

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

|        |                |     |
|--------|----------------|-----|
| HB0059 | Veto Action    | 5   |
| HB0070 | Veto Action    | 11  |
| HB0170 | Veto Action    | 28  |
| HB0237 | Veto Action    | 12  |
| HB0363 | Veto Action    | 13  |
| HB0366 | Veto Action    | 14  |
| HB0382 | Veto Action    | 15  |
| HB0489 | Veto Action    | 19  |
| HB0542 | Recalled       | 37  |
| HB0542 | Third Reading  | 38  |
| HB0547 | Veto Action    | 4   |
| HB0557 | Veto Action    | 20  |
| HB0613 | Veto Action    | 30  |
| HB0669 | Veto Action    | 87  |
| HB0723 | Veto Action    | 27  |
| HB0725 | Veto Action    | 6   |
| HB0746 | Veto Action    | 20  |
| HB1015 | Veto Action    | 6   |
| HB1115 | Veto Action    | 23  |
| HB1526 | Recalled       | 91  |
| HB1526 | Third Reading  | 92  |
| HB1994 | Veto Action    | 7   |
| HB2444 | Veto Action    | 8   |
| HB2445 | Veto Action    | 24  |
| HB2445 | Vote Intention | 35  |
| HB2445 | Vote Intention | 36  |
| HB2445 | Vote Intention | 36  |
| HB2445 | Vote Intention | 36  |
| HB2547 | Veto Action    | 25  |
| HB3325 | Veto Action    | 26  |
| HB3642 | Veto Action    | 10  |
| HB4638 | Third Reading  | 29  |
| SB0146 | Concurrence    | 37  |
| SB0146 | Discussed      | 46  |
| SB0253 | Concurrence    | 41  |
| SB0327 | Concurrence    | 99  |
| SB0748 | Concurrence    | 100 |
| SB1181 | Concurrence    | 103 |
| SB1265 | Concurrence    | 106 |
| SB1466 | Concurrence    | 46  |
| SB1514 | Concurrence    | 82  |

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

|                                      |                    |     |
|--------------------------------------|--------------------|-----|
| SB1846                               | Concurrence        | 42  |
| SB1936                               | Concurrence        | 32  |
| SB1942                               | Concurrence        | 109 |
| SB1942                               | Vote Intention     | 112 |
| SB2500                               | First Reading      | 32  |
| SR0498                               | Resolution Offered | 2   |
| SR0499                               | Resolution Offered | 2   |
| SR0500                               | Resolution Offered | 99  |
| HJR0079                              | Adopted            | 113 |
| HJR0079                              | Resolution Offered | 113 |
|                                      |                    |     |
| Senate to Order-Senator Clayborne    |                    | 1   |
| Prayer-Mary Lou McLaughlin           |                    | 1   |
| Pledge of Allegiance                 |                    | 1   |
| Journal-Postponed                    |                    | 1   |
| Committee Reports                    |                    | 2   |
| Senate Stands in Recess/Reconvenes   |                    | 31  |
| Committee Reports                    |                    | 32  |
| Senate Stands in Recess/Reconvenes   |                    | 35  |
| Senate Stands at Ease/Reconvenes     |                    | 45  |
| Committee Reports                    |                    | 45  |
| Messages from the House              |                    | 84  |
| Senate Stands in Recess/Reconvenes   |                    | 85  |
| Committee Reports                    |                    | 86  |
| Message from the House               |                    | 86  |
| Senate Stands at Ease/Reconvenes     |                    | 98  |
| Committee Reports                    |                    | 98  |
| Resolutions Consent Calendar-Adopted |                    | 112 |
| Message from the House               |                    | 112 |
| Adjournment                          |                    | 113 |

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

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 our guests in the galleries please rise? The invocation today will be given by Mary Lou McLaughlin of Baha'i Faith, Springfield, Illinois.

MARY LOU McLAUGHLIN:

(Prayer by Mary Lou McLaughlin)

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please remain standing for the Pledge of Allegiance, led by Senator Ira Silverstein.

SENATOR SILVERSTEIN:

(Pledge of Allegiance, led by Senator Silverstein)

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Madam Secretary, Reading and Approval of the Journal.

SECRETARY ROCK:

Senate Journal of Thursday, October 29th, 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 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 transcripts. There being no objection, so ordered. Madam Secretary, Resolutions.

SECRETARY ROCK:

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

Senate Resolution 498, offered by Senator Forby and all Members.

Senate Resolution 499, offered by Senator Forby and all Members.

They are death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Resolutions Consent Calendar. Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Be Approved for Consideration - House Bill 542 and Senate Bill 1936.

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 3 to House Bill 542, Motion to Concur with House Amendment 1 and House Amendment 3 to Senate Bill 146, Motion to Concur with House Amendment 1 to Senate Bill 253, Motion to Concur with House Amendment 1 and House Amendment 3 to Senate Bill 1466, Motion to Concur with House Amendment 1 and House Amendment 2 to Senate Bill 1514, Motion to Concur with House Amendment 1 and House Amendment 4 to Senate Bill 1846, and Motion to Concur with House Amendment 1 and House Amendment 4 to Senate Bill 1936, Motion to Concur with House Amendment 1 to Senate Bill 2248.

Signed by Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

Senator Silverstein, for what purpose do you seek recognition?

SENATOR SILVERSTEIN:

A point of announcement, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please make your announcement.

SENATOR SILVERSTEIN:

The Senate Executive Committee will meet promptly - promptly - at 9:25 in 212. Promptly.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Thank you. The Senate Exec Committee will meet promptly - promptly - at 9:25 in 212. Senator Maloney, for what purpose do you think you want to seek recognition?

SENATOR MALONEY:

Thank you, Mr. President. I've watched too many of my colleagues have to make a similar announcement here today. But, last night we got word that Army Specialist Jared Stanker, a 2006 alumnus of the High School I was at, an Evergreen Park resident, was killed in action when his vehicle was hit by an IED. Six other American soldiers were killed at this same incident, making this the deadliest month for American casualties since the invasion of 2001. Jared turned twenty-two years old last week. I would like us to have a moment of silence and pray for him, his family and all others who are in harms way protecting us.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please everyone -- everyone please stand for a moment of silence. (Moment of silence observed) Thank you, Senator Maloney. On the bottom of page 6 on the Calendar is the Order

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

of Motions to Override the Governor. This is final action. All Senators at the sound of my voice, would you please come to the Floor? We will -- we intend to proceed. Senator Sullivan. Out of the record, House Bill 669. Motions -- on top of page 7. Motions to Accept Specific Recommendations for Change to House Bills. Senator Harmon. House Bill 59. Senator Harmon. Out of the record. Senator Jacobs. House Bill 70. Senator Jacobs. Out of the record. Senator Radogno. House Bill 547. Madam Secretary, read the motion.

SECRETARY ROCK:

I move to accept the specific recommendations of the Governor as to House Bill 547 in manner and form as follows:

Amendment to House Bill 547

In Acceptance of Governor's Recommendation  
Filed by Senator Radogno.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Radogno, to explain.

SENATOR RADOGNO:

Thank you, Mr. President. The Governor's amendatory veto simply removed the rulemaking language that isn't necessary any longer. The underlying bill was supported unanimously.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall the Senate accept the specific recommendations of the Governor to House Bill 547 in the manner set forth in the motion. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 47 voting Yea, none Nay, none voting

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

Present. House Bill 547, having received the required constitutional majority, is declared accepted. With leave of the Body, we'll go back to House Bill 59. Senator Harmon. Madam Secretary, read the -- read the motion.

SECRETARY ROCK:

I move to accept the specific recommendations of the Governor as to House Bill 59 in manner and form as follows:

Amendment to House Bill 59

In Acceptance of the Governor's Recommendations  
Filed by Senator Harmon.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Harmon, to explain.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The underlying bill was the modernization of the Illinois Human Rights Act requested by the Department. It had included some of the rulemaking language that was a carryover from the past dispute as to the rulemaking authority. The Governor struck that in his amendatory veto and I move to accept his changes.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall the Senate accept the specific recommendations of the Governor to House Bill 59 in the manner and form set forth in the motion. 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, none Nay, none voting Present. House Bill 59, having received the required

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

constitutional majority, is declared accepted. Senator Cronin, on House Bill 613. Out of the record. Senator Hultgren, on House Bill 725. Madam Secretary, read the motion.

SECRETARY ROCK:

I move to accept the specific recommendations of the Governor as to House Bill 725 in manner and form as follows:

Amendment to House Bill 725

In Acceptance of Governor's Recommendation  
Filed by Senator Hultgren.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Hultgren, to explain.

SENATOR HULTGREN:

Yes. Thank you. We move to accept the amendatory veto which just removed the rulemaking language. This was passed unanimously out of the House. We also had passed it unanimously here in the Senate before.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 725 in the manner and form set forth in the motion. 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 52 voting Yea, none voting Nay, none voting Present. House Bill 725, having received the required constitutional majority, are declared accepted. Senator Haine, on House Bill 1015. Madam Secretary, read the motion.

SECRETARY ROCK:

I move to accept the specific recommendations of the



STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

Governor as to House Bill 1015 in manner and form as follow:

Amendment to House Bill 1015

In Acceptance of Governor's Recommendations

Filed by Senator Haine.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine, to explain.

SENATOR HAINE:

This amendatory action by the Governor is not inconsistent with the gist of the proposed bill and we accept it. I propose that we accept it.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 1015 in the manner and form set forth in the motion. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 voting Yea, none voting Nay, none voting Present. House Bill 1015, having received the required constitutional majority, are declared accepted. Senator Demuzio, on House Bill -- 1994. Madam Secretary, read the motion.

SECRETARY ROCK:

I move to accept the specific recommendations of the Governor as to House Bill 1994 in manner and form as follows:

Amendment to House Bill 1994

In Acceptance of Governor's Recommendations

Filed by Senator Demuzio.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

Senator Demuzio, to explain.

SENATOR DEMUZIO:

Yes, thank you, Mr. President, Members of the Senate. House Bill 1994, the Governor does make a recommendation that the effective date of the bill be changed from January 1st of 2010 to July 1st of 2010. I do accept the motion and ask for a vote -- favorable vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 1994. All those in favor will 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. There are 53 voting Yea, none voting Nay, none voting Present. House Bill 1994, having received the required constitutional majority, are declared passed -- I mean, accepted. Senator Haine, on House Bill 2444. Madam Secretary, read the motion.

SECRETARY ROCK:

I move to accept the specific recommendations of the Governor as to House Bill 2444 in manner and form as follows:

Amendment to House Bill 2444

In Acceptance of Governor's Recommendations

Filed by Senator Haine.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine, to explain.

SENATOR HAINE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a recommendation by the Governor that the

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

Executive Branch be allowed to implement a small fee for these -  
- these new licensees. And it seems to be reasonable and we  
would recommend that that be accepted.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator -- 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 Haine, a small fee. Can you define "small fee" and  
the process or practice that the Governor's Office will go  
through to decide who gets to pay it and maybe who does not?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine.

SENATOR HAINE:

Senator, I appreciate your question, but I cannot. I -- I  
don't know what they have in mind. But I -- I was told it would  
be a small, reasonable fee. And I -- I -- I appreciate what  
you're saying and -- but I don't know exactly what it would be  
and how they would arrive at it.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

SENATOR RIGHTER:

Given that, then I guess I would -- I would make a  
suggestion that this bill be pulled out of the record until we  
have an answer on what the fee would be. Otherwise, obviously  
if the -- okay.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

Senator Haine.

SENATOR HAINE:

Thank you. It's early in the morning and I appreciate Senator Righter's questions. This is going to be part of the rulemaking process. It will go through JCAR. Staff indicates to me that the Department, pending action by JCAR, has suggested a fee of fifty-seven dollars, which is half that of the regular instrument dispenser fee. So that's -- that's the -- the -- the figure they are going to recommend, but it has to go through JCAR. It has to be done by -- by -- by rule. And I thank you for your questions.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Any further discussion? Seeing none, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 2444 in the manner and form set forth in the motion. 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 36 voting Yea, 15 voting Nay, none voting Present. House Bill 2444, having received the required constitutional majority, are declared accepted. Senator Hunter, on House Bill 3642. Madam Secretary, read the motion.

SECRETARY ROCK:

I move to accept the specific recommendations of the Governor as to House Bill 3642 in manner and form as follows:

Amendment to House Bill 3642

In Acceptance of Governor's Recommendations

Filed by Senator Hunter.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

Senator Hunter, to explain.

SENATOR HUNTER:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move to accept the recommendations of the Governor to change the Commission date from July 1, 2009, to January 1, 2010, which will allow thorough vetting of the Commission members.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall the Senate accept -- accept the specific recommendations of the Governor as to House Bill 3642 in the manner and form set forth in the motion. 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, none voting Nay, none voting Present. House Bill 3642, having received the required constitutional majority, are declared accepted. With leave of the Body, we'll return to House Bill 70. Senator Jacobs. Madam Secretary, read the motion.

SECRETARY ROCK:

I move to accept the specific recommendations of the Governor as to House Bill 70 in manner and form as follows:

Amendment to House Bill 70

In Acceptance of Governor's Recommendations

Filed by Senator Jacobs.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Jacobs, to explain.

SENATOR JACOBS:

Yeah. I'd just like to accept the Governor's veto. There

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

was one small thing. There was a -- a date on here that the Governor's Office or someone changed. And if there's someone from the Governor's Office who can explain to me why they made that change, it would be very helpful.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 70 in the manner and form set forth in the motion. 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 52 voting Yea, none voting Nay, none voting Present. House Bill 70, having received the required constitutional majority, are declared accepted. At the bottom of page 7, we're going to do the Override Specific Recommendations. Senator Garrett. House Bill 170. Senator Garrett. Senator Garrett. Out of the record. Senator Demuzio. House Bill -- 237. Madam Secretary, read the motion.

SECRETARY ROCK:

I move that House Bill 237 do pass, notwithstanding the specific recommendations of the Governor.  
Filed by Senator Demuzio.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Demuzio, to explain.

SENATOR DEMUZIO:

Yes, thank you, Mr. President and Members of the General Assembly. House Amendment -- House Bill 237 amends the Prompt Payment Act regarding the shortened payment periods and the increased interest penalties for medical service providers. I

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

move that House Bill 237 do pass, the Governor's specific recommendations for changes notwithstanding.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 237 pass, notwithstanding the specific recommendations of the Governor. 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, none voting Nay, none voting Present. House Bill 237, having received the required three-fifths majority, is declared passed, notwithstanding the specific recommendations of the Governor. House Bill 363. Senator Delgado. Madam Secretary, read the motion.

SECRETARY ROCK:

I move that House Bill 363 do pass, notwithstanding the specific recommendations of the Governor.

Filed by Senator Delgado.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Delgado, to explain.

SENATOR DELGADO:

Thank you, Mr. President, Members of the Senate. I move that House Bill 363 do pass, excuse me, notwithstanding the specific recommendations of the Governor. And I would ask for your appreciation.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any -- any -- is there any discussion? Seeing none, the question is, shall House Bill 363 pass, notwithstanding the specific recommendations of the Governor.

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

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 48 voting Yea, none voting Nay, none voting Present. House Bill 363, having received the required three-fifths majority, is declared passed, notwithstanding the specific recommendations of the Governor. At the top of page 8 is House Bill 366. Senator Hutchinson. Madam Secretary, read the motion.

SECRETARY ROCK:

I move that House Bill 366 do pass, notwithstanding the specific recommendations of the Governor.

Filed by Senator Hutchinson.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Hutchinson, to explain.

SENATOR HUTCHINSON:

Thank you, Mr. President, Members of the Senate. I move to override the Governor's amendatory veto for House Bill 366 because I think the bill as we passed it is stronger than the Governor's recommended changes. This was overwhelmingly supported in the House. It passed 114 to 0 {sic}. When we passed it here, it was 58 to 0. And I'd appreciate the -- an Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 366 pass, notwithstanding the specific recommendations of the Governor. 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, none



STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

voting Nay, none voting Present. House Bill 366, having received the required three-fifths majority, is declared passed, notwithstanding the specific recommendations of the Governor. Senator Maloney. House Bill 382. Madam Secretary, read the motion.

SECRETARY ROCK:

I move that House Bill 382 do pass, notwithstanding the specific recommendations of the Governor.

Filed by Senator Maloney.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Maloney, to explain.

SENATOR MALONEY:

Thank you, Mr. President. I do move that House Bill 382 do pass, notwithstanding the specific recommendations of the Governor. House Bill 382 was the Nursing Education Scholarship Law, which provides that the Department of Public Health offer scholarships to nurse educators. There's a critical shortage of nursing instructors and this nursing shortage in the future could jeopardize the quality of health care. This passed overwhelmingly in the Senate 58 to nothing. It passed 116 to nothing in the House. I would appreciate an affirmative vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing -- oh, I'm sorry. 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:

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

Senator, it's my understanding that one of the pieces of the original legislation would have required that the Department of Public Health maintain a database of the availability of nurse educator positions and that the Governor, in his veto message, pointed out that the Illinois Center for Nursing already maintains such a database. Your override would then require the Department of Public Health to do the same thing that the Illinois Center for Nursing is doing. Do you think that we need to spend dollars doing that?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Maloney.

SENATOR MALONEY:

You -- you -- my understanding is, you are correct, Senator Righter, but the -- the -- the amendatory veto also made this subject to appropriation, and this kind of changes a mandatory bill and makes it permissive.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

SENATOR RIGHTER:

I'm sorry. Could you repeat that? It -- it changes a mandatory bill and makes it permissive. I -- can you walk through, again, what exactly that means?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Maloney.

SENATOR MALONEY:

Yeah. It would be my view that the -- the -- it does make it permissive. In other words, that is, the amendatory veto, in my view, would be noncompliant.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

Senator Righter.

SENATOR RIGHTER:

Well, it'll make it permissive in that if we don't have money to spend on it, we really won't have the program, which was true for, arguably, the MAP program and a dozen -- or probably a hundred others out there. I mean, the Governor's amendatory veto says we're not going to do this if we don't have the money for it, and even if we did have the money for it, why create a duplicative database that's already being maintained somewhere else. And I guess the second part particularly troubles me - why would we ask the Department to create and maintain a database that is already maintained elsewhere?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Maloney.

SENATOR MALONEY:

Okay, the -- the -- the money was increased in this bill from 1.2 to two million. As far as the dual database, that's something I suppose we could look at in a follow-up.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. How about this? Senator, can you tell us here on the Floor that when we come back in January, if you discover that the databases that you're suggesting be created and the one that's already existing are, in fact, the same thing, that we move a bill releasing the Department from that requirement and figuring out how they can just access the information that's already being maintained?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

Senator Maloney.

SENATOR MALONEY:

Yes. I think that -- that makes sense, that we do not have two agencies doing the same job and that way we can decide which one would be best suited for that.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Burzynski.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates he will yield, Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Senator Maloney, it's my understanding that this scholarship is to be funded by the nurse -- nursing fees paid into the Nurse {sic} (Nursing) Dedicated and Professional Fund. Is that correct?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Maloney.

SENATOR MALONEY:

That is correct, Senator.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. I -- I just wanted to clarify that point, indicating no GRF funds. It's -- it's all part of their nursing dedicated fees. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

There any further discussion? Seeing none, the question is, shall House Bill 382 pass, notwithstanding the specific

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

recommendations of the Governor. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Yea, none voting Nay, none voting Present. House Bill 382, having received the required three-fifths majority, is declared passed, notwithstanding the specific recommendations of the Governor. Senator Martinez, on House Bill 489. Madam Secretary, read the motion.

SECRETARY ROCK:

I move that House Bill 489 do pass, notwithstanding the specific recommendations of the Governor.

Filed by Senator Martinez.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Martinez, to explain.

SENATOR MARTINEZ:

Thank -- thank you, Mr. President, Members of the Senate. I move to override the -- the Governor's motion, notwithstanding the specific recommendations of the Governor. I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 489 pass, notwithstanding the specific recommendations of the Governor. 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 55 voting Yea, none voting Nay, none voting Present. House Bill 489, having received the required three-fifths majority, is declared passed, notwithstanding the

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

specific recommendations of the Governor. Senator Holmes, on House Bill 557. Madam Secretary, read the motion.

SECRETARY ROCK:

I move that House Bill 557 do pass, notwithstanding the specific recommendations of the Governor.

Filed by Senator Holmes.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Holmes, to explain.

SENATOR HOLMES:

Thank you, Mr. President. House Bill 557 was on the approved bill list for both the House and the Senate. So it passed unanimously. So I move that we pass this, notwithstanding the specific recommendations of the Governor.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 557 pass, notwithstanding the specific recommendations of the Governor. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Yea, none voting Nay, none voting Present. House Bill 557, having received the required three-fifths majority, is declared passed, notwithstanding the specific recommendations of the Governor. Senator Link, on House Bill 723. Senator Link. Out of the record. Senator Koehler, on House Bill 746. Madam Secretary, read the motion.

SECRETARY ROCK:

I move that House Bill 746 do pass, notwithstanding the specific recommendations of the Governor.

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

Filed by Senator Koehler.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Koehler, to explain.

SENATOR KOEHLER:

Yes, thank you, Mr. President, Members of the Senate. I do move that 746 -- House Bill 746 do pass, notwithstanding the specific recommendations of the Governor. This was an agreed-upon bill. The House sponsor certainly felt that the Governor went beyond his -- his role in this. And since it was an agreed-upon bill supported unanimously in both the House and the Senate, I think it's important that we maintain that. I'd ask for a Aye vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any 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, it's my understanding that the Governor made the program subject to appropriation. Is that correct?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator -- Senator Koehler.

SENATOR KOEHLER:

Yes, he did a couple things. One is it made -- made it subject to appropriations and also expanded the scope of the program.

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Senator, is there money in the budget to fund this program?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Koehler.

SENATOR KOEHLER:

No, there's not. And to the point: All these things are subject to appropriation; if there's not the money, it's not done.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Then -- then -- well, two questions and maybe you can answer 'em and I'll -- I'll be quiet and sit down. Number one, what do you anticipate the cost to be? And number two, why is there a need to override the veto if everything is subject to appropriation?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Koehler.

SENATOR KOEHLER:

Well, again, I'm taking the lead from the House sponsor on this, and since it was an agreed-upon bill, it's important that we maintain the integrity of that. We were not given a...(microphone cutoff)...estimate on this.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 746 pass, notwithstanding the specific



STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

recommendations of the Governor. 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 46 voting Yea, none -- I mean, 6 voting Nay, none voting Present. House Bill 746, having received the three-fifths majority, is declared -- required three-fifths majority, is declared passed, notwithstanding the specific recommendations of the Governor. Senator Haine, on House Bill 1115. Madam Secretary, read the motion.

SECRETARY ROCK:

I move that House Bill 1115 do pass, notwithstanding the specific recommendations of the Governor.

Filed by Senator Haine.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine, to explain.

SENATOR HAINE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1115 reestablishes the Department of Insurance as a separate, freestanding department in the Executive Branch. During the -- the process of this bill through the General Assembly, the Governor issued Executive Order 2009-4, which restored the Department to that independent status. And the Governor's amendatory veto reaffirmed that order, but basically took away the desire of the General Assembly to establish this Department by law. And we would like it relatively permanent so a future Governor cannot do what the previous Governor has done.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

Is there any discussion? Seeing none, the question is, shall House Bill 1115 pass, notwithstanding the specific recommendations of the Governor. 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, none voting Nay, none voting Present. House Bill 1115, having received the required constitutional majority -- having -- having -- having received the required three-fifths majority, is declared passed, notwithstanding the specific recommendations of the Governor. Charles Thomas with station WLS-TV requests permission to videotape. Permission granted. Senator Bomke, for what purpose do you seek recognition?

SENATOR BOMKE:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Bomke, please state your point.

SENATOR BOMKE:

Thank you. Behind you, behind the President's -- in the President's Gallery, we have Rebecca Owens, who has been the legislative liaison with DHS over the last five years. I'm told she's -- will be retiring and would like to recognize her and have her stand so we can show her our appreciation for her work.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Congratulations and thanks for all your service. Good luck to you. Senator Sullivan, on House Bill 2445. Madam Secretary, read the motion.

SECRETARY ROCK:

I move that House Bill 2445 do pass, notwithstanding the

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

specific recommendations of the Governor.

Filed by Senator Sullivan.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Sullivan, to explain.

SENATOR SULLIVAN:

Thank you, Mr. President, Members of the Senate. I move that House Bill 2445 do pass, notwithstanding the specific recommendations of the Governor. The -- House Bill 2445 established a minimum amount of attorneys and investigators at the Illinois Labor Relations Board and the Educational Labor Relations Board. The Governor's veto makes it subject to appropriation, which we believe makes the AV noncompliant. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 2445 pass, notwithstanding the specific recommendations of the Governor. 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 45 voting Yea, 7 voting Nay, 1 voting Present. House Bill 2445, having received the required three-fifths majority, is declared passed, notwithstanding the specific recommendations of the Governor. Senator Steans, on House Bill 2547. Madam Secretary, read the motion.

SECRETARY ROCK:

I move that House Bill 2547 do pass, notwithstanding the specific recommendations of the Governor.

Filed by Senator Steans.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

Senator Steans, to explain.

SENATOR STEANS:

Thank you, Mr. President, Members of the Senate. I move that we override the Governor's amendatory veto. This bill expands the Department of Human Rights' jurisdictions for public bullying and such to include schools.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 2547 pass, notwithstanding the specific recommendations of the Governor. 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 46 voting Yea, 6 voting Nay, none voting Present. House Bill 2547, having received the required three-fifths majority, is declared passed, notwithstanding the specific recommendations of the Governor. Senator Murphy, on House Bill 3325. Madam Secretary, read the motion.

SECRETARY ROCK:

I move that House Bill 3325 do pass, notwithstanding the specific recommendations of the Governor.

Filed by Senator Murphy.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Murphy, to explain.

SENATOR MURPHY:

Thank you, Mr. President. I move that House Bill 3325 do pass, notwithstanding the specific recommendations of the Governor. This was a tinting bill that was supported originally by the State Police, NFIB. We passed it 47-3. The Governor had some, what I frankly thought was appropriate cleanup language,

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

but the Speaker would not allow that change. We are pledging to follow with a trailer bill in the winter, but we'd like to get this going because we've estimated about seven hundred jobs created through allowing this change in the law. Again, we passed it 47-3 and I would appreciate a Yes vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 3325 pass, notwithstanding the specific recommendations of the Governor. 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 54 voting Yea, 1 voting Nay, none voting Present. House Bill 3325, having received the required three-fifths majority, is declared passed, notwithstanding the specific recommendations of the Governor. Senator Hultgren, on House Bill 4096. Out of the record. With leave of the Body, we'll go back to House Bill 723. Senator Terry Link. Madam Secretary, read the motion.

SECRETARY ROCK:

I move that House Bill 723 do pass, notwithstanding the specific recommendations of the Governor.

Signed by Senator Link.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Link, to explain.

SENATOR LINK:

Thank you, Mr. President. I move that House Bill 723 do not {sic} pass, withstanding {sic} the specific recommendations of the Governor.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

Is there any discussion? Seeing none, the question is, shall House Bill 723 pass, notwithstanding the specific recommendations of the Governor. All those in favor will 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. There are 55 voting Yea, none voting Nay, none voting Present. House Bill 723, having received the required three-fifths majority, is declared passed, notwithstanding the specific recommendations of the Governor. With leave of the Body, returning to the bottom of page 7. Senator Garrett, on House Bill 170. Madam Secretary, read the motion.

SECRETARY ROCK:

I move that House Bill 170 do pass, notwithstanding the specific recommendations of the Governor.  
Filed by Senator Garrett.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please -- Senator Garrett, please explain.

SENATOR GARRETT:

Yes. I have a motion to override the Governor's amendatory veto. House Bill 170 passed unanimously in the spring. And basically what this bill did was to assure that beginning in 2013 - this was negotiated - that no new surface discharging installations could be authorized by the Illinois Department of Public Health unless an NPDES permit is first issued by the IEPA. And then the Governor had three amendatory veto reasons - reasons for -- for vetoing this bill and one of 'em, especially, went beyond his constitutional powers, and that was -- would allow the USEPA to issue NPDES permits. And we believe

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

that that would undermine the basic purpose of the bill and it also becomes much more convoluted. So I ask that you override the amendatory veto.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 170 pass, notwithstanding the specific recommendations of the Governor. 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 50 voting Yea, 5 voting Nay, none voting Present. House Bill 170, having received the required three-fifths majority, is declared passed, notwithstanding the specific recommendations of the Governor. We're going to the Order of House Bills 3rd Reading on page 3. House Bill 4638. Senator Lightford. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 4638.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Lightford, to explain.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 4638 amends the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004. It basically provides that a person must have worked at least three years as a full-time manager of a business that designs, sells, installs, services, or monitors alarm systems. The bill would allow individuals who worked for government or

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

other private entities that inspects, reviews, designs, sells, installs, operates, services, or monitor alarms systems. And it also will assist a fire inspector who worked for a fire department that previously did not qualify to be able to provide alarm contracting services. One key point that was brought up in committee, and I wanted to clarify that on behalf of Senator Althoff, is that this legislation would not affect individuals providing 9-11 {sic} (9-1-1) services. I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House -- House Bill 4638 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 -- on that question, there are 54 voting Yea, none voting Nay, none voting Present. House Bill -- 4638, having received the required constitutional majority, is declared passed. ...leave of the Body, we'll return to page 7. House Bill 613. Motions in Writing to Accept Specific Recommendations. Senator Dan Cronin. ...Secretary, read the motion.

SECRETARY ROCK:

I move to accept the specific recommendations of the Governor as to House Bill 613 in manner and form as follows:

Amendment to House Bill 613

In Acceptance of Governor's Recommendations  
Filed by Senator Cronin.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Cronin, to explain.



STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

SENATOR CRONIN:

Thank you very much. I move to accept the Governor's amendatory veto. He addressed the rulemaking language. And this has been agreed to unanimously by all involved. Thank you very much.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 613 in the manner and form set forth in the motion. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yea, none voting Nay, none voting Present. House Bill 613, having received the required constitutional majority, are declared accepted. Senate will stand in recess to the call of the Chair. After the 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 HENDON)

Will all Members under the sound of my voice please come to the Senate Floor? This is "go home" day, Ladies and Gentlemen. I know your hubbies, your wives, they're waiting for you. Your children. You have business back in your district. So please come down to the Senate Floor. All administrative assistants - you know, you do such a wonderful job - please find your Senator and tell him that we are on the Senate Floor about to take care

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

of substantial Senate business so we can get out of here today.  
Thank you. Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Silverstein, Chairperson of the Committee on Executive, reports Senate Amendment 3 to House Bill 542 and Motions to Concur with House Amendment 1 and 3 to Senate Bill 146, House Amendment 1 to Senate Bill 253, House Amendment 1 and 3 to Senate Bill 1466, House Amendment 1 and 2 to Senate Bill 1514, House Amendments 1 and 4 to Senate Bill 1846 and House Amendments 1 and 4 to Senate Bill 1936 recommended Do Adopt.

PRESIDING OFFICER: (SENATOR HENDON)

Introduction of Bills.

SECRETARY ROCK:

Senate Bill 2500, offered by Senator Meeks.

(Secretary reads title of bill)

1st Reading of the bill.

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? We're about to go to the Supplemental on 3rd Reading. If you have some legislation, you need to come to the Senate Floor. Senator Schoenberg, Hunter, Garrett, Link, Link, Harmon, Viverito, Sullivan and Wilhelmi - you all have bills about to come up. Please come to the Senate Floor. We're about to go to substantial Senate action, Floor action. Senator Wilhelmi, on -- your Supplemental Calendar No. 1 has been distributed. Senator Wilhelmi, on Senate Bill 1936. Madam Secretary, read the bill.

SECRETARY ROCK:

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

I move to concur with the House in the adoption of their Amendments 1 and 4 to Senate Bill 1936.

Filed by Senator Wilhelmi.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Wilhelmi.

SENATOR WILHELMI:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Amendment No. 1 is a gut-and-replace amendment that shells the bill and then House Amendment No. 4 deletes all and becomes the bill. It allows municipalities or counties to refinance their special service area bond issues without having to repeat the original bond issue requirements, such as notice and hearing, as long as the town or county finds that refinancing is in the best interest of the -- of the taxpayers of the special service area. The bill also allows a municipality or county to pledge the property taxes in multiple special service areas to secure a single bond issue that will benefit those multiple SSAs. And finally, we're asking the Governor to amendatorily veto the bill to remove the provision that requires the principal to be lower so long as the debt service is lower. This -- this amendatory veto will not alter the fundamental purpose of the bill. And I ask for your support.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? This is final action. The question is, shall the Senate concur in House Amendments No. 1 and 4 to Senate Bill 1936. 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?

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

Take the record. On that question, there are 54 voting Aye, none voting Nay, none voting Present. The Senate concurs in House Amendments No. 1 and 4 to Senate -- House Amendments No. 1 and 4 to Senate Bill 1936. And the bill, having received the required constitutional majority, is declared passed. Senator Koehler, for what -- purpose do you seek recognition, sir?

SENATOR KOEHLER:

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

PRESIDING OFFICER: (SENATOR HENDON)

State your point.

SENATOR KOEHLER:

With us today is a good friend of mine. He's the Mayor of Farmington, Illinois. Mayor Bud Stobaugh, and his friend, Betty Dalton. I'd like to have them welcomed to the Senate.

PRESIDING OFFICER: (SENATOR HENDON)

Your Honor, please stand and be welcomed to the Illinois Senate. And your lovely wife {sic}. Thank you. Welcome. Welcome to the Illinois Senate. It's a pleasure having you here. Hopefully we will learn something from you here today on how to operate a fine town like you do in Farmington. Senator - - Syverson, for what purpose do you seek recognition, my friend?

SENATOR SYVERSON:

Good morning. Since everyone's not on the Floor yet, we'd like to take this opportunity to have a Republican Caucus for twenty minutes. Immediately. Thank you, sir.

PRESIDING OFFICER: (SENATOR HENDON)

Senator, how long will you need?

SENATOR SYVERSON:

Twenty minutes.

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

PRESIDING OFFICER: (SENATOR HENDON)

Twenty minutes. Just give me -- give me one second on that. We're going to try to move a few things first. We're going to give it to you, but I want to just move a bill or two first, if that's okay, Senator, while we check with President Cullerton. Senator Schoenberg, on Senate Bill 542. Madam Secretary, read the bill. House Bill 542. Senator, we're going to give you the caucus. I want to move one bill. Can I move one bill? You -- we're trying to get out of here today. But I -- there's no need for any -- all right. Senate -- the Senate Republicans have requested a caucus for twenty minutes. That is in order. There's a Republican Caucus for twenty minutes. Till -- we will return at ten minutes to twelve. The Senate stands at ease. The -- the Senate stands in recess until the call of the Chair, which will be exactly ten minutes to twelve.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR HENDON)

The Senate will come to order. Senator Bomke, for what purpose do you seek recognition, sir?

SENATOR BOMKE:

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

PRESIDING OFFICER: (SENATOR HENDON)

State your point, Senator.

SENATOR BOMKE:

Thank you. I want to correct the record. Earlier today, with everything going on, there was a bill, House Bill 2445, I had intended all along to vote in favor of the bill. I

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

inadvertently hit the -- the red button. I'd like the record to reflect that I intended to vote Aye on House Bill 2445.

PRESIDING OFFICER: (SENATOR HENDON)

The record will so reflect. Senator John Jones, my friend, for what purpose do you seek recognition?

SENATOR J. JONES:

Thank you, Mr. President. A point of personal privilege. I, too, voted No on House Bill 2445 and would like to be recorded as an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

The record will so reflect on House Bill 2445. Senator Luechtefeld, for what purpose do you seek recognition, sir?

SENATOR LUECHTEFELD:

Thank you, Mr. President. I -- I also, as we went through the process as fast as we did, voted No. Would like to have voted Yes on that bill. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

The record will so reflect. WICS-TV seeks leave to videotape. Leave is granted? Leave is granted. Senator Bivins, for what purpose do you seek recognition, sir?

SENATOR BIVINS:

Personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

State your point, sir.

SENATOR BIVINS:

I also would like to be recorded as a Yes vote on HB 2445.

PRESIDING OFFICER: (SENATOR HENDON)

The record will so reflect. Ladies and Gentlemen of the Senate, we will be going at a quickened pace, so I recommend

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

that you come to the Senate Floor immediately while we go to substantial Senate action. We'll -- now going back to that Supplemental Calendar No. 1. House Bills 3rd Reading. House {sic} Bill 146. 146. Senator Link. 146, sir. Madam Secretary, please read the gentleman's motion on Senate Bill 146 for Senator Link. Madam Secretary.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 3 to Senate Bill 146.

Signed by Senator Link -- Senator Link.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Link, on 146.

SENATOR LINK:

Thank you, Mr. President. Basically what this does, Amendment No. 1 just takes the effective date that -- what we passed on Senate Bill -- or, House Bill 753 {sic} (723), and on Amendment No. 3, it's just a cleanup on the pay-to-play legislation that Senator Harmon had passed previously.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendments No. 1 and No. 3 to Senate Bill 146. 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 58 voting Aye, none voting Nay, none voting Present. The Senate concurs in House Amendments No. 1 and 3 to Senate Bill 146. And the bill, having received the required constitutional majority, is declared passed. Senator Schoenberg, on Senate Bill 542. House Bill 542. Madam -- 3rd

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

Reading. Madam Secretary, read -- read the motion. 542. Okay, it's a recall. Senator Schoenberg seeks leave of the Body to return House Bill 542 to the Order of 2nd Reading for purpose of amendment. Is leave granted? Leave is granted. Now on the Order of 2nd Reading is House Bill 542. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 3, offered by Senator Schoenberg.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Floor Amendment No. 3 becomes the bill. It -- it -- I'm happy to answer questions on it on 3rd Reading. What it essentially does is provide the key ingredient for Illinois to obtain 1.15 billion dollars in new federal Medicaid money by taking advantage of stimulus opportunities. That money would be channeled to hospitals and other health care providers to pay many of our outstanding bills. I'm happy to answer questions.

PRESIDING OFFICER: (SENATOR HENDON)

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

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is House Bill 542. Madam Secretary, read the bill.



STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

SECRETARY ROCK:

House Bill 542.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. We're all well aware that hospitals and other health care providers are the key economic engine in communities all across the State. And we are also well aware of the amount of economic activities generated not by people who are employed by hospitals, but by vendors and others who serve hospitals. We're also well aware that we have an enormous financial burden of unpaid bills. What this legislation does is create a mechanism so that we can be reimbursed for back FamilyCare bills at a rate of sixty-two percent from the federal government, as a result of the stimulus, instead of fifty. We front-load hospital assessment payments so that we can take advantage of that higher reimbursement rate. And we also front-load quarterly payments that are made to hospitals. The net effect, as I said, is 1.15 billion dollars. There is no State -- there are no State funds necessary for this. There is no borrowing necessary for this. I'm happy to answer any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing -- Senator Steans.

SENATOR STEANS:

Yes. Thank you, Mr. President. Just a quick question, for clarification, of the sponsor.

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will yield.

SENATOR STEANS:

What does the Department of Healthcare and Family Services need to do to make sure these payments are made as quickly as possible?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Schoenberg.

SENATOR SCHOENBERG:

A key -- thank you for the question. A key part of this is that the Department will need to file public notice and a State plan amendment for our Medicaid plan with the federal Centers for Medicare and Medicaid services as soon as possible. Unquestionably, this should be a top priority, as of that 1.15 billion dollars, we stand to get an additional four hundred million that we would not have seen otherwise to pay for our bills. So I have no doubt that they're going to put it at the top of their list of things to do.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Steans.

SENATOR STEANS:

Just to the bill: I want to thank the sponsor very much for bringing forth this legislation. It's terrific and much needed.

PRESIDING OFFICER: (SENATOR HENDON)

Is there further discussion? Senator Forby.

SENATOR FORBY:

Thank you. To the bill: I want to thank the Senator for bringing this bill. This means very, very much to my district.

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

I got four critical care hospitals in my district and about two of 'em would probably be shut down if there wasn't any money coming on. And I just -- I just appreciate the work he's done for it on this bill. And anything, it seems like, comes up with hospital bills, we can always count on you. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall House Bill 542 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting's 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 Nay, none voting Present. House Bill 542, having received the required constitutional majority, is declared passed. House Bill 253. Senator Link. 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 253.

Filed by Senator Link.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. Basically what this does, it amends the Mortgage Escrow Account to exempt two different types of loans from the escrow requirement -- Act. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendments {sic} No. 1 to Senate Bill 253. All those in favor, vote Aye. Opposed, vote

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 59 voting Aye, none voting Nay, none voting Present. The House concurs -- the Senate concurs in House Amendments {sic} No. 1 to Senate Bill 253. And the bill, having received the required constitutional majority, is declared passed. Senate Bill 1846. We're going to go to 1846. Senator Sullivan, on 1846. Madam Secretary, read the bill.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 4 to Senate Bill 1846.

Filed by Senator Sullivan.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Mr. President. So, are we adopting the -- the amendment? Is that what we're -- no?

PRESIDING OFFICER: (SENATOR HENDON)

The motion to concur in House Amendments No. 1 and 4.

SENATOR SULLIVAN:

Motion to concur. Thank you. Thank you, Mr. President. Senate Bill 1846 amends the Non-Game Wildlife Protection Fund -- Act, Fish and Aquatic Life Act {sic} (Code), and the Wildlife Code. This is the bill to increase nine different fees within the Department of Natural Resources. The -- the money will go to dedicated funds. The money cannot be swept. There's also matching federal dollars. This will reduce the reliance within the Department of Natural Resources with regard to General

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

Revenue Fund. Many of these fees have not been raised for -- have not been raised for many years. Some going clear back to the late seventies, early eighties. It brings us up in line with comparable states. I'd be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Any discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. To the bill: The sponsor did indicate that this is a fee increase in a few areas. And I just wanted to make sure that the Members all heard him very clearly that -- and although some of those are -- are minimal and might need to be updated, I think that we probably all got a lot of constituents that have concerns. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

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

SENATOR SULLIVAN:

Thank you. And I appreciate the comments of my colleague's. I also wanted to note that this legislation is supported by all the conservation groups, including the Conservation Congress, which just met recently, under the direction of the Director of DNR, Marc Miller. Marc's in the back of the Chamber on -- on the Democrat side here, and he's very supportive of this legislation. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

This is final action. The question is, shall the Senate concur in House Amendments No. 1 and 4 to Senate Bill 1846. All those in favor, vote Aye. Opposed will vote Nay. And the

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

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 41 voting Aye, 15 voting Nay, 1 voting Present. The Senate concurs in House Amendments No. 1 and 4 to Senate Bill 1846. And the bill, having received the required constitutional majority, is declared passed. Ladies and Gentlemen of the Senate, we're going to jump around a little bit. Please go back to your original Calendar. Page 8. Motions in Writing to Override Specific Recommendations, on House Bill 4096. Senator Hultgren, do you wish to proceed, sir? Senator Hultgren. Just one moment, please. We're on page 8 of your regular Calendar and we would like for you to turn to that as we bounce around a little bit. And we're just going to take a moment for -- out of -- we'll come back to this particular bill perhaps. But, for now, we'll take it out of the record. The Committee on Assignments will meet immediately in the President's Anteroom. The Committee on Assignments. Will all the members of the Committee on Assignments meet immediately in the President's Anteroom? The Senate -- Senator Bond, before we do that, for what purpose do you seek recognition, sir?

SENATOR BOND:

A point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

State your point.

SENATOR BOND:

I'd like to ask my colleagues here in the Senate to welcome the company Parker Hannifin to Illinois today. Parker Hannifin is a diversified manufacturer of motion and control technologies. They go back to the flight control systems on

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

Charles Lindbergh's flight. They had equipment on Apollo 13, were on every flight mission that we send someone into space. They are here to -- Illinois today to look at locating their North American R&D engineering training facility in Antioch, Illinois. It's a tremendous company. They're a Fortune 500 organization. They do over ten billion dollars a year. And we hope to earn their -- their support and hope they choose Illinois for their North American training center.

PRESIDING OFFICER: (SENATOR HENDON)

Absolutely. Welcome to Illinois. You've chosen the right State and the right community. Welcome. The Committee on Assignments will meet immediately. The Senate will stand at ease for a few minutes to allow the Committee on Assignments to meet. The members of Committee on Assignments please come to the President's Anteroom immediately. Senate will stand at ease.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR HENDON)

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

SECRETARY ROCK:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to the Energy Committee - Senate Resolution 491; refer to the Executive Committee - Motion to Concur with House Amendment 1 to Senate Bill 327 and Motion to Concur with House Amendment 1 and 3 to Senate Bill 1471; refer

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

to the Revenue Committee - Floor Amendment 3 to House Bill 1526,  
Motion to Concur with House Amendment 1 to Senate Bill 1942.

Signed by Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR HENDON)

For the purposes of the record, the motion to concur with House Amendments No. 1 and 3 on Senate Bill 146 was filed by Senator Silverstein. Sponsorship was then changed to Senator Link. So it was Senator Link that presented the motion. The Executive Committee will meet at 1:31 in Room 212. 1:31 in Room 212. Senator Lauzen, for what purpose do you seek recognition, sir?

SENATOR LAUZEN:

A point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

State your point.

SENATOR LAUZEN:

I would like to introduce to the State Senate -- Illinois State Senate a friend of mine whose name is Sean Price. He is a second-year law student at the University of Chicago. He's going into the Marine Corps Officer Training Program in December, and I would just like all of you to welcome him to the Senate, please.

PRESIDING OFFICER: (SENATOR HENDON)

Welcome to the Illinois Senate. Give our guest a big hand. Welcome to the Illinois Senate. Okay, we're going back to the Supplemental Calendar. Will be Senate Bill 1466. Senator Harmon, on Senate Bill 1466. This is a motion to concur. Senator Harmon, do you wish to proceed? Madam Secretary, read the motion.



STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 3 to Senate Bill 1466.

Filed by Senator Harmon.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1466 returns to us from the House embodying the agreement with respect to campaign finance reform. This bill does three things principally. First, it imposes the first ever limits on campaign contributions in Illinois to all political committees. Second, it dramatically expands the scope of transparency in requiring almost immediate disclosure of all large contributions year round. And third, it -- it -- it enhances the enforcement powers of the State Board of Elections to make us all more accountable to the campaign finance laws, most particularly through the use of audits, both random audits and audits for cause if a committee is found to have violated the campaign finance laws. This bill directly and comprehensively responds to almost all of the criticisms leveled at House Bill 7, a good bill we passed in the spring, but we recognized that could improve it and almost immediately we began working with reform advocates and all the stakeholders to improve the bill. The bill that we are presenting today is a -- is a great improvement. We also recognize that the road is not -- is not through. We are creating a task force that immediately will begin studying the impact of our campaign finance laws and the changes made in this bill to make

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

recommendations for any future adjustments. I'm happy to answer any questions, but I move to concur in the House's amendment.

PRESIDING OFFICER: (SENATOR HENDON)

There are a number of lights lit, so the Chair, Presiding Officer, is going to the timer. Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. I reluctantly rise in opposition to Senator Harmon's motion. I know he's worked long and hard on this topic, and Don and I have a bond, in the fact that I sponsored the first ethics reforms around here in more than twenty-five years, known as the Gift Ban Act, in the late 1990s. And, Senator Harmon, I know how difficult it is to deal with this topic. But this bill, while it contains good provisions, does not cure the culture of clout that controls Springfield. I've been around here, both on the second floor and third floor, for a while, and I think there's three things you need to cure the culture of corruption and pay-to-play in this State. The first is redistricting reform. That's the remapping of legislative maps. I believe redistricting is the root of all evil in this particular process. One of the glaring things that's wrong with Senate Bill 1466 - and if it was in here, I'd vote for it, Senator Harmon - is we have got to limit the legislative leaders' influence in this legislative process, and that is a bipartisan issue. And last, but not least - and I'm going to do this voluntarily if I am fortunate to be elected the Governor of this State next year - and that is to shut down the fund-raising by the Governor of Illinois. We need a Governor who fund-raises not -- not while he is the Governor. And I am voluntarily going to shut down my fund-raising operation and I'm

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

going to govern, not fund-raise. And I think if you shut down the fund-raising by the Governor of Illinois, you redistrict by a different method, and you limit the leaders' influence, then you're going to get real change in Springfield. And unfortunately, there's a couple pieces missing here, especially redistricting reform, as well as that of limiting the legislative leaders' influence. And I, if I'm Governor, will not have a fund-raising fund; I'll govern. And that will start the real change of the culture around here. So I reluctantly, Mr. President, urge a No vote.

PRESIDING OFFICER: (SENATOR HENDON)

The Revenue Committee will meet at 1:40 in Room 400. Senator Steans. I'm sorry. Before I come to you, Senator Harmon, to respond.

SENATOR HARMON:

Thank you, Mr. President. Senator -- the previous speaker made three points. Two of which are not in the bill clearly. The -- the -- the notion of redistricting reform is something that we're taking up independently. The ability of a Governor to raise money we've dealt with to some extent with the pay-to-play ban that we passed last year. But I want to focus on the one point you raised, and I should have done it in my introduction - the notion that we're not limiting legislative leaders, party bosses or caucuses. In fact, we are. In this bill, we are limiting the ability of legislative leaders and caucus committees and parties to participate in primary elections, where they have the most interest in influencing the outcome of -- of the race. I don't think anyone on your side of the aisle is going to throw over one of your own Members in

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

favor of a Democrat. I think the same is true for us. If there is some attempt to use campaigns or campaigns funds for discipline, it would occur in a primary, and we are limiting that. The notion that the caucuses and parties should not be able to spend money to elect their candidates in the general election is -- is a -- a point of contention. But let's talk about it rationally here. There are only three ways that a legislative leader or a -- a political party can spend money in -- in a contested election. The first is through direct expenditures not coordinated with the committee. This cannot be limited under U.S. Supreme Court jurisprudence. We cannot limit the ability of the parties or the caucuses to spend money in that regard. There are two other ways which we could limit, but we have to question why. The second is a direct expenditure made in coordination with the campaign - we call those in-kind contributions - or a pass-through expenditure, where money is transferred to the committee of the candidate, which then spends the money. There are virtues in those two courses. The candidate achieves a better rate when they purchase TV time, which reduces the amount of dollars required for campaigns, and the candidate has to put his or her name on the TV commercial. We see what happens at the -- the much-wanted federal system, where the national committees swoop in and run all the negative TV commercials. We don't want to replicate that in Illinois. If we cannot legally limit the ability of political parties or legislative leaders to spend money to influence the outcome of the campaign, why should we limit it in certain avenues? That's a fundamental question and I agree. But that is the narrow scope of disagreement left with this bill.

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

PRESIDING OFFICER: (SENATOR HENDON)

Chair would appreciate succinct questions and answers. There are a plethora of lights lit. Senator Steans.

SENATOR STEANS:

First, I have a question of clarification for the sponsor.

PRESIDING OFFICER: (SENATOR HENDON)

Indicates he will yield. Senator Steans.

SENATOR STEANS:

Yeah, throughout the bill, the corporations, labor organizations and associations are primarily treated the same. There's -- except in one Section, Section 9-1.4, subsection (B), where there's a little differentiation there. I'm presuming this might have been an oversight in drafting.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Yes, Senator. You're -- you're referring to the ability of corporations and associations and labor unions to communicate with their own members. Correct? That was an element in House Bill 7. There appears to have been a drafting error and labor unions were left out of that. It would be my intention that we clarify that with subsequent legislation, but it has clearly been a part of the package from -- from the get-go. So thanks for calling it to the attention of the Body.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Steans.

SENATOR STEANS:

Thank you, and then to the bill: You know, I think voting No on this bill would -- is a real vote against progress for the

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

State of Illinois and a real vote against getting money out of politics and putting elections back into the hands of Illinois - - citizens. There's an amazing amount of cynicism out there on how we operate. And this bill is a real step forward. The reform groups are all supporting this at this point. It's been a heavily negotiated bill. And I think turning down -- voting No on this to try to make some political issue out of it is a real shame. For the first time ever -- there's really three points on this bill. For the first time ever, we're now going to be limiting money that comes into the system. That's enormous. We're one of only four or five states that doesn't do that right now. Second, this is real -- providing real transparency in -- and a much-improved transparency into our political campaign system. It'll require quarterly reports and real-time reporting for -- immediately for large contributions year round at this point. And it also sets up a real system of accountability by setting up random audits and audits for cause. You know, we need a lot more independence, I think, in Springfield from our elected officials. And I think where the people are coming into the system is in our primaries. This bill clearly sets limits on what leaders can give in our primaries. I think it's very important to note that in 2008, out of eighty Senate primaries, only eight of them, or ten percent, were contested elections. The same stands true in the House. Out of two hundred and thirty-six House primaries, only twenty-three of them, or ten percent, were contested. Now, in our congressional elections, in those primaries, where we have campaign contribution limits, it's a very different story. Fifteen out of thirty-eight of those elections, almost forty

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

percent, were contested. I think putting limits on the primaries is a real step for trying to get more competition, really not protect incumbents in the same way, try to help get more independents. I think the argument that we're not taking a real step forward here is very wrong-headed. And I think this is a big step forward. Cindi Canary herself said this is the first possible breakthrough after trying for thirty years. I urge an Aye vote for this bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator McCarter.

SENATOR McCARTER:

Thank you, Mr. President. Thank you, Senator, for your efforts to go in the direction of reform. I recognize that this bill -- in this bill there contains many elements of reform that will be helpful in making political campaigns more transparent and -- and accountable. However, there's one fatal flaw and that is that this bill provides unlimited power to the legislative leaders, the unlimited contributions in the general election both in cash and -- and with in-kind contributions. I will continue to champion real reform, as I have as a sponsor of Senate Bill 2457 which reflects the full Collins Commission's recommendations. This bill falls very short of real reform that the people of Illinois demand and deserve. For this reason, I'll be voting No.

PRESIDING OFFICER: (SENATOR HENDON)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

I have something here. It's a trash can for any Senator who wants to put their independence in it, because what you're

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

doing by limiting campaign contributions is ensuring that the leaders can continue to control this process. And if anybody thinks the leaders don't control the process, I want to remind you that they are not limited in this. So, how can the leader not be in charge when the leader can spend whatever they choose to spend, but Senator Crotty and other Members are limited by what they're able to spend? When I was a kid I used to watch Underdog. And Underdog was a simple shoeshine guy and he always fought Simon Bar Sinister. And Simon Bar Sinister used to have these traps for Underdog, and he'd put 'em in phony phone booths. He'd erase people's minds. He would get them to do whatever Simon said. So, today I've formed myself a button and it says here, "I will do what the leader says." I think we should all wear this button in Illinois. At a time when our State is going down the tubes, we're borrowing billions of dollars - yesterday I was told that there was three dollars and seventy-five cents in the State checking account - jobs are exiting Illinois, and we are spending our time making sure that the Chicago Tribune gets what they want. And frankly, Senator, did you read the Tribune today? They don't even want this bill. The important thing to do is disclose who gives, not control who gives. You have no right to tell a voter in Illinois that they cannot give whatever they want, and even you have acknowledged that by exempting independent groups who have a ax to grind with me or you. You know, I just want to ask a couple of -- quick -- quick questions because I know I'm on the wrong side of this. But I may vote for it, because I do believe that -- I do believe -- I do believe -- I do believe that the reform group has done a great job of selling out. They didn't get anything that they



STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

wanted, but a phony cap that I will have to hire accountants and lawyers to get around. I think we all know what time it is here in Illinois: It's time to get something done. I have been here for two weeks and we have not talked once about the budget. We have a capital bill, a thirty-one-billion-dollar capital bill, and it's still not done. But I have time to mess with this junk? I support Cindi Canary and the Reform Commission selling out to you on this issue. I support what they're doing. I've made some tough votes in this Legislature, and if I vote for this bill today, it will be the toughest bill I have ever voted for, because what you are asking us to do, Senator, is to give away our independence. Give away our independence to the leadership. And I would just like you to answer one simple question from me. Do you believe in the right of free speech?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

I do.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Jacobs, could you wrap it up, sir?

SENATOR JACOBS:

I didn't hear his answer.

PRESIDING OFFICER: (SENATOR HENDON)

His -- Senator Harmon, would you repeat your answer, sir?

SENATOR HARMON:

I do.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Jacobs. He said "I do", sir. Senator Jacobs.

SENATOR JACOBS:

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

The point that I have for you is, why would you limit the speech that people are giving by saying some people can speak five thousand dollars, some people can speak ten thousand dollars, and the leader can speak a million dollars? And we have many self-funded candidates in this Body. And they're the ones that are driving me the craziest. They want to take care of us little people. These people like -- people like me who grew up with nothing and came from nothing, to protect me. I don't need their protection. These rich folks can spend ninety-five thousand dollars and I -- and I can spend five thousand? Is -- is that correct, Senator?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Jacobs, you got to wrap it up, but last question. Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. That's an excellent question, Senator. And I want to clarify, 'cause both you and the previous speaker have said that the leaders have unlimited powers and that they aren't subject to the same rules. All of us - individual candidate committees, caucus committees, party committees - are limited in the amount of money that we can raise. None of us - individual candidate committees, political parties, caucus committees - are limited in the amount that we can spend. The limitation is on moving money in -- in form of a contribution. The -- there is no way to stop an individual or your campaign committee or the caucus committee or a party committee from spending all of its money to influence the outcome of an election. And that's -- highlights the folly here. We're saying for the leaders, we can't limit you spending

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

to influence the outcome of this race, but we can only limit it if you talk to the campaign or if you transfer the money to the campaign so that they can achieve a better rate on TV and make the expenditure. That's why we aren't limiting that in the general election - just like we're not limiting your campaign committee from spending a gazillion dollars if you have it to get yourself elected. There is no limit on spending. We are limited by the Constitution, by the U.S. Supreme Court's interpretation of it, with respect to limiting independent expenditures by individuals, issue-oriented expenditures or direct expenditures by political committees.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon, Senator Jacobs, I failed to put the timer on on Senator Jacobs originally. That's why he has additional time. But to -- to the bill, sir. Senator Jacobs.

SENATOR JACOBS:

It -- it just seems to me that if we're going to interfere with a person's right to speak, you better do so very delicately. And I would point out that today I looked on the -- the Internet to find out the Illinois Campaign Reform's -- their PAC to see -- see their special interest group. And you know, lo and behold, they weren't even registered. They're here lobbying me, lobbying you, making you do things that you think you should do, and they're not even registered. I'd like them to disclose their -- their salaries. I'd like them to disclose what they're doing. This is a bunch of junk. I apologize to the citizens of Illinois that we are dealing with this and not the issues in front of us.

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

Thank you, Senator. Senator Brady.

SENATOR BRADY:

Sponsor yield?

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will yield. Senator Brady.

SENATOR BRADY:

Senator, explain to me again your justification for discriminating between one political organization and another.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

I'm sorry, Mr. President. I don't understand the question.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Brady, could you restate your question in a different way perhaps? Senator Brady.

SENATOR BRADY:

Why are you discriminating between one political organization and another? Why do you believe it's good to cap one organization, but not good to equally cap the other organization?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

I don't think that we are. We are all subject to limitations on the amount of money that we can raise and none of us are subject to the limitations on the amount of money we can spend for the purpose for which the committee is created. Your campaign committee and mine are created to elect us to the General Assembly. We can spend unlimited amounts to ensure our

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

election. A political party is organized to elect members of its political party to public office. It can make unlimited expenditures to that end. A legislative caucus committee is organized to elect a majority of its caucus in the -- in the Chamber. It should be able to spend unlimited amounts to achieve that objective. What we're actually doing is infringing upon the -- the right of certain committees, legislative caucus committees and political party committees, and limiting the ways in which they can spend money. So, if we're discriminating against some committees, we're actually discriminating against the political party committees and the caucus committees, who are limited in the ways that it can spend money.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Brady.

SENATOR BRADY:

No, Senator. You're -- you're discriminating. You're treating people completely unequal so you can give political favor to a few down here who have controlled way too much because they've had the power of the purse. But the reason we've actually brought this here is because of the corruption and the scandals in Illinois. It's your party that brought us Tony Rezko. It's your party that brought us the corruption that had to bring us here last year to remove a Governor, to remove a black eye. If you really want to clean the system up, you would sincerely simply adopt the federal limits. It's not the money that's corrupt. But it's the money that provides the incentive to people to corrupt. And if you would adopt the federal limits and quit playing games and give the people of Illinois back their government, as opposed to a few corrupt individuals who

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

control far too much, we would have real reform in Illinois. Supporting this is doing nothing more but give authority to a few individuals who control party purse strings, who can raise money and shift campaign contributions. Under this legislation, Senator, you can raise money from a government contractor that Governor Quinn does business with and then turn around and make a contribution equal to that amount. That's wrong. If you want to clean up Illinois government, you'll clean up the loopholes and you'll clean up the holes in legislation like this. There's more holes in this legislation than a ton of Swiss cheese. Real reform's going to mean we need the intentions of real honest politicians to bring reform to the people of Illinois. This doesn't do -- do it. Don't vote for this. The people of Illinois are smarter than to believe in this scandal.

PRESIDING OFFICER: (SENATOR HENDON)

Senator -- Senator Harmon, if you respond to every question, we will never get out of here. But, Senator Harmon.

SENATOR HARMON:

I'll -- I'll respond briefly, Mr. President. I don't think we want to go down the road of comparing corrupt actors and I'm not going to do that. If you're talking about the federal model, do you -- do you -- I -- I hope you're -- been paying attention. During a contested congressional race in Illinois, we are barraged with campaigns paid for by the legislative caucus committees in Washington - negative campaigns, unlimited in scope of expenditure, paid for by the legislative leaders. That's what the federal system is. There are no limits on the ability of legislative caucus leaders in Washington to spend unlimited amounts to influence the outcome of a federal

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

election. So, I -- I really don't understand the comparison.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Wilhelmi.

SENATOR WILHELMI:

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

PRESIDING OFFICER: (SENATOR HENDON)

Indicates he will. Senator Wilhelmi.

SENATOR WILHELMI:

Senator Harmon, the bill prohibits people, organizations or groups from having more than one PAC. Is that correct?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

That is correct.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Wilhelmi.

SENATOR WILHELMI:

Does that prohibit an organization like the Chicago -- Chicagoland Chamber of Commerce from having a PAC if the State Chamber of Commerce has a PAC?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

No.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Wilhelmi.

SENATOR WILHELMI:

Senator, does this bill prohibit the Chicago Federation of Labor from having a PAC if the Illinois AFL-CIO has a PAC?

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

No.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Wilhelmi.

SENATOR WILHELMI:

The bill allows corporations, labor organizations and their PACs to act as conduits for the transfer of dues paid by individuals to another PAC. Is that correct, Senator?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Yes.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Wilhelmi.

SENATOR WILHELMI:

In the case of PAC contributions made by -- by individuals through dues payments, the cap on such contributions applies only to the amount given by each individual and not the entity acting as the conduit. Is that correct?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Yes.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Wilhelmi.

SENATOR WILHELMI:

So a labor organization, for example, could act as a



STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

conduit and transfer an unlimited amount of contributions in the form of dues payments from the members to its PAC and not be subject to the limits created by this bill. Is that correct, Senator?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Yes.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Wilhelmi. To the bill, sir.

SENATOR WILHELMI:

I want to commend the sponsor. I want to commend Senator Harmon. He has worked tirelessly at this issue. He has brought us a bill today that, I think, does represent real reform. It represents first-time-ever caps - first-time-ever caps that are reasonable; more reporting, meaning more transparency; more enforcement tools via random and -- random audits and audits for cause. These are not insignificant issues and items that are contained in this bill. These are significant issues. This is real reform and everyone in this Chamber should vote Aye. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Further discussion? Senator Murphy.

SENATOR MURPHY:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

To the bill, sir.

SENATOR MURPHY:

I think it's been established over my three years here I

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

have a lot of respect for the sponsor of this bill. I think I probably said that when we pushed House Bill 7 through in the spring. And it remains the case today. That being said, some have referred to this as a step in the right direction, creating the impression that if you work on something and you call it ethics for a while and then you put some good things in there and you pass it, that the overall picture is a step in the right direction. The reality of the situation is, this is a step in the wrong direction. The collective, total bill takes us backwards. Perhaps the biggest problem in Springfield right now - and maybe it's been this way for a long time, I don't know, but I know it is today - is that there's too much power in too few hands. We saw it in crystallizing example when Rod Blagojevich was Governor: When the three people filling the positions of Speaker of the House, Senate President and Governor couldn't get along, the entire State ground to a halt. We got a new Governor and the same thing still happened. We're in a situation -- and redistricting reform does apply to this, but it's a little bit different. We're in a situation where the people of this State are really tired of the way this process works, and they want something meaningful and substantive. They want to devolve power back away from the leaders that are in charge of a process that they frankly are not satisfied with. If you started the year with the goal of empowering the leaders who are in charge today even more, you could hardly come up with a better bill to do that than this one. Actually, House Bill 7 might be the only one that would do it even better than this one. The last time this issue came up, there was a reference -- and I'm going to try and reserve some of my time, 'cause I want

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

to speak after the President.

PRESIDING OFFICER: (SENATOR HENDON)

Oh, I won't allow you to speak after the President, but I will give you more time 'cause you came to my party the other night. Senator Murphy.

SENATOR MURPHY:

Wonderful party. The example was, was Senator Murphy was given a bunch of money in his campaign by the leader - this would have capped it. But the reality of the situation is, there's no cap on in-kind contributions. You can spend as much money as a leader as you want; you just have to spend it on yourselves. And Senator Harmon makes a good point - you get a better deal if the candidate buys it. Well, maybe we ought to look at changing that rather than the changes that are proposed here now. But the current bill -- the current legislation would do nothing to have inhibited my leader from giving me the amount of support I was given in my last campaign, and a suggestion to the contrary is simply not correct. Ladies and Gentlemen, this is frankly all about political cover coming up into an election year. And unfortunately the people want more than that. They deserve more than that. This is not good enough, and if you want to start to win back the faith of the people of this State, give up some of your power willingly before they take it away at the ballot box. I urge a No vote.

PRESIDING OFFICER: (SENATOR HENDON)

Thank you, Senator Murphy. As a reminder to the Body, the Appropriations I Committee has also been scheduled for a subject-matter hearing. Appropriations I will meet at 2 p.m. in Room 409. Please note this is a room change. Appropriations I,

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

2 p.m., Room 409. Senator Raoul.

SENATOR RAOUL:

Thank you, Mr. President. A quick question of the sponsor.

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he'll yield. Senator Raoul.

SENATOR RAOUL:

Much has been made -- reference has been made to the federal system. And I know, in the federal system, we have a U.S. Senate, which has historically lacked diversity and, one of the things, lacked economic diversity because of self-funders. What did we do about self-funders in this bill?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Thank you, Senator, for an excellent question. We have what we call a "millionaires" amendment in this bill. It is modeled on the -- the federal law, but has been improved to deal with the constitutional weaknesses in the federal model. Essentially, if someone attempts to self-finance in a race for -- for the General Assembly or for statewide office, if they spend a significant amount of their own money - it's a hundred thousand dollars for a General Assembly race, two hundred and fifty thousand dollars in a statewide race - then the caps come off for every candidate. We believe that withstands constitutional muster or would stand -- withstand constitutional challenges and would protect us from being limited when self-funding opponents are not.

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

Senator Raoul.

SENATOR RAOUL:

Thank you, Mr. President. To the bill: The gentleman from the Quad Cities mentioned Underdog. I used to watch Batman, and there's a character called, I think, Two-Face in Batman. Charlie {sic} (Harvey) Two-Face. I often talk about hypocrisy in here. I want to talk about hypocrisy again, right now. The gentleman from the other side of your aisle -- and we heard from two potential gubernatorial -- two potential Governors some pretty good campaign speeches. One indicated about what they would voluntarily do. Well, I'm going to extend an invitation. If you think what is right is to limit what leaders can do, voluntarily do it. And if you think it's wrong, the gentleman from Palatine, for you to receive such money from the leaders, as you've historically done, far in excess to the limitations of the -- the other committees, reject that money. Don't spend that money. Don't accept that money. We do a lot of talking in here. If you're going to talk the talk, walk the walk. Look at your numbers historically. It's often said in politics, there are no permanent friends and no - what is it? - no permanent enemies, just permanent interests. Well, it seems - deviation from that - there's no permanent interests, because depending on what the circumstances are, your interests change. And there are certainly no permanent friends, because we heard of the friendship with the Illinois Campaign for Political Reform and CHANGE Illinois!. But that friendship is not permanent if they disagree with you. Either they have credibility or they not -- they do not. And either you have credibility or you do not. Stay consistent.

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

PRESIDING OFFICER: (SENATOR HENDON)

Senator Garrett. Senator Garrett. And we have four other speakers and that's all for the day. Senator Garrett.

SENATOR GARRETT:

Yes. Thank -- thank -- thank you very much, Mr. President. As a strong advocate for reform including transparency, oversight and caps on contributions, I support Senate Bill 1466. Today we have an opportunity to weigh in on key campaign finance provisions that move this long overdue reform process forward. What I believe we all want, Republicans and Democrats, is a process that legally and fairly limits the money that is flushed into campaigns. Sure, there are disagreements with Senate Bill 1466, but it is not a reason to throw out the entire bill and begin all over once again. Instead, let's stand up for the citizens of this State who deserve more than hearing that we live in a State with a cloud, quote, "culture of corruption", hanging over our heads. We can begin to end that perception today by voting Yes on Senate Bill 1466.

PRESIDING OFFICER: (SENATOR HENDON)

Thank you, Senator, for being succinct and to the point. Senator Kotowski.

SENATOR KOTOWSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Sponsor yield for a question?

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will. Senator Kotowski.

SENATOR KOTOWSKI:

Thank you, Senator Harmon -- Leader Harmon, for your leadership on this issue. Just a few questions for you. Have

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

there ever been in the history of the State of Illinois a law passed that caps political contributions, individuals?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

At risk of giving you a longer answer than you asked for, there -- there were, in the 1970s, limitations on contributions from certain sources. But really, in Illinois, no, there have never been limits on -- on campaign contributions with the exception of our recent pay-to-play ban that prohibited certain folks from contributing.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Kotowski.

SENATOR KOTOWSKI:

Any kind of caps that we've -- everything of this nature connected to limiting what businesses can give?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

No. We have -- we have never had general broad caps applied across the board.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Kotowski.

SENATOR KOTOWSKI:

Any caps for what people can contribute during the primary cycle from political committees?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

No. We -- we've never had limits on the ability of political parties or caucuses to participate in -- in primary elections.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Kotowski.

SENATOR KOTOWSKI:

Have we ever required, in any sorts of legislation we've introduced before, more consistent reporting for contributions that we receive, more quarterly reporting? Have we ever required that?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

This is certainly the strongest proposal for reporting in Illinois. And I -- I believe, subject to checking, that we may be, in fact, with this bill, the strongest in the nation.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Kotowski.

SENATOR KOTOWSKI:

Have we ever required, in any kind of legislation, an audit of -- of campaigns and the -- and the contributions people receive and their expenses, their campaign funds?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

No. We have never permitted the State Board of Elections to audit political committees as to whether they've disclosed correctly their contributions and expenditures.

PRESIDING OFFICER: (SENATOR HENDON)



STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

Senator Kotowski.

SENATOR KOTOWSKI:

Thank you, Senator. One more point. And have we ever, I mean, in legislation in the history of the State of Illinois, ever had a creation of a searchable database of penalties assessed by the State Board of Elections in response of violations of campaign disclosure and limitation laws?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

No. Much to the frustration of many who were interested in what action was being taken, we've never had that sort of a database available.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Kotowski.

SENATOR KOTOWSKI:

So, just wanted to be clear on that: There's never been anything done like this in the history of our State. Never had limits on contributions from individuals, from businesses, from political committees in primaries. Never required reporting of contributions of a certain amount. Never required auditing. Never required a searchable database. Have never done this in the history. So, my point is this, and I'm going to conclude with this, a vote against this is a vote against transparency. A vote against this is a vote against accountability. It's a vote against caps. It's a vote against making sure we have better enforcement. A vote against this is saying that, you know, I -- you know, I'm still going to take money, I'm going to run my campaign, and I'm not going to support reform. I'm still

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

going to say, look, I'm going to take money as I run for higher office, but once I get elected, I'm not going to take it anymore. Or, I'm going to stand up and not support any kind of reform measures because it's not the absolute most perfect bill in the world. This bill takes us forward. This bill takes us to a place we've never been in the State of Illinois, we've never existed. You ran a bill which basically said before, if you have a -- if you have contracts in the State of Illinois -- if you have a contract, that you can't give political contributions to the person making decisions about the contract. That was a great piece of legislation. This is a great piece of legislation. It's taking us in a step in the right direction. It's a message of accountability and it's a message to everyone else here who votes against this bill that they don't support reform, they don't support accountability, they don't support transparency, they don't support walking the walk, as the Senator over there said that. It's the height of hypocrisy to oppose this bill. Vote Yes on this bill. Vote for reform.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Haine and then the two leaders. Senator Haine.

SENATOR HAINE:

Will the -- will the sponsor yield, Mr. President, for two questions in order to establish legislative intent?

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will yield. Senator Haine.

SENATOR HAINE:

Question number one: Senator Harmon, am I correct that the contribution limits contained in Section 9-8.5 are a key and essential component of this bill and should be viewed as a

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

package?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Yes. The campaign contributions as a bundle are a -- are a -- in a single provision.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Haine.

SENATOR HAINE:

Thank -- thank you, Mr. President. So, Senator, if a court were to find that some portion of those limits are unconstitutional or violative of federal law, then it is your legislative intent that the remaining contribution limits in Section 9-8.5 be viewed as mutually connected and inseparable?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HAINE:

Not -- not severable?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Yes. It's my understanding that the contribution limits are -- are a package deal and it's my understanding that that's also the intent of the House sponsor.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Haine.

SENATOR HAINE:

Quickly to the bill, Mr. President and Ladies and Gentlemen of the Senate. I wish to, again, thank Senator Harmon for his

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

patience, his competence in working up a balanced bill - not a perfect bill, but certainly a good bill. I would note also that some of the -- the speeches and well-intentioned efforts to cast aspersions on leadership in this -- in this legislative Chamber and the other House certainly ignore the recent history. The problems that we've had with pay-to-play and government abuse have been emanating from the Executive Branch of this government. And it is arguable, reasonably arguable, that the leadership of these chambers prevented even more abuse and stopped even more and worse corruption. And I'm referring to President Pate Philip. Certainly he wasn't a wallflower in the use of his power in preventing further abuses by Governor George Ryan. And I'm also referring to the Speaker of the House, Mr. Madigan, who prevented many unconstitutional acts from being furthered under the previous administration. So, leadership does perform valued service. And we have to be careful what we pray for, because we may get it. If we limit the power of leaders, whom we elect, then when we turn and face an arrogant, incompetent executive, we do not have the protection that we need from that leader -- leader. Thank you very much.

PRESIDING OFFICER: (SENATOR HENDON)

Thank you, Senator. Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will yield. Senator Righter.

SENATOR RIGHTER:

Thank you. Senator Harmon, I want to ask you about a couple, three particulars in the bill. One of which we

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

discussed in Executive Committee and that has to do with the removal of the aggregation language in the statute. Now, as -- as was talked about in Executive Committee, the A-1 threshold is not five hundred anymore; it's a thousand. I don't know that anyone seriously quarrels with that, but the language in the statute -- the bill that you're proposing would not require that amount to be reported if it's aggregated. Can you explain why you would do that, because the practical effect of that is to make the threshold much, much higher than -- than really what the bill states?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Yes, Senator. I'd be happy to address that. You are correct, we have dramatically changed the scope and nature of what we call the A-1 reports. We're used to filing A-1 reports for contributions in excess -- when we receive contributions in excess of five hundred dollars in the thirty days before the election. If you're participating in election, your campaign is up and running, you're political committee is fully engaged, and you have the capacity to -- to navigate that and to report those promptly within two business days in the current rule. We've changed that fundamentally. We've said there's no more A-1 period. You -- you are responsible for disclosing large contributions whenever you receive them, year round. We did raise it from five hundred to a thousand. Again, that five hundred dollars was first established in 1974 and has never been adjusted for inflation. If you were to adjust that for inflation, it would be roughly twenty-two hundred dollars. So,

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

in real terms, the threshold is still lower. I know that's not what you're -- you're quarreling with. The question of aggregation is a real concern of -- and we -- we have always worried that folks would try to get around that trigger by funneling contributions in smaller amounts. The flip side is, in a -- with a year-round obligation to file in real time your contributions, there can be traps. And you can -- inadvertently, you could get a -- a check for eight hundred dollars from someone who also hosted the fundraiser for you, and then three weeks later, they send you an in-kind contribution notice that they spent two hundred and fifty dollars on the room and food. That would trigger the aggregation and you would have to figure out to file that. That's a trap for the -- for you. You may not be fully engaged. It may not be in campaign season. You may not have anyone working on the -- your political committee at that time. So this is designed primarily to avoid us falling into traps inadvertently. Again, the dollar amount in real terms is lower. It has been assigned explicitly to the task force to consider whether in practice folks are structuring their contributions to avoid the real-time disclosure. But I think it's -- it's a fair compromise. As we accept a greater burden to report in real time all year round, we -- we need to have clear and unambiguous rules.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

Senator Harmon, on page 69 of Amendment 3, there is language that refers to Article 9 of the Code. What is -- I mean, what's the subject matter of Article 9?

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon, on subject matter of Article 9. Senator Harmon. Senator Righter, would you repeat that page, please, sir, so we could find it? Senator Righter.

SENATOR RIGHTER:

The language I'm referring to -- and I think it appears throughout the bill, perhaps, but I'm referring specifically to page 69 of Amendment 3, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

Thank you. Senator Harmon.

SENATOR HARMON:

Yes. Article 9 is the campaign finance disclosure article.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

The reason I ask, Senator Harmon, is because, at the top of page 69, you've inserted the words, in Section 29-12, "Except with respect to Article 9 of this Code". That particular paragraph has to do with criminal penalties. So, right now, as the law stands, unless there's a specific other penalty prescribed or -- or set forth, it's a Class A misdemeanor to violate the disclosure requirements of the campaign Code. You've now taken all of that out. Why?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Senator, you -- you actually answered your own question, I think. You said, except when the provision of the disclosure article otherwise prescribes a

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

penalty or a fine, it would default to a Class A misdemeanor. Almost all, if not all, of the relevant provisions of the campaign finance article, as I understand it, have their own discrete penalties or consequences, fees or fines. So this was a -- a prophylactic measure, I think negotiated with the State Board of Elections, or at least in consultation with them, to make sure we weren't inadvertently criminalizing disclosure violations. The intent was that these have their own penalties within the article.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

...Mr. President, for your indulgence. Senator Harmon, I appreciate that, but I've got a list here of several Sections for which there will be now no criminal penalties because of the change that you're sponsoring here. The prohibition against intermingling personal funds and campaign funds, the requirement that a campaign committee maintain records for at least two years, a notice to be published on all literature and advertisements that solicit funds - those now carry no criminal penalty whatsoever. Why?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

I don't believe that was the intent. I think the concern was that we were criminalizing campaign disclosure errors. And we'd be happy to revisit this if you think it's an issue in the long run. But I think the -- the concern is that we are criminalizing the failure to file a campaign disclosure form



STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

when it has its own penalties attached to it.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter. Leader -- Leader Righter, if you could.

SENATOR RIGHTER:

To the bill, please -- to the motion, excuse me. Thank you, Mr. President. Ladies and Gentlemen of the Senate, first I want to give a couple thank yous. First, to the sponsor himself. I know that he has worked on this issue for hours and hours and hours. And this is not an easy job. Even if people disagree with his view of what's appropriate campaign finance reform and what's not, I appreciate Senator Harmon's work. A particular thank you to the reform groups, and particularly the Campaign for Political Reform and CHANGE Illinois!. They have been in this Capitol for years and those of us who have been here during that time know that their dedication to this issue and others is sincere. And I appreciate the work that they have done. There are many good things in this piece of legislation, we would all have to agree. But as a couple Members have already said, there is a overwhelming flaw in this bill. And it's been interesting, hasn't it, to listen to some of those who have stood up and read their statements about why they're for the bill - this is a step in the right direction; we're on the path to reform - as if the Democrat leadership engaged in some herculean and heroic struggle against everyone else in the Capitol who was against caps in the general election and that they were the only ones who stood for it. Mr. President, the only people negotiating against caps for legislative leaders and State parties in the general election were the Democrat leaders themselves. And unfortunately, they won. An earlier speaker,

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

Mr. President, on your side of the aisle noted, in what I think may be the understatement of this Session, there's a lot of cynicism out there. There is. Can we really look at this bill and wonder why when the public here in Illinois believes that the Legislature is already too leader-driven to impose a system that caps everybody but the leaders in these general elections, these extraordinarily expensive general elections? This is not reform. It enhances the power of the legislative leaders relative to everybody else in the process and, as been said earlier, that is a step backward. I would urge a No vote. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

Thank you, Senator. Our final speaker, Leader Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. I, too, want to thank the people that have worked on this bill. There is no question that there are some good points in the bill. My concern, however, is that by voting on this bill today, which is all we have before us, we are going to squander our opportunity to do the one thing that many, many speakers on both sides of the aisle have said we need and that is to cap the leadership contributions. So, I think while there are some good points, we really do have the ability to take it further. And by taking this vote and passing this bill, we won't be able to revisit it - even though people with good intentions say they want to come back. I want to comment on both the process and the product. The process was only spottily inclusive. We had testimony in committee that people that wanted to participate, lobby groups, were not invited to the extent that they wished. I know the sponsor disagreed with

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

that in committee. I can tell you that, as a Republican, I wanted to be far more included and was, in fact, excluded from discussions. When the -- when the CHANGE Illinois! group and Campaign for Political Reform actually requested that all parties be at the table, that request was denied. So that means that the final deal on this bill was essentially cut only with the party in control. That, in and of itself, ought to be suspect. With respect to the one issue that's still out there, the -- the caps on leaders. As a new leader, I have not felt the power that -- that people sense is out there. But I will tell you this, what we have -- the system we have in place hasn't worked. And there's a lot of evidence, although some may disagree with it, that a different system would be better. And I think we owe it to the people of Illinois to try something different. They overwhelmingly favor caps on leadership committees and feel there is too much power concentrated at the top. I do believe that by not having the leaders be able to contribute massive amounts of money, it forces candidates to connect with more and different constituencies and interests, and that's good for everyone. So, while it may not limit the money spent, I think it forces people to connect with more interests, and that's positive. Finally, interestingly, someone said earlier "Don't vote No on this just to make it a political issue." And -- which was an interesting comment since, in committee this morning, the Senate President threatened to use the No vote in, of all things, political campaigns to portray us as antireform, despite the fact that we know that many of the Members that -- who that charge will be leveled against are -- have actually actively worked for other reform bills, more

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

comprehensive reform bills. And the -- and the real irony is, he will also have the unlimited funding to be able to misrepresent that record, and that will be very unfortunate and that is exactly why we need to limit these contributions. I would urge a No vote.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon, to close.

SENATOR HARMON:

I appreciate the robust debate and I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR HENDON)

This is final action. The question is, shall the Senate concur in House Amendments No. 1 and 3 to Senate Bill -- I mean, 1466. 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 36 voting Aye, 22 voting Nay, none voting Present. The Senate concurs in House Amendments No. 1 and No. 3 to Senate Bill 1466. And the bill, having received the required constitutional majority, is declared passed. Senate Bill -- 1514. Senator -- Viverito. 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 1514.

Filed by Senator Viverito.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Viverito.

SENATOR VIVERITO:

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

Thank you, Mr. President. Senate Bill 1514 will allow Qualified School Construction Bonds or local school districts to use Build America Bonds for the purpose of school construction. In no way exempts districts from the tax cap already in place. It allows downstate forest preserve districts to use Build America Bonds for twenty-five years, currently limited to twenty years. It allows the Metropolitan Water Reclamation District to issue emergency bonds through the Build America Bond program under the American Recovery and Reinvestment Act of 2009. It is important to capture the federal stimulus program dollars now because the Build America Bonds program ends December 31st, 2010. And obviously this is the time to capture this stimulus money. This is the time for economic development and an opportunity to take a lot of less burden and help a lot of people back to the construction line. And I hope that you will all vote Yes on this bill.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. I simply rise in support of the gentleman's motion. The -- this motion did come out of Executive Committee unanimously. He's mentioned it, but I think it's important to reemphasize, this legislation would not affect any of the property tax caps that are in place for any units of local government that would utilize these bonds. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, does the Senate concur in House Amendments No. 1 and No. 2 to Senate Bill 1514. All those in favor, vote

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

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 49 voting Aye, 5 voting Nay, 1 voting Present. The Senate concurs in House Amendments No. 1 and No. 2 to Senate Bill 1514. And the bill, having received the required constitutional majority, is declared passed. Madam Secretary, 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 1181

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

House Amendment 1 and House Amendment 2.

We have received a like Message on Senate Bill 1265, with House Amendment 2.

They all passed the House, as amended, October 29th {sic} (30), 2009. Mark Mahoney, Clerk of the House.

PRESIDING OFFICER: (SENATOR HENDON)

The Executive Committee will meet at 1:30 in Room 212. The Revenue will meet at 1:40 in Room 400. Appropriation I will meet at 2 o'clock in Room 409. And, Senator Viverito, for what purpose do you seek recognition, sir? Point of personal privilege? Senator Viverito.

SENATOR VIVERITO:

Somebody pressed my bill {sic}, Mr. Chairman -- Mr.

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

President. I'm sorry.

PRESIDING OFFICER: (SENATOR HENDON)

No -- no -- no problem. The Senate will...

SENATOR VIVERITO:

Wait -- wait. I do. Personal...

PRESIDING OFFICER: (SENATOR HENDON)

Senator Viverito.

SENATOR VIVERITO:

Personal privilege.

PRESIDING OFFICER: (SENATOR HENDON)

Point of personal privilege. Senator Viverito.

SENATOR VIVERITO:

Personal privilege, Mr. President. I would just like to make an announcement about somebody who has worked very diligently for us over the past number of years. She's a woman that's going to be retiring, not just to do nothing, but she's involved in accounting and does a lot of campaign work. But she's done a great job for us. How about giving a nice round of applause for Barbara Mason.

PRESIDING OFFICER: (SENATOR HENDON)

Congratulations. You know we love you. Love that candy, always fresh. Coffee, too. 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. Committees right now. Executive, right now. Revenue, 1:40. Approp I, 2 o'clock. Senate stands in recess.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

PRESIDING OFFICER: (SENATOR HARMON)

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

SECRETARY ROCK:

Senator Hendon, Vice-Chairperson of the Committee on Executive, reports Motion to Concur with House Amendment 1 to Senate Bill 327 recommended Do Adopt.

Senator Viverito, Chairperson of the Committee on Revenue, reports Senate Amendment 3 to House Bill 1526 and Motion to Concur with House Amendment 1 to Senate Bill 1942 recommended Do Adopt.

PRESIDING OFFICER: (SENATOR HARMON)

Madam Secretary, Messages from the House.

SECRETARY ROCK:

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

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

Senate Bill 748

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 30th, 2009. Mark Mahoney, Clerk of the House.

PRESIDING OFFICER: (SENATOR HARMON)

Will all Members of the Senate within the sound of my voice please report to the Floor? We are going to substantive



STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

business. Will all Members within the sound of my voice please report to the Floor? Ladies and Gentlemen of the Senate, on your regular printed Calendar, on page 6, at the bottom of the page, on the Order of Motions in Writing, Override Total Vetoes-House Bills, is House Bill 669. Senator Sullivan, do you wish to proceed? Madam Secretary, please read the gentleman's motion.

SECRETARY ROCK:

I move that House Bill 669 do pass, notwithstanding the veto of the Governor.

Filed by Senator Sullivan.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Sullivan, to explain your motion.

SENATOR SULLIVAN:

Thank you, Mr. President. The -- the Governor did, as the Secretary just read, had -- did a total override -- or veto of House Bill 669. This was the -- this allowed the police chiefs -- fire chiefs, rather, to have a reduced fee for their license plates on their -- on the vehicles that are owned by the -- the departments, the fire departments. And I ask for a favorable vote to override the Governor's veto.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR HARMON)

He indicates that he will yield. Senator Righter.

SENATOR RIGHTER:

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

Thank you. Senator Sullivan, when we discussed this in the spring, there was an issue concerning comparing the individuals who'd be affected by this bill by the -- to the individuals who, based on the passage of the capital legislation and the funding components, were going to see their license plate registration fees go up by twenty or twenty-one dollars. And there was a handful of votes in this Chamber against that. What will be the disparity then between the license plates that are affected by this bill and your ordinary motorists if both this and, of course, the capital bill funding component has become law?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Sullivan.

SENATOR SULLIVAN:

Well, the current cost for the plate is -- it's my understanding that it's seventy-eight dollars. I believe that cost went up - correct me if I'm wrong - I believe around twenty dollars. So -- then this reduces that cost of that plate to -- down to -- to -- let's see here. Okay, the cost for the plate currently is seventy-eight dollars and this would reduce it to eight dollars. And so that would be the difference if the cost of that plate went up like the other plates. Excuse me just a minute. And again, as staff just reminded me, that, again, is only for municipalities.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Righter, do you have a follow-up?

SENATOR RIGHTER:

I do. Thank you, Mr. President. Last question, Senator Sullivan. Just articulate, if you would, for the Chamber, what you think the -- the rationale is, when others have gone up, to

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

so dramatically reduce those as you have in House Bill 669.  
Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Sullivan.

SENATOR SULLIVAN:

Yeah. I think it's a valid question, Senator Righter, and I appreciate you asking. The -- I think what's important to keep in mind, that the -- that the police chiefs in municipalities and communities already have -- they are allowed to get the -- their plates for that reduced fee. And obviously my thought is, as well as the -- my colleagues that supported the legislation, feel that they should be -- the fire chiefs should be on equal footing with the police -- chiefs. I think it's important also to realize that we're talking about a very, very small number of vehicles, estimated at -- if everybody took advantage of it, around three hundred license plates is what we're talking about. And it has a -- a very, very, very small impact on the -- on the State funding.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR HARMON)

He indicates that he will yield. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Senator, I'm -- I'm looking at the bill and I'm trying to discern, does the fire chief apply for the license

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

plate or does the municipality?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Sullivan, are you ready to answer?

SENATOR SULLIVAN:

Yes. If the vehicle is owned by the municipality, then they would be the ones to apply for it. If the fire department itself owns the vehicle, then they would be the ones to apply for that.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Burzynski.

SENATOR BURZYNSKI:

Okay, currently, do the fire departments -- or does the municipality have the opportunity to get a chief's plate for a city-owned vehicle, or do -- is that just the chief putting one on his own private vehicle? Because I understand some of the rationale, as I -- as I recall, is that this will enable, for instance, a fire chief to be able to perform his duties, get to an emergency a little bit more quickly - perhaps. So that he's not stopped by someone who doesn't recognize him or his vehicle. But -- but I guess the question is, currently what is the status of that?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Sullivan.

SENATOR SULLIVAN:

Yeah. I think that the more obvious situation would be when the fire department themselves owns the vehicle, not the municipality. As you well know, if the municipality owns the plate {sic}, they can put an M plate on it. And that's so -- unless there was multiple vehicles and they took -- made the --

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

the municipality made the decision to -- to not put an M plate on it. But I think, in most instances, we're talking about the fire department themselves owning the vehicle and then the police chief drives that vehicle. This would allow -- we're talking about the cost of the plate for that vehicle.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any further discussion? Seeing none, Senator Sullivan, do you wish to close? The question is, shall House Bill 669 pass, notwithstanding the veto of the Governor. 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 46 voting Aye, 6 voting Nay, 1 voting Present. And House Bill 669, having received the required three-fifths majority, is declared passed, notwithstanding the veto of the Governor. Ladies and Gentlemen, on your printed Calendar, on page 2, on the bottom of the page, House Bills 3rd Reading, is House Bill 1526. Senator Viverito. Madam Secretary. Senator Viverito seeks leave to recall House Bill 1526 to the Order of 2nd Reading. Madam Secretary. For purposes of... Leave is granted. Now on the Order of 2nd Reading is House Bill 1526. Madam Secretary, have there been any amendments reported?

SECRETARY ROCK:

Floor Amendment 3, offered by Senator Viverito.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Viverito, to explain your amendment.

SENATOR VIVERITO:

This deletes all of the other amendments that we were working on and it makes the bill sound.

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Seeing none, Senator Viverito moves for the adoption of Floor Amendment No. 3 to House Bill 1526. All in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further amendments reported for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HARMON)

3rd Reading. Now on the Order of 3rd Reading is House Bill 1526. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 1526.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Viverito, to explain your bill.

SENATOR VIVERITO:

Thank you, Mr. Chairman {sic}. This proposed legislation changes to the program would -- reform for the tax EDGE credit for Ford Motor Company. This particular tax incentive is something that is really appealing for Ford Motor Company, an opportunity to create almost twelve hundred jobs with investments of over eight hundred million dollars in the State of Illinois. This is something that we can all be proud of. We should all support this bill. And, obviously, we thought that Navistar was going to be a part of this bill. There's -- further work has to be done on that. But Ford Motor Company is anxious to get started in bringing more jobs to Illinois, more

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

work for Illinois. And I think they've proven their place in Illinois. Without any further ado, I'll answer any other questions that may be asked of me.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR DILLARD:

Would the sponsor yield for a question, please?

PRESIDING OFFICER: (SENATOR HARMON)

Sponsor indicates that he will yield. Senator Dillard.

SENATOR DILLARD:

Senator Viverito, over the last couple of weeks - and I think it passed the Illinois House - there was a provision that would give Navistar some type of EDGE credit that would have attracted hundreds of engineering and research jobs to Lisle, Illinois, from Ohio and other states. Why isn't that in the bill?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Viverito.

SENATOR VIVERITO:

Thank you for that -- thank you for that question, Senator. We all are very anxious to work with Navistar. I believe there is some negotiations that is taking place presently between the auto union as well as Navistar. And I believe once that comes to a conclusion, probably in January, we will be able to bring that back here and be able to pass on it. And obviously I think that question is a very good one.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Dillard.

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

SENATOR DILLARD:

Thank you, Mr. President. I rise in -- in support of the legislation. Obviously I want to -- to assist Illinois in any way possible, including Ford, Chrysler and Mitsubishi here. But I do want to point out - and I hope when the Democrats come back in January - Navistar, hundreds of research, engineering, good jobs that could be here immediately from other states are not coming to Illinois, because you all have decided you're going to enter into a rift between the United Auto Workers. And that's all fine and dandy. I got autoworker friends as well. But that's something that ought to be at the negotiation table between Navistar and that particular union. And we should not keep, especially with a ten-and-a-half-percent unemployment rate, jobs that pay sixty, eighty, a hundred thousand dollars from coming to Illinois from Ohio. And I would hope that when we come back in January, we'll be able to have those hundreds of Navistar jobs. The kind of jobs, manufacturing jobs - isn't that -- wouldn't that be unique here in Illinois? - that we have been hemorrhaging, so that you all can pander to the labor unions?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Burzynski, for what purpose do you rise?

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR HARMON)

The sponsor indicates that he will yield. Senator Burzynski.

SENATOR BURZYNSKI:



STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

Senator, here we go, a step in the right direction. But I noticed one thing in the bill as -- as we were looking at this. And certainly I'm very concerned with the bill. Have a Chrysler plant in my district, in Belvidere. And I think this will be beneficial to them. But I notice that there is one point in the bill and it's my understanding that Ford and -- you know, it deals with the three companies: Ford, Chrysler, Mitsubishi. Ford and Chrysler are specifically prohibiting their -- the terms of their EDGE agreements if they elect to participate in this program. Why is Mitsubishi not also included in that? Why are they allowed to amend their existing terms to the EDGE agreement and these other two corporations are not?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Viverito.

SENATOR VIVERITO:

Thank you for that question. I think it's a very valid one. I think because, right now, Mitsubishi has no real position here in Illinois and really is not eligible for that EDGE tax credit. That's the reason. We're not discriminating. We look forward to them coming here and creating something here in Illinois. But, right now, they have nothing really going right here in Illinois to make them eligible for the EDGE tax grant.

PRESIDING OFFICER: (SENATOR HARMON)

Any further discussion? Senator Brady, for what purpose do you rise?

SENATOR BRADY:

To the -- to the bill and then maybe a question. Let me, first of all, state, Senator, that Mitsubishi does have

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

something going here. They've got a plant in Bloomington, Illinois, and they reached their production level this year - a plant that we're very proud of. To Senator Burzynski's comment, one step forward, I'll -- I will tell you that this is really three steps forward but one step back. Three steps forward for three corporate partners in Illinois who are employing Illinois families and creating Illinois jobs. But one step back because we have put political interests or union interests in front of another company that wants to bring jobs to Illinois, Navistar. I only hope that your political pandering doesn't end up costing us those jobs. We are not going to likely be here in January too much, although maybe Senator Cullerton will finally give us a schedule, then we can see what our -- our schedule is. But we're burning daylight as we speak. There are other states out there competing to bring jobs. And we're losing jobs every day because we have failed, because this State's leadership has failed to understand how important enticing business investment to our State and creating a job environment is to the families of Illinois. It's not about businesses, but it's about the families of Illinois that are struggling to keep employed, to keep their House payments current, to educate their children. And where we are taking three steps forward to giving Illinois an advantage to compete, to keeping jobs and bringing jobs here, we're taking one step back. Senator, I only ask you that you don't let the forces to be spoil the opportunity that we have to take four steps forward and include more jobs with Navistar here in this State.

PRESIDING OFFICER: (SENATOR HARMON)

Was there a question, Senator Brady? Or was that a --

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

you'd indicated.. There are other candidates seeking recognition. Senator Pankau, are you still seeking recognition? Senator Murphy, are you seeking recognition?

SENATOR MURPHY:

Indeed. To the bill, Mr. President: I -- I commend Senator Viverito for his hard work on this bill. It's a good piece of legislation that deserves the support of everybody in this Chamber, as has been indicated previously. I think it could have been better. I think it should have been better. But this -- what we have before us right now is the choice of whether we want -- whether we want to help Ford, Mitsubishi and others put more people to work in Illinois and we ought to -- I strongly urge a Yes on this and commend Senator Viverito for his work on this bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Viverito, to close.

SENATOR VIVERITO:

Thank -- thank you very much, Senator Murphy. And certainly, Senator Brady, I do understand your concerns about Navistar, but obviously, right now, they have not been a EDGE recipient. But I'm certain, in the future, they may very well bill -- be. We do not want to pass a tax credit for Navistar at the expense that it would give Navistar a bargaining advantage over its union. So, obviously, there was a lot of things that had to be negotiated. But the AFofL-CIO, Chamber of Commerce, Governor's -- all of the individuals that I spoke about are one hundred percent in favor of this bill. I do feel it was a long, hard time in getting everybody together. We were coming and we were going. You, Senator Brady, were always very positive. And

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

I want to thank all of you for assisting me in committee. So, thank you very much. I hope everybody will vote Yes. This is a time for peace and love and -- and economic development. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

The question is, shall House Bill 1526 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 58 voting Aye, none voting Nay, none voting Present. And House Bill 1526, having received the required constitutional majority, is declared passed. The Senate will stand at ease for a few minutes to allow the Committee on Assignments to meet. Will the members of the Committee on Assignments please come to the President's Anteroom immediately? Senator Schoenberg in the Chair.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SECRETARY ROCK:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Be Approved for Consideration - Motion to Concur with House Amendment 1 to Senate Bill 748, Motion to Concur with House Amendment 1 and House Amendment 2 to Senate Bill 1181, and Motion to Concur with House Amendment 2 to Senate Bill 1265.

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

Signed by Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Madam Secretary, Resolutions.

SECRETARY ROCK:

Senate Resolution 500, offered by Senator Kotowski and all Members.

It's a death resolution, Mr. President.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Madam Secretary, Resolutions Consent Calendar. Senator Luechtefeld, for what purpose do you seek recognition, sir?

SENATOR LUECHTEFELD:

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

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Please state your point.

SENATOR LUECHTEFELD:

I -- I don't know how many of you are -- in here follow basketball very much, or are old enough to -- to remember this, but back in 1964, a little team in southern Illinois won second in the State when it was all one class. They were called the Cobden Appleknockers. I don't know whether -- how -- how many of you remember that, but -- there are -- there, at least, are a couple. Today in the gallery here behind us are the Cobden Appleknockers eighth-grade class. Would you -- would you give them a welcome, please?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Please welcome our guests in the gallery. Welcome to the Capitol. Supplemental Calendar No. 2 has been distributed. Now on the Order of Supplemental Calendar No. 2, we have Senate Bill 327. Senator Crotty, do you wish to proceed? Lady wishes to

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

proceed. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 327.

Filed by Senator Crotty.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Crotty.

SENATOR CROTTY:

Thank you very much. This amendment amends the Architectural, Engineering, and Land Surveying Qualifications Based Selection Act. Provides that persons who have received a degree from an accredited college or university in one of the affected professions, as well as those that are licensed in the profession, may be appointed as a public member to a selection committee of the Department of Transportation.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Is there any discussion? Senator Crotty, you wish to close? The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 327. All those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 56 voting Aye, none voting Nay, none voting Present. The Senate has concurred in House Amendment No. 1 to Senate Bill 327, having received the required constitutional majority. The bill is declared passed. Senate Bill 748. Senator Martinez. Lady wishes to proceed. Madam Secretary, please read the bill.

SECRETARY ROCK:

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 748.

Filed by Senator Martinez.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Martinez.

SENATOR MARTINEZ:

Thank -- thank you, Mr. President, Members of the Senate. I ask this Body to please concur with the amendment on a bill that deals with a -- a liquor license in my district. It'll create some new jobs in a restaurant that will be able to service our community and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Any discussion? Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator indicates that she'll yield. Please proceed.

SENATOR RIGHTER:

Thank you. Senator Martinez, we've discussed this issue at least a couple of times here, and it's been traditional in situations where we are asking for -- or sponsor is asking for an exemption from the distance requirement, if you will, or distance restriction, that the principal or an official from the individual school submit a letter signing off, if you will, on -- on the legislation. Apparently, the Chicago Public Schools now have a new policy or, at least, perhaps the principal of this school has decided that he or she wishes not to issue a written letter. Can you -- can you walk through with us a little bit the conversations you've had with the school

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

officials and why you think it's -- it's -- it's acceptable for us to move the bill even without the letter?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Martinez.

SENATOR MARTINEZ:

Thank you. Senator Righter, it is a policy of the CPS not to issue -- or, not -- not to even issue -- not even to make -- make a call of that nature. In the past, what has happened is, when there's been an establishment that has wanted to open up a restaurant where a -- a liquor license is required, what has happened is, they always make sure that they inform the neighborhood. If there is a school that's within a hundred feet from the door, they are also notified. There's been principals in the past that have issued letters just because -- out of courtesy to the -- to the businesses trying to come in and just the fact -- acknowledgement that they have been notified. In this particular case, the alderman has issued a letter. There's a church that's even closer to the establishment which also issued a letter. But the principal in this particular bill -- he's a brand-new principal, does not know the neighborhood very well, and he was just not comfortable. But he is okay with it. But he's not just comfortable writing a letter. But it is not a policy to issue a letter, of CPS.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. So, as a follow-up, Senator Martinez, you've spoken personally with the principal and you are advising the Chamber that the principal has told you, even



STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

though he's not willing to put it into writing, that he has no particular issue with this bill. Is that fair to say?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Martinez.

SENATOR MARTINEZ:

When I spoke to the principal, he did say that he had sent the letter over to CPS administration office, but he never did get back to me. But I got to just say that both the restaurant owner, Mr. Tunney, and the alderman all were in conversations. And they have -- they have talked to the principal personally. He is just not comfortable putting out a letter because he is just brand new to the neighborhood.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any further discussion? Any further discussion? Senator Martinez, do you wish to close? The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 748. All those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 41 voting Aye, 13 voting Nay, none voting Present. Having -- having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 748, and the bill, is declared passed. Senate Bill 1181. Senator Sullivan. Senator John Sullivan. The gentleman wishes to proceed. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1181.

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

Filed by Senator Sullivan.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Mr. President, Members of the Senate. As the Secretary just read, I do wish to -- I make a motion -- move to concur with House Amendment No. 1 and House Amendment No. 2 to Senate Bill 1181. Amendment No. 2 is a technical amendment. House Amendment No. 1 is the actual bill. It's a supplemental appropriation bill. It's a two-part. The first part is a supplemental for fifteen State agencies. The majority of -- the -- only two of those agencies are affected by -- or, are impacted by GRF. The others are other State funds and federal funds, mainly as a result of the American Recovery and Reinvestment Act, the federal stimulus. They -- the first -- the first part of that supplemental total is 2.452 billion dollars. The second part of this legislation involves the capital bill. It includes approximately twenty-nine million of new spending in the capital bill - not new spending, but spending within the previously passed capital bill - for the Department of Corrections, CMS, Juvenile Justice, DNR and DCEO. It also has cleanup language for the recently passed capital bill. I'd be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Is there any discussion? Senator Brady.

SENATOR BRADY:

Thank you, Mr. President. Sponsor yield?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

Gentleman indicates he'll yield briefly.

SENATOR BRADY:

Briefly?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The sun is setting. It's a Friday afternoon. Senator Brady, please proceed.

SENATOR BRADY:

The sun didn't come up today. But anyway, Senator, who requested this? Governor's Office and agencies?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Sullivan.

SENATOR SULLIVAN:

It's my understanding that the Governor's Office and the leaders requested this. Yes.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Brady.

SENATOR BRADY:

You know, I know there's some worthy causes on this list and I certainly understand your intentions, Senator, but there's thirteen million people in this State that are continuing to wonder when we're going to stop spending money we don't have. Here we go again. You know, just earlier today we were told about how sorely we needed to increase DNR fees and we promised we wouldn't sweep money away, but yet I see a reduction in their appropriation by seventeen thousand dollars - is it? Or, no. Seventeen million dollars. I'm sorry. When's it going to stop? Ladies and Gentlemen, we have a responsibility to the citizens of this State and it's time someone stood up for them and said enough is enough. They are cutting in their personal budgets

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

and they are cutting in their businesses to make ends meet during these horrific times. It's time for State government to do the same. Just this last week we passed an expansion of the TANF program. More money out the door. You know, we're going to all go home now and we're going to celebrate the holidays and we're going to come back next year. I sure hope we come back next year with more common sense than we're leaving this year. Someone's got to stand up for the people of Illinois.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any further discussion? Any further discussion? Senator Sullivan, do you wish to close? The question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 1181. 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? Madam Secretary, please take the record. On that question, there are 47 voting Aye, none -- 10 voting Nay, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments 1 and 2 to Senate Bill 1181, and the bill is declared passed. Senate Bill 1265. Senator Harmon. Gentleman wishes to proceed. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 2 to Senate Bill 1265.

Filed by Senator Harmon.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Harmon.

SENATOR HARMON:

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

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

Senate. The underlying bill, Senate Bill 1265, is now the fall Budget Implementation Act. It contains a variety of capital and operating budget implementation items. These are designed to maximize federal reimbursements, to make a -- a variety of fund transfers, and to allow some flexibility in a variety of line items for the purpose of budget implementation. I'd be happy to specify in more further detail, but I believe it's been vetted by both sides. Happy to answer any questions. But I move to concur in the House's amendment.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Any discussion? Any discussion? Chair recognizes Senator Brady.

SENATOR BRADY:

Sponsor yield? Briefly.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Please. Thank you. Senator Harmon {sic}.

SENATOR BRADY:

Curious, were there any tax increases or loophole exemption alterations in this bill?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Harmon.

SENATOR HARMON:

None that I'm aware of, Senator. But if you have a -- a difference of opinion, I'm sure you'll let me know.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Brady.

SENATOR BRADY:

For the record, were you aware of any last time?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

Senator Harmon.

SENATOR HARMON:

Which time?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Brady.

SENATOR BRADY:

Senator, I hope you're right. I hope we're not making a mistake like we had to rectify last -- two weeks ago because the BIMP bill had tax increases that we were told were not in there. I'm going to -- we're going to take your word this time. And thank you.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SENATOR ALTHOFF:

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

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Gentleman indicates he'll yield.

SENATOR ALTHOFF:

Thank you. Senator Harmon, I notice in the bill there's a portion for park and recreational facility construction bonds. It notes that those programs will be available to counties, townships, municipalities, park districts, forest preserve districts. What about conservations districts? Is that included in this bill?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Harmon.

SENATOR HARMON:

Did you mention river conservancy districts? Is that --

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

or, is that different from conservation districts for your purposes?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Althoff.

SENATOR ALTHOFF:

I don't believe that's one and the same. I think conservation districts are a specific unit of government.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. I've had a chance to find the -- the provision. A local government includes counties, townships, municipalities, park districts, conservation districts, forest preserve districts, river conservancy districts, and other units of local governments empowered to expend funds for the acquisition and development of land for public outdoor park, recreation, and conservation purposes.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any further discussion? Any further discussion? Senator Harmon, do you wish to close? The question is, shall the Senate concur in -- in House Amendment No. 2 to Senate Bill 1265. 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? Madam Secretary, please take the record. On that question, there are 47 voting Aye, 10 voting Nay, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment No. 2 to Senate Bill 1265, and the bill, is declared passed. Senate Bill 1942. Senator Link. Does the gentleman

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

wish to proceed? He wishes to proceed. Madam Secretary, please read the bill.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1942.

Filed by Senator Link.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. Basically what this does is allow the collar counties to add people to work in the board of review during the tax season that live outside of the county but are qualified individuals to help with the overload of taxes -- problems. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1942. All those in favor, vote Aye. Opposed, Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 56 voting Aye, none voting Nay, none voting Present. Having received the -- required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 1942, and the bill is declared passed. We'll now proceed to the order -- to page 8 on the regular Calendar. Motions in Writing. House Bill 4096. Senator Hultgren. Senator Hultgren. Motions in Writing to Override Specific Recommendations of the Governor, House Bills. Bottom of the page. Page 8. Senator Hultgren.



STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

Out of the record. At the request of the Secretary of the Senate, we have an announcement. If we could have your attention, both here in the Chamber and in the Senators' respective offices, we have a request of all Members to please leave your laptop computers on your desks for LIS to collect so they can be updated before we return in January. In addition, the Senate Pages will now be distributing our schedule for the 2010 Session. I believe some reference had been made to that a few moments ago. Thank you very much. President Cullerton.

SENATOR CULLERTON:

Yes, thank you, Members of the Senate. The -- at the request of Senator Brady, we have distributed the Calendar. We come back in on January 12th, which will give Senator Brady plenty of time to campaign and study the difference between authorization for capital and the actual operation of State government. We'll be back on January 12th. We'll be in Session for -- we're scheduled for three days. And then we will be coming back into Session February 8th. The deadline for Introduction of Bills is relatively early - February 11th. We will have two weeks off for the Easter vacation. And if you look at the Calendar, in May we have a scheduled adjournment/deadline for 3rd Reading substantive House bills of May 7th. The rest of the month is scheduled Session days. They could be tentative if we finished our business early. No one should schedule any vacations for the month of May, but it is possible that we, because of this Calendar, may be able to finish a little bit earlier this year. I would like to say that I think we've had a very good year, working together - Republicans and Democrats together - on a number of issues. I

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

think we've had a lot of cooperation in many areas. I wish everybody a happy Thanksgiving, Christmas and New Year and look forward to seeing everybody next year.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Link, for what reason do you seek recognition, sir?

SENATOR LINK:

Thank you, Mr. President. Inadvertently, I thought I had pushed my button on my own bill. On Senate Bill 1942, I'd like to be recorded as an Aye vote.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The record will so reflect. We'll now proceed to the Order of Resolutions Consent Calendar. With leave of the Body, all those resolutions read today will be added to the Consent Calendar. Madam Secretary, have there been any objections filed to any resolution on the Consent Calendar?

SECRETARY ROCK:

No objections have been filed.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Is there any discussion? If not, the question is, shall the resolutions on the Consent Calendar be adopted. All those in favor, say Aye. Opposed, Nay. Opinion of the Chair, the Ayes have it. The motion carries and the resolutions are adopted. On the Order of Resolutions is House Joint Resolution 79. Madam Secretary, please read the resolution.

SECRETARY ROCK:

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

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

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

10/30/2009

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

House Joint Resolution No. 79

Offered by Senator Clayborne.

(Secretary reads HJR No. 79)

Adopted by the House, October 30th, 2009. Mark Mahoney, Clerk of the House.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Clayborne moves to suspend the rules for the purpose of immediate consideration of House Joint Resolution 75 {sic}. All those in favor, say Aye. 79. All those in favor, say Aye. Opposed, Nay. Opinion of the Chair, the Ayes have it. And the rules are suspended. Senator Clayborne moves for the adoption of House Joint Resolution 79. All those in favor will say Aye. Opposed, Nay. Opinion of the Chair, the Ayes have it. The resolution is adopted. There being no further business to come before the Senate, the Senate now stands adjourned until the hour of 1 p.m. on Tuesday, January 12th, 2010. The Senate now stands adjourned.