police officers Alejandro Valadez and Tom Vargas responded to the call of shots fired in the area of 6000 South Hermitage. Unfortunately, shots fired is a very routine call for police officers to respond to and they do respond on a daily basis of these calls. But on this day when the Chicago Police Officer Alex Valadez arrived at the scene, a tragedy unfolded. Officer Valadez, dressed in plain clothes, approached an individual to conduct a field interview. As he conducted his interview, a car with two individuals drives by and the passenger begins shooting at the officer. Officer Valadez was shot in the head and in the thigh. These gunshot wounds killed the officer. Two individuals in the car were apprehended. The gun was recovered and both gave statements to the police. At the time of this tragic incident, both defendants were on probation. The shooter was on...

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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Senator, you can -- I'm sorry, you can explain the -- we -- we -- we haven't adopted the bill {sic} yet. 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 CLAYBORNE)

3rd Reading. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 4124.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator, to explain.

SENATOR MUÑOZ:

Thank you, Mr. President. As I stated Floor Amendment 3 becomes the bill. As I've just explained, the shooter was on a felony probation for aggravated unlawful use of a weapon. Both defendants were gang members. The bill was introduced at the beginning of Session, but was sent to a subcommittee. The bill was important then, but now it is unfortunately and timely in tragic death of a fallen officer. And it illustrates how important this measure is to the safety of police officers and citizens in every community in Illinois. I will answer any questions, if any.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

There any discussion? Senator Raoul.

SENATOR RAOUL:

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Just to the bill: First, I want to express appreciation for the sponsor and the -- the intent of the sponsor. There were some concerns raised in committee. You know, certainly, I think everybody in this Chamber wants to do everything they can to deter gun violence and gang violence. There were some concerns raised in the committee. Certainly, Senator Righter raised some valid concerns about equal protection. What this in essence does is removes discretion from the -- the judge. And there can be an instance where you have somebody that can be defined as a gang member, who has no prior criminal background, who's in a vehicle, and constructive possession can be -- can be -- the -- the -- the individual can be charged with possessing a loaded weapon in the vehicle as a result of driving that vehicle and he may have no association with that loaded weapon. Meanwhile, you can have somebody who is not a gang member, who has a violent history, who's caught with a loaded weapon and who is not mandatorily sent to prison because they are not defined as a gang member. And I think that's hugely problematic. I have a close friend of mine who was a gang member in high school and he has a brother who was also a gang member. They both went to a -- a parochial school in Chicago. One -- my friend ended up going to college in St. Louis and thereafter going to the University of Texas and earning an MBA. And he's a high-level executive with a pharmaceutical company today. Meanwhile, his brother, who is a gang member, is in the federal penitentiary. The -- the -- the tag of gang member doesn't fully define the individual. And you can have some gang members that have no criminal background whatsoever. And, again, I return you to the hypothetical - they're driving a vehicle and they're stopped by

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the police, a weapon is found in the vehicle, there may be four people in that vehicle, somebody else may have brought that weapon in the vehicle, but because that individual is defined as a gang member, the judge has no discretion, no discretion to consider that situation on a case-by-case basis. We're doing too much of removing discretion away from the -- from the judge. Now, the -- prosecutors have discretion. And I did vote for this bill out of committee, because I understand the intent of -- of the sponsor. And -- but I -- I am concerned. And I'm also concerned of how this may be misused by law enforcement officers to try to compel individuals who may be gang members to testify against their fellow gang members and -- and -- and things of -- of that nature when they may have not -- not done anything wrong whatsoever. So, this is a very slippery slope. We need to watch what we're doing. I'm -- I'm continuously saying that we're continuously coming into the Criminal Law Committee with enhancements after enhancements after enhancements and trying to remove the discretion of judges. You know, pretty soon we won't need judges, because we'll -- we'll remove all their discretion.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Maloney.

SENATOR MALONEY:

Thank you, Mr. President. I -- I just rise in support of this legislation the -- that Senator Muñoz brings forward. Hopefully, this legislation will act as a deterrent to some young person using violence, especially gun violence, in the City of Chicago. The young officer that was killed in the situation that Senator Muñoz described was an alumnus of the high school where I was the assistant principal and I saw how

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not -- this not only impacted his immediate family, the entire school community and all of the Chicago police officers. So if this can result in a safer environment, I urge an Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Noland.

SENATOR NOLAND:

Thank you, Mr. President. I speak to this with a clear understanding of my colleague next to me feeling -- and his feelings and understanding that judges might be deprived of their discretion. But there is this notion or there is this -- this -- this art of law, if you will, the term of art in law called a "directed verdict". With a directed verdict, a judge can determine, after the prosecution has brought its case, that it has not proved its case and it can take this decision -- the judge can take this decision and enter a decision and an -- and an acquittal in this case. So, to believe that a judge has lost all their discretion is a misnomer, I believe, in this case, with all due respect to my colleague. I will tell you this, that we have had instances in my district where this has been the case, where -- where shots have been fired by known gang members, the bullets have gone astray and they have killed innocent people. And I believe that we should do everything that we possibly can to avoid situations like that. I think we've all, particularly in our more urban areas, have experienced this. So I rise in strong support, my colleague's heartfelt concerns notwithstanding. I urge a very strong Aye vote for this bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Rutherford.

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SENATOR RUTHERFORD:

Mr. President, thank you. The sponsor yield for a question?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates he'll yield -- he will yield.

SENATOR RUTHERFORD:

Thank you. Senator Muñoz, is it pretty -- is there a very clear - unequivocally clear - definition of what a gang member is?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Muñoz.

SENATOR MUÑOZ:

Just the definition that was quoted from an ILC yesterday what a gang member was under current law. I'd have to get that language for you right now.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Rutherford.

SENATOR RUTHERFORD:

I think rather than pursuing it -- I appreciate your -- so if you could just assure to me that, in the current statute, there exists an extremely clear definition of a "gang member". So it is not a discretion because of how somebody wears their pants down their rump or cap sideways - there's a very clear definition of what a gang member is.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Muñoz.

SENATOR MUÑOZ:

The Chicago Police has data from Gang Intelligence where a known gang member that's -- has been in the computer since -- in

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their computer system, been in file. In question that we're -- gang members that we're talking about have already felony convictions. They're known gang members. A lot of times in certain areas in the City of Chicago and certain places in the State, a lot of the gangs retaliate against one another, so they all carry their weapons. This bill, what we're trying to do is, any known gang member who has a felony conviction - they're not talking about first-time offense; this is a gang member that's a known convicted felon - if he's in possession with -- with this weapon, a loaded weapon in his possession, and a State's attorney can prove that he's a known gang member, then this will apply to them.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Millner.

SENATOR MILLNER:

Thank -- thank you, Mr. President. To the bill: This may help clarify a bit regarding one of the previous Senator's comments about a friend of his that was one time in a gang and all of a sudden now he could be sitting there and getting arrested if he had a gun under this Act. The answer to that is that -- that -- that couldn't happen unless he was actively engaged in the criminal enterprise. He has to actively be engaged in that gang and the burden of proof from the State's attorney's office is -- it has to be very, very high. They have to prove it up. And one thing is, it has to be part of the Illinois Streetgang Terrorist Omnibus {sic} (Terrorism Omnibus Prevention) Act. The definition of the street gang member is there. I read it in committee yesterday from ILCS and it was probably two hundred plus words defining what a street gang

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member is and what it takes to be actively engaged in a criminal enterprise. So I think to comfort the Members of this -- this Body, I would say that the -- the burden of proof is very high. This is a good bill. And I think we all can comfortably vote for it and -- and help put an end to some of the street gang violence that we're -- we're seeing plaguing our State every day. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any further discussion? Senator Muñoz, to close.

SENATOR MUÑOZ:

I just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The question is, shall House Bill -- shall House Bill 4124 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There are -- on that question, there are 56 voting Yea, none voting Nay, none voting Present. House Bill 4124, having received the required constitutional majority, is declared passed. 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. All Members please be at their desks. We'll be doing final action - 3rd Readings, final action. Okay, Ladies and Gentlemen, for purposes of an

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announcement. For purpose of announcement. The Committee on Assignments will meet immediately, immediately in the President's Anteroom. So the Senate will stand at ease for a moment to allow the Committee on Assignments to meet. So I'd ask all members of the Committee on Assignments please come to the President's Anteroom immediately. The Senate will stand at ease for a moment. All Members please report to the Committee on Assignment room immediately. Thank you. We will stand at ease.

(SENATE STANDS AT EASE)

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon, Senator Viverito, Senator Righter and Senator Dillard please report to the Committee on Assignment room immediately. Senator Harmon, Senator Viverito, Senator Righter and Senator Dillard.

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

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

SECRETARY ROCK:

Senator Silverstein, Chairperson of the Committee on Executive, reports Senate Amendment 2 to House Bill 5, Senate Amendment 1 to House Bill 607, Senate Amendment 4 to House Bill 1306, Senate Amendment 2 to House Bill 1597, Senate Amendment 4 to House Bill 2652, Senate Amendment 2 to House Bill 3997, and

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Motion to Concur with House Amendment 1 to Senate Bill 1896 recommended Do Adopt.

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Be Approved for Consideration - Floor Amendment 3 to House Bill 1597.

Signed by Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, would you see that the Supplemental Calendar has been -- been printed and distributed to the Members? Thank you. Also, Madam Secretary, could -- do you have Messages from the House?

SECRETARY ROCK:

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 253

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 29th, 2009. Mark Mahoney, Clerk of the House.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, thank you. Madam Secretary, Resolutions, please.

SECRETARY ROCK:

Senate Resolution 497, offered by Senator Syverson.

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It is substantive.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, I'd ask you to turn your attention to Supplemental Calendar No. 1. It's been printed and distributed. Supplemental Calendar No. 1, on the top of the page. We will go to House Bills 3rd Reading, final action. House Bill 1306. Senator Harmon. Senator Don Harmon, on House Bill 1306. Do you wish to proceed, sir? He indicates he wishes to proceed. Senator Harmon, I believe, is seeking leave of the Body to return House Bill 1306 back to the Order of 2nd Reading for purpose of an amendment. Is that correct, sir? Seeing that is correct, Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 4, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Harmon, to Amendment No. 4, sir.

SENATOR HARMON:

Thank you, Mr. President. The amendment becomes the bill. I move for its adoption and would be delighted to debate the bill on 3rd Reading.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, we're moving to adopt Floor Amendment No. 4. Is there any discussion? Seeing none, all those in favor will say Aye. All those opposed will say Nay. And it's the opinion of the Chair, the Ayes have it, and the amendment is adopted. ...Secretary, has there been any further Floor amendments approved for consideration?

SECRETARY ROCK:

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No further amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Now on the Order of 3rd Reading comes House Bill 1306. Senator Harmon, do you wish to proceed, sir? Indicates he wishes to proceed. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

House Bill 1306.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

...you. Senator Harmon, to the bill, sir.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Last spring, as a part of the capital budget bill, we approved, among other funding sources, the expansion of -- or video gaming in Illinois - a legalization. But in that bill, we permitted municipalities or counties to opt out of the video gaming. That ability is not being changed. We are looking forward in time to a point after which some licensees have been licensed to conduct video gaming and the county or municipality in which they are operating then votes to -- to ban video gaming. And this would permit those licensees who've already been established two years following the date the ordinance was approved or the referendum was passed prohibiting video gaming. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

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

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you rise, sir?

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR BURZYNSKI:

Senator, I understand your intent with the bill, but let me ask you this, and I -- I should have asked it in committee and I forgot to. But anyway, what if there is another ordinance violation or problem with the establishment that has those machines? And, you know, are they going to be able to continue operation in spite of the fact that they might have other ordinance violations?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

Thank you -- thank you, Mr. President. Senator, this deals with the -- the -- the broad permission to operate video gaming. The establishments would be licensed and -- and regulated by the Board. And -- and I don't believe we're changing in any way their authority to regulate those establishments.

PRESIDING OFFICER: (SENATOR DeLEO)

Further discussion? Further discussion? Senator Jacobs, for what purpose do you rise, sir?

SENATOR JACOBS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

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

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SENATOR JACOBS:

Do communities that opt out of the video gaming, will they still share in the -- in the profits that are generated by other communities, or does your bill address that issue, or do you think that's something perhaps that -- that we need to address? I'm just a little disturbed with communities saying "I'm not going to participate in raising the revenue; I just want to spend the revenue."

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Thank you, Senator, for your question. Obviously, they won't get a local share, because there will be no video gaming within their jurisdiction. The moneys that come to the State would be allocated by us, so you would have a voice in that decision.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any further discussion? Any further discussion? Seeing none, Senator Harmon, to close, sir. Okay, Ladies and Gentlemen, the question is, shall House Bill 1306 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 40 Ayes, 12 Nays, 0 voting Present. House Bill 1306, having received the required constitutional majority, is declared passed. Continuing on your Supplemental Calendar comes House Bill 1597. House Bill 1597. Senator Forby. Senator Gary Forby. Sponsorship is -- there's a slip on file. The sponsorship has been changed to President

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Cullerton. He's requesting it out of the record. Continuing on Secretary's Desk, Concurrence. On Order of Concurrence of Senate Bills, in the middle of Supplemental Calendar No. 1, is Senate Bill 1896. Senator Haine, do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, read the gentleman's motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1896.

Signed by Senator Haine.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR HAINE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Amendment No. 1 is some -- some additions that were added to the bill that passed the Senate. And the initial bill, as well as this bill, the gist of it, is to establish procedures for victims, concerned citizens and State's attorneys to object to releases proposed of inmates on parole and to seek rehearing of Prisoner Review Boards' decisions on such -- such matters. And these apply to only C-numbered prisoners, those sentenced prior to the Determinate Sentencing Law that was passed in 1978. And they're primarily terrible crimes - murder and similar crimes. The House amendment were the result of discussions between myself, the Prisoner Review Board, the Cook County State's Attorney's Office and the John Howard Association. There was give-and-take on -- on all sides and we came up with a bill with no opposition.

PRESIDING OFFICER: (SENATOR DeLEO)

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Thank you. Thank you very much, sir. Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1896. 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 voting Aye, 0 voting Nay, 0 voting Present. House -- Senate Bill 1896 having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 1896, and the bill is declared passed. Okay, Ladies and Gentlemen, continuing on Senate Calendar, Supplemental Calendar No. 1, is House Bill 2279, Override. Senator Dillard, do you wish to proceed? Senator Dillard, do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, read the gentleman's motion.

SECRETARY ROCK:

I move that the -- that House Bill 2279 do pass notwithstanding the specific recommendations of the Governor.

Filed by Senator Dillard.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Senator Dillard, to your motion, sir.

SENATOR DILLARD:

Thank you, Mr. President and Ladies and Gentlemen. I did not have a problem with Governor Quinn's changes to this particular bill. However, over in the House, they thought it exceeded his scope of authority. And the group that requested the Governor to amendatorily veto the number of -- of -- of

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community-based residential rehabilitation centers is okay with us waiting and letting me override the Governor's veto until next year when Representative Patti Bellock and I can put in new legislation. So I think there's no opposition to this now. We're going to solve this by a new bill next year. And I wish to respectfully override the Governor's amendatory veto on House Bill 2279.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall House Bill 2279 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 Nay, 0 voting Present. House Bill 2279, having received the required constitutional three-fifths majority, is declared -- passed, notwithstanding specific recommendations of the Governor. Continuing on Motions in Writing is House Bill 4096. Senator Hultgren, do you wish to proceed? Out of the record. Ladies and Gentlemen, at this time, I'd ask you to go to your printed Calendars, your printed Calendars. We will go to page 2, page 2 of the printed Calendars. On the bottom of page 2 comes House Bills 3rd Reading. House Bills 3rd Reading is Senator Clayborne. Senator James Clayborne, do you wish to proceed, sir? Excuse me, I understand there's been a slip filed and the -- the new sponsor is Senator Harmon. Is that correct, Madam Secretary? Thank you. So, House Bills 3rd Reading is House Bill 5. Senator Harmon, do you wish to proceed? Senator

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Harmon, I believe you're seeking leave of the Body to return this back to the Order of 2nd Reading for the purpose of an amendment. Is that correct, sir? Indicates that's correct. Madam Secretary, now on the Order of 2nd Reading is House Bill 5. Has there been any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Harmon, on Floor Amendment No. 2, sir.

SENATOR HARMON:

Thank you, Mr. President. Floor Amendment No. 2 becomes the bill. I move for its adoption and would be happy to debate the bill on 3rd Reading.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Okay, Ladies and Gentlemen, leave was granted for the return of House Bill 5 to the Order of 2nd Reading. The gentleman's asked for adoption of the amendment. All those in favor will say -- amendment -- Floor Amendment No. 2 -- all those in favor will say Aye. All those opposed will say Nay. And it's the opinion of the Chair, the Ayes have it, and the amendment has been adopted. Madam Secretary, has there been any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Now on the Order of 3rd Reading is House Bill 5. Senator Harmon, do you wish to proceed at this time? He indicates he does. Madam Secretary, read the

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gentleman's bill.

SECRETARY ROCK:

House Bill 5.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. In our spring Session, among the many pieces of government reform legislation we passed, was Senate Bill 54, which overhauled the lobbyist registration and regulation rules. This is a trailer bill which consists primarily of changes requested by the Secretary of State in order to ensure compliance. Most notably it requires lobbyists to file semimonthly expenditure reports instead of the weekly reports required in Senate Bill 54. It also broadens the authority of the Secretary of State's Inspector General. It permits the referral of matters to the State's Attorney or the Attorney General and expands the definition of "official" to cover persons serving on boards and commissions. I'd be happy to answer any questions. And I ask for your support.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR BURZYNSKI:

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

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PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question.

SENATOR BURZYNSKI:

Thank you. Senator, in committee this evening as we were debating this bill and the -- and the bill was being explained, one of the questions that arose was whether or not there was any cleanup language relative to the enormous fee increase for lobbyists that was passed in the -- in the bill earlier this year. And I was wondering if you could address that, please.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. No, this bill does not address the issue of the registration fees paid by lobbyists. Again, that -- that is something that was in the bill we passed in the spring. It is not addressed here. We have assured folks that we are willing to continue those conversations to see if there are other avenues available. But that is not an element of this bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Further discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. And -- and with just a little indulgence, Senator, I certainly hope that we continue those discussions simply because I think we've got a lot of folks in our districts that serve not-for-profits as executive directors that are going to have a rude awakening when they find out they have to register as a lobbyist and their organization has to pay a thousand dollars and they themselves will have to pay a thousand

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dollars - registration fee. So I hope that we continue that.
Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR HARMON:

Thank you, Mr. President. Just a -- a reminder that transparency and accountability aren't free. With that, I'd ask for your Aye votes.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, the question is, shall House Bill 5 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 48 Ayes, 8 voting Nay, 0 voting Present. House Bill 5, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, we -- continuing on House Bills 3rd Reading, we'll go to page 3 of your printed Calendars. We will go to House Bill 607. House Bill 607. Senator Harmon. Senator -- sponsorship been changed on this, Madam Secretary? The sponsorship has been changed to President Cullerton. Madam Secretary, has there been a change of sponsorship? Okay. House Bill 607, there's been a change of sponsorship from Senator Harmon to President Cullerton. President, do you wish to proceed on House Bill 607? President Cullerton is seeking leave of the Body to return this to the Order of 2nd Reading for the purpose of an amendment. Seeing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 607. Has there --

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Madam Secretary, has there been any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by President Cullerton.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. President Cullerton, to Floor Amendment No. 1, sir.

PRESIDENT CULLERTON:

Yes, thank you, Mr. President, Members of the Senate. This is cleanup language to the Internet pilot program and the private lottery management provisions of the Illinois Lottery Law that was passed to provide funding for the capital bill. There are six changes that are meant to enhance these two provisions. They do reflect input from Lottery officials, the Governor's Office, and all four caucuses. There was one issue that came up and was questioned in committee. This bill clarifies that the private lottery manager may be compensated for its services via a fee for services, a performance-based bonus of no more than five percent of the Lottery profits, or some combination of these and other methods of compensation. The purpose of this is to ensure that the lottery has flexibility to fashion the most appropriate compensation method so the lottery brings the State maximum value. The current law, we feel, that we drafted does not adequately reflect this intended flexibility. I have spoken to Senator Righter about this. I believe I've answered his questions and would be happy to answer any other questions concerning this provision.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, is there any discussion on the amendment? On the

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amendment, is there any... Senator Dillard, for what purpose do you rise, sir?

SENATOR DILLARD:

If -- if the Senate President would answer two questions, please.

PRESIDING OFFICER: (SENATOR DeLEO)

He indicates he'll yield for a question, sir. Senator Dillard.

SENATOR DILLARD:

Thank you. Mr. President, there's a change in a Department of Justice letter writing, where if they don't hear at all under this bill, it's deemed to go forward. Can you explain that change in this cleanup bill or trailer bill?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton.

SENATOR CULLERTON:

Yes, thank you, Mr. -- Senator Dillard. As you know, we are very interested in getting money in for our capital bill. We believe that the Internet program is a -- one that can bring in a minimum of a hundred million dollars. And what we did in our bill that we passed, the capital bill, was to say we have to wait for a Department of Justice letter before we can proceed. So we're kind of putting ourselves in their time frame. We believe, as a result of federal legislation that's been passed dealing with Internet -- with sports gambling, where lotteries were specifically exempted, that we're going to get a very favorable letter. But the purpose of this change is just to basically push it along and make sure that we could go ahead with the program if for some reason that letter was -- was

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delayed.

PRESIDING OFFICER: (SENATOR DeLEO)

Further discussion? Senator Dillard.

SENATOR DILLARD:

I learned a long time ago in law school never to question the Justice Department, 'cause they operate on their own time frames. What is a reasonable amount of time and what happens if -- if -- if, once we get this started, we -- we find out that it's not approved?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton.

SENATOR CULLERTON:

We're hoping that they would respond within ninety days. Again, it's -- you know, we can't compel them to answer. We could take the risk of going forward even though they could later on say what you did was wrong. We're just trying to tweak the language, if you will, to show that -- kind of put the onus on them so that they know that this is serious. We hope, given the fact that our former colleague is now the President of the United States - he's the President of the United States who appoints the Justice Department - maybe we can get a -- a -- a quick answer. But the purpose of the change, just to -- to not put ourselves at the mercy, statutorily, of not being able to move forward because somebody isn't writing us a letter back.

PRESIDING OFFICER: (SENATOR DeLEO)

Further discussion? Senator Dillard.

SENATOR DILLARD:

Thank you, both Mr. Presidents. One last question, Anita Bedell, who normally testifies against measures dealing with any

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form of gambling, registered and I wasn't in committee. I'm not a member of the committee. Why would Miss Bedell be opposed to this in your estimation?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton.

SENATOR CULLERTON:

Yes. She had some good points and I hope we answered them. First of all, she was concerned about whether or not this Internet -- lottery would be limited to the two games that we initially indicated we wanted it to be limited to, that being the Mega Millions and the Lotto. The answer is, they are, but the letter that we want to get back from the Justice Department was fashioned in a broader way. So, we're not asking the Justice Department "can we do these two games?" We're asking them, "is it okay to sell lottery tickets on the Internet?" But -- but it's our intention to limit these games to those -- limit this -- Internet sales to those two games. The other thing I think she mentioned was limiting the amount of money people can bet on a monthly basis. They can do that through rules, we believe, though that was an adjustment and that was the response to her question.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Okay, Ladies and Gentlemen, we're still on the adoption of the amendment. So seeing no further discussion, all those in favor of adopting Floor Amendment No. 1 to House Bill 607 will say Aye. All those opposed will say Nay. It's the opinion of the Chair, the Ayes have it, and Floor Amendment No. 1 is adopted to House Bill 607. Madam Secretary, has there been any further Floor amendments approved for consideration?

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SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

...you. Now -- 3rd Reading. Now on the Order of 3rd Reading is House Bill 607. The Senate sponsor, Senator Cullerton, do you wish to proceed, sir? He indicates he would like to proceed on the Order of 3rd Reading. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

House Bill 607.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton...

SENATOR CULLERTON:

Yes.

PRESIDING OFFICER: (SENATOR DeLEO)

...to the bill, sir.

SENATOR CULLERTON:

Yes, thank you...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR CULLERTON:

...Mr. President. The amendment...(microphone cutoff)...was -- was the bill. We just discussed it. And as a result, I think, what we want to do is make sure we pass this bill and hope that our lottery program will be the first in the nation to have an Internet pilot program and that it will bring in money for our capital bill so we can bring some jobs back to Illinois. I'd

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ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, the question is, shall House Bill 607 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 36 Ayes, 20 Nays, 0 voting Present. House Bill 607, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, I ask you to -- well, we're continuing on the printed Calendar. Turn to page 4 of your printed Calendar. On the top of page 4 is House Bills 3rd Reading. We will go to the Order of House Bills {sic} 2652. Senator Muñoz. Senator Muñoz. Madam Secretary, take it out of the record. We will go to House Bills 3rd Reading. House Bill 3997. Senator Link. Sponsorship has been changed to -- from Senator Sullivan to Senator Link. Is that correct, Madam Secretary? Yes. Thank you for the correction. Senator Link is seeking leave of the Body to return House Bill 3997 back to the Order of 2nd Reading for the purposes of an amendment. Seeing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 3997. Madam Secretary, has there been any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Link.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Link, on Floor Amendment No. 2, sir.

SENATOR LINK:

Thank you, Mr. President. Floor Amendment 2 just makes the

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Gaming Board under the Governor's jurisdiction. Be more than happy to explain it on final reading.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, the gentleman has asked for adoption of Floor Amendment No. 2 to House Bill 3997. All those in favor will say Aye. All those opposed will say Nay. It's the opinion of the Chair, the Ayes have it, and Floor Amendment No. 2 is adopted. 3rd Reading. Now on the -- oh! ...Secretary, has there any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Now on the Order of 3rd Reading is House Bill 3997. Senator Link, you wish to proceed? He indicates he wishes to proceed. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

House Bill 3997.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link, to the bill, sir.

SENATOR LINK:

Thank you, Mr. President. Basically, what this bill does is codify Executive Order No. 5, which separates the Illinois Gaming Board from the Department of Revenue. It also prohibits the Board members from engaging in political activity or holding public office. And it also makes it more flexible for deadlines for filing for applications for new owners license. Be more than happy to answer any questions.

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PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall House Bill 3997 pass. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 58 Ayes, 0 voting Nay, 0 voting Present. House Bill 3997, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, still on the Order of House Bills 3rd Reading, we will return to House Bill 2652. That's page 4 of your printed Calendar. House Bill 2652. That's Senator Muñoz. And I believe Senator Muñoz, Madam Secretary, is seeking leave of the Body to return House Bill 2652 back to the Order of 2nd Reading for the purpose of an amendment. Seeing no objection, leave is granted. Now on the Order of 2nd Reading, Madam Secretary, has there been any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 4, offered by Senator Muñoz.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Muñoz, to Floor Amendment No. 4, sir.

SENATOR MUÑOZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Floor Amendment 4 deletes all and becomes the bill. I will explain it on 3rd Reading. I would ask for its adoption.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, the gentleman has asked for the adoption of Floor Amendment No. 4 to House Bill 2652. Seeing no discussion, all

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those in favor will say Aye. All those opposed will say Nay. It's the opinion of the Chair, the Ayes have it, and Floor Amendment No. 4 is adopted. Madam Secretary, has there been any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Now on the Order of 3rd Reading is House Bill 2652. Senator Muñoz, do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

House Bill 2652.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR MUÑOZ:

Thank you, Mr. President. House Bill 2652 provides coverage for expenses incurred in obtaining a prosthetic or custom orthotic device. The terms and conditions of coverage must be applicable to all medical and surgical benefits provided under the plan. It also makes -- the policy or plan may require prior authorization for prosthetic or orthotic devices. Repairs and replaces {sic} of prosthetic/orthotic devices are also covered, unless necessitated by misuse or loss. Legislation does not apply to supplemental insurance policies. I will answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

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Thank you, Senator. Okay, Ladies and Men, seeing -- seeing no further discussion, the gentleman's question is, shall House Bill 2652 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 47 Ayes, 5 Nays, 0 voting Present. House Bill 2652, having received the required constitutional majority, is declared passed. Okay, Ladies and Gentlemen, may I have your attention, please? Tomorrow morning -- Ladies and Gentlemen, tomorrow morning, at the hour of 8 a.m., the Committee on Assignments will meet in the President's Anteroom. We will be coming back to the Senate for further Floor action tomorrow morning at the hour of 8:15. The Senate will stay open this evening. So we'll be accepting paperwork from the House. So -- but there'll be no further Floor action needed. And we will stand in recess to call of the Chair and -- so we can accept paperwork from the House this evening. So there'll be no further Floor action and we will go right to substantive business at the hour of 8:15 tomorrow morning. Okay, once again, Ladies and Gentlemen, could I have your attention, please? Just for purposes of an announcement. Senator Rutherford, are you with me? Please, please, please, please be with me. We have a very early start tomorrow morning. At the hour of 8 a.m., Committee on Assignments; at 8:15, Floor action; and with an hour posting, we will be going to -- it's the intention of the President that the Executive Committee will be meeting immediately after -- at 8:15, hopefully at 9:15. So we will be going immediately to committees in the morning. So please try and be here at a very

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timely fashion. Have a nice evening. We -- the Senate stands in recess to call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR HARMON)

The Senate will come to order. Will the Members please be at their desks? Madam Secretary, Committee Reports. I apologize, 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 1466

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 3.

We have received like Messages on Senate Bill 1514, with House Amendments 1 and 2; Senate Bill 1471, with House Amendments 1 and 3; Senate Bill 1846, with House Amendments 1 and 4.

All passed the House, as amended, October 29th, 2009. Mark Mahoney, Clerk of the House.

PRESIDING OFFICER: (SENATOR HARMON)

There being no further business to come before the Senate, the Senate stands adjourned until the hour of 8:15 a.m. on Friday, October 30th, 2010 {sic}. The Senate stands adjourned.