

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

HB4781	First Reading	79
HB4982	First Reading	79
HB5065	First Reading	79
HB5513	First Reading	2
HB5527	First Reading	2
HB5555	First Reading	2
HB5571	First Reading	79
HB5685	First Reading	2
HB5691	First Reading	79
HB5781	First Reading	79
HB5783	First Reading	2
HB5923	First Reading	80
HB5969	First Reading	80
HB6062	First Reading	2
HB6082	First Reading	80
HB6092	First Reading	2
HB6194	First Reading	2
HB6464	First Reading	3
SB0580	Out Of Record	9
SB0580	Recalled	6
SB0580	Third Reading	7
SB0731	Out Of Record	10
SB0731	Third Reading	10
SB0935	Recalled	41
SB0935	Third Reading	43
SB1182	Concurrence	11
SB1578	Concurrence	22
SB2494	Third Reading	23
SB3522	Third Reading	65
SB3796	Recalled	70
SB3796	Third Reading	71
SB3797	Third Reading	73
SB3800	Third Reading	76
SB3803	Third Reading	3
SB3822	Recalled	4
SR0730	Resolution Offered	2
SR0731	Resolution Offered	2
SJR0119	Adopted	77
SJR0119	Resolution Offered	77

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

Senate to Order-Senator Hendon	1
Prayer-Father John Ossola	1
Pledge of Allegiance	1
Journal-Postponed	1
Resolutions Consent Calendar-Adopted	76
Senate Stands in Recess/Reconvenes	77
Senate Stands in Recess/Reconvenes	78
Committee Reports	78
Messages from the House	79
Adjournment	80

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

PRESIDING OFFICER: (SENATOR HENDON)

The regular Session of the 96th General Assembly will please come to order. Will the Members please be at your desk? Will our guests in the galleries please rise? The invocation today will be given by Father John Ossola, Church of the Living Flower -- Little Flower, Springfield, Illinois.

FATHER JOHN OSSOLA:

(Prayer by Father John Ossola)

PRESIDING OFFICER: (SENATOR HENDON)

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

SENATOR JACOBS:

(Pledge of Allegiance, led by Senator Jacobs)

PRESIDING OFFICER: (SENATOR HENDON)

Madam Secretary, Reading and Approval of the Journal.

SECRETARY ROCK:

Senate Journal of Wednesday, March 24th, 2010.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Hunter.

SENATOR HUNTER:

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

PRESIDING OFFICER: (SENATOR HENDON)

There being no objection, so ordered. Will all Members under the sound of my voice please come to the Senate Floor? Will all Members under the sound of my voice please come to the Senate Floor? We're about to go to substantial Senate action. As you all know, this is the last day before break - a much

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

needed vacation - so we're going to be moving at a fast pace. Please come to the Senate Floor. Will all administrative assistants and excellent staffers please send your Senator to the Senate Floor? Madam Secretary, Resolutions.

SECRETARY ROCK:

Senate Resolution 730, offered by Senator Harmon and all Members.

Senate Resolution 731, offered by Senator Althoff and all Members.

They are death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

Resolutions Consent Calendar. Madam Secretary, House Bills 1st Reading.

SECRETARY ROCK:

House Bill 5513, offered by Senator Martinez.

(Secretary reads title of bill)

House Bill 5527, offered by Senator DeLeo.

(Secretary reads title of bill)

House Bill 5555, offered by Senator Pankau.

(Secretary reads title of bill)

House Bill 5685, offered by Senator Risinger.

(Secretary reads title of bill)

House Bill 5783, offered by Senator Raoul.

(Secretary reads title of bill)

House Bill 6062, offered by Senator Garrett.

(Secretary reads title of bill)

House Bill 6092, offered by Senator Maloney.

(Secretary reads title of bill)

House Bill 6194, offered by Senator Pankau.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

(Secretary reads title of bill)

House Bill 6464, offered by Senator Jacobs.

(Secretary reads title of bill)

1st Reading of these House bills.

PRESIDING OFFICER: (SENATOR HENDON)

Will all Members under the sound of my voice please come to the Senate Floor? We're about to go to substantial Senate action. I certainly appreciate those Members who are on the Floor now. We're going straight to 3rd Readings. If you want your legislation called or if you want to vote on any legislation, you need to be on the Senate Floor right now - immediately. We're going straight to 3rd Readings right now. Please turn your Calendar to page 31 of your Senate Calendar, is Senate Bill 3716. Senator Frerichs. 3716. Senator Frerichs. Out of the record. 3750. Senator Kotowski. 3750. Senator Kotowski. Birthday boy. Out of the record. 3775. Senator Wilhelmi. Out of the record. Ladies and Gentlemen of the Senate, I do want to also caution you today that if you wave your bills off, we will not probably come back to it. If it's my druthers, we will certainly not come back to it. It's fine to wave 'em off if you really don't want to move 'em right now, but I'm just letting you know that we will not get back to you more than likely. Senator Hendon in the Chair. Presiding Officer for a reason. You know my job and I'm going to do my job. 3786. Senator Wilhelmi. 3786. Out of the record. 3796. President Cullerton. Out of the record. 3803. Senator Holmes. Senator Holmes. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 3803.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Holmes.

SENATOR HOLMES:

Yes, thank you, Mr. President. I will be swift. Basically what this bill does is it expands the Roadside Memorial Act to allow for the placement of memorials to persons killed in fatal accidents that did not involve DUI. This is an initiative of a woman that lives in my district.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 3803 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Last chance. Take the record. On that question, there are 49 voting Yea, 1 {sic} (none) voting Nay and none voting Present. Senate Bill 3803, having received the required constitutional majority, is declared passed. I recognize it's a little early in the morning and I'm going to be as patient as I can. So let's get busy. 3822. Senator Steans. We will come back to it. Oh! Senator Steans.

SENATOR STEANS:

I'd like to adopt the amendment, but then not vote on it. So, move it to 2nd..

PRESIDING OFFICER: (SENATOR HENDON)

Senator Steans seeks leave of the Body to return Senate Bill 3822 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. Now on the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

Order of 2nd Reading is Senate Bill 3822. Madam Secretary, have there been any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Steans.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Steans.

SENATOR STEANS:

Yes, this is a work on {sic} progress in terms of treating kids with diabetes in schools. I'd like to adopt this amendment and not call it for a vote because we're still working on a final amendment.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, all those in favor, 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, I just want -- this is not going to go past 3rd Reading, but I wanted to point out to you that Senator Steans is, without question, my favorite new Senator and, you see, I sort of, kind of, cut her off at the end. So it will be equal opportunity today. Senate Bill 120. Go -- I mean, we're going to go back to -- start at the beginning. Page 3 of your Senate Calendar. Senate Bill 120. Senator Harmon. Out of the record. Senate Bill... I want to inform the Members that we're going to get to the substantial action. I know people need to do that, so you need to be on the Senate Floor. And I'm just

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

going to tell you, right now we're just going through just to give you a little time, but we're going to go to substantial action in the next ten minutes. Senate Bill 375. Senator Kotowski. Out of the record. Senate Bill 381. Senator Garrett. Out of the record. Senate Bill 388. Senator Wilhelmi. Out of the record. Senate Bill 483. Senator Garrett. Out of the record. Senate Bill 580. Senator Cronin. Cronin. Madam Secretary, read the bill. Senator Cronin seeks leave of the Body to return Senate Bill 580 to the Order of 2nd Reading for purpose of amendment. Hearing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 580. Madam Secretary, have there been any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Cronin.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cronin.

SENATOR CRONIN:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. Right now, staff is distributing a packet of articles and editorials in support of this bill. I would urge you to take a look at it. If you had a chance to look at the Tribune editorial this morning, I think you'd find it very compelling. You know, a lot of us talk about all the units of local government in the State of Illinois and we decry it. We say, "Gee, this State - the State of Illinois - has more units of local government than any other state in the union and we really need to do something about it." Well, you know what, Ladies and Gentlemen, right here, before you, Senate Bill 580,

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

this is your chance. You can do something about it. And all the public opinion and all the objective observers and all the civic leaders and all the good government groups say this is the right thing to do and to vote Yes.

PRESIDING OFFICER: (SENATOR HENDON)

Thank -- thank you, Senator. This is on the amendment. Have all... Is there any discussion on the amendment? Seeing none, all those in favor will say Aye. Opposed, say Nay. The Ayes have it. 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, the bill that has already been described by Senator Cronin, at length. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 580.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Cronin.

SENATOR CRONIN:

Thank you. Thank you very much. Gee, I was so excited I -
- dived right into my -- my presentation there. Look, Ladies and Gentlemen, this is a bill that is very, very important to the voters and taxpayers of DuPage County. This is limited only to DuPage County. This does not impact anybody else's county. This is only the county that I reside in. This is very, very

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

important to them. There's a history behind the legislation here that talks about a unit of local government that is out of control, a unit of government that is not connected to the voters. We're trying to do the right thing here. All objective observers and good government groups are in favor of this. I ask for your favorable consideration. I'd be happy to answer a vote {sic} if you have any..

PRESIDING OFFICER: (SENATOR HENDON)

Senator Link.

SENATOR LINK:

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

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will yield for one question. Senator Cronin. Senator Cronin indicates he will yield for one question. Senator Link.

SENATOR LINK:

Mr. President, it may be more than one. Senator Cronin, we just had this amendment in committee yesterday and you indicated that you send {sic} a number of e-mails to a lot of us and, Senator, on your side, myself, indicated none of us received that -- that e-mails {sic}. You indicated there were reports. We're just getting this handed on our desks right now, some editorials. But we have received - and I'm going to speak just for myself - received a number of phone calls in opposition of this bill. We received letters in opposition. We've received - - I have received nothing, except one phone call yesterday, in favor of this bill. And I'm not saying that this is not good. I'm not saying that it's bad. But I think its timing is

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

terrible. And I would ask -- and I would ask your indulgence to take this out of the record, give us the two-week break, bring it back after that. Let us look at the information on this. Because if you want to run it now, I would request a Present vote from everybody on this side of the aisle because I don't think the information is here for us right now. We were kind enough to let this out of committee yesterday on your plea of giving us the information that we still have not received. So, would you kindly do that for us?

PRESIDING OFFICER: (SENATOR HENDON)

Senator -- Senator Link has made a request. If the two Leaders could give me their attention, perhaps -- it's up to Senator Cronin if he wants to continue or take time to work on this and work something out, because it seems like that is a possibility. So, Senator Cronin, I'm going to go to you, or should I go to Senator Lauzen? Will you gentlemen indicate which should I come to right now? Senator Lauzen or Senator Cronin? Senator Cronin.

SENATOR CRONIN:

Because of -- a colleague that I respect has made this request and a couple of my colleagues have expressed concern, and because of my belief that once the Members know the facts, they will have an enormous and deep appreciation for what it is we're trying to do here and they will enthusiastically support this legislation, I would ask that we take it out of the record.

PRESIDING OFFICER: (SENATOR HENDON)

Out of the record. Senate Bill 620. Senator Noland. 620, sir. Up or down, sir? Out of the record. Senate Bill 655. Senator Lightford. Senator Lightford. Out of the record.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

Senate Bill 678. Senator... Out of the record. Senate Bill...
Senate Bill 692. Senator Muñoz. Out of the record. Senate
Bill 731. Senator Delgado. Willie Delgado, sir. Madam
Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 731.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Delgado. Out of the record? Senator Delgado.

SENATOR DELGADO:

Thank you, Mr. President. I understand -- do we have to
take that back for 2nd for a... Oh, we're ready to go. Then I'm
-- then we're ready to move. We did move it yesterday, I
apologize. It was such a long day, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Delgado, this bill has not been amended. Why don't
we take it out of the record since it's not urgent, unless you
want to move it without the amendment that you're talking about,
because it has not been amended? Senator Delgado.

SENATOR DELGADO:

Mr. President, we could move this bill. I was just -- we
moved it yesterday to 3rd and I thought there was an amendment,
but this bill...

PRESIDING OFFICER: (SENATOR HENDON)

Senator Delgado, your amendment is still in Assignments.
Let's take this out of the record and we'll do -- we still have
time to do it. Out of the -- out of the record. We're going to
go to the Order of Concurrence, top of page 37 of your Calendar.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

I -- Ladies and Gentlemen, this is substantial action. I recommend you get to the top of page 37. On the motion to concur on Senate Bill 1182, we're going to come to. Senate Bill 1182. Page 37. So I ask that you turn your Calendar to that page. This is the heavy lifting, so let's get ready and -- and do it. And as I said, blame it on my heart, not my -- I mean, my head, not my heart - one of those - 'cause we're going to move quickly. Senator... Madam Secretary, read the bill.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 2 to Senate Bill 1182.

Filed by Senator Trotter.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. On that motion to concur with House Amendment 2 to Senate Bill 1182, it provides for the FY'10 operating and capital supplemental. It is essentially the same as the supplemental legislation that was passed out of the Senate Appropriations I Committee last evening. The legislation that passed that committee contained language for appropriation authority of federal funds in anticipation of a second stimulus from Congress. House Amendment 2 to Senate Bill 1182 does not contain that appropriation authority. Since Congress has not yet acted on a second stimulus, the language was removed from the language in the House. If and when Congress does provide a second stimulus, we can run appropriation authority at that time.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Murphy.

SENATOR MURPHY:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will yield for a few questions. Senator Murphy. A few questions, Senator Murphy.

SENATOR MURPHY:

Thank you, Mr. President. Senator Trotter, how much GRF money is in this supplemental appropriation?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Trotter.

SENATOR TROTTER:

Thirty-four million, thirty-four thousand point nine.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Murphy.

SENATOR MURPHY:

And where is the money going to come from to back up this appropriation?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Trotter.

SENATOR TROTTER:

We -- what we're doing here today is giving appropriation authority to the various agencies that have been listed and the Governor. We're assuming -- or -- or, expecting revenues to be generated enough to pay these bills.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Murphy.

SENATOR MURPHY:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

How much of the thirty-four -- thirty-four million in GRF is going to the Department of Corrections?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Trotter.

SENATOR TROTTER:

Actually, none of the money is going to Corrections. It's coming from Corrections, going to the U of I to pay off services that was rendered by the U of I. And, specifically, it was the University of Illinois-Chicago, Energy Resource Center, for services that -- claims against Department of Corrections.

PRESIDING OFFICER: (SENATOR HENDON)

Senator...

SENATOR TROTTER:

And -- and excuse me, I was just corrected. I was just corrected on that. Twenty-four million dollars besides that, that would be the expenditure. There'll be another 23.9 million which will go towards DOC.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Murphy.

SENATOR MURPHY:

Thank you, Mr. President. To the bill: We find ourselves here again, spending money we don't have. You know, we -- we've been doing this for years here. We just took an historic step yesterday to avoid a double downgrade, hopefully, in our bond rating to tie us for fiftieth in the nation with California - a great step, but here we are, not even twenty-four hours later, falling back into our old habits. And we're giving -- we're giving this money we don't have because the Governor last year said, "Give me lump sums; I can manage." And, so far, all he's

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

managed to do is grow the deficit by another 2.2 billion dollars. We're giving twenty-four million dollars to a Department of Corrections that put violent criminals out on the street early so that we could have an emergency purchase of sugar cookies, pay prisoners 7.3 million dollars, and buy cable TV for 'em. This is the type of administration we want to borrow even further into debt and drive more jobs out of this State to support? Not me. I strongly urge a No vote on this bill. The mismanagement from this administration, and particularly this Department of Corrections, does not warrant more money; it warrants a firing. And for those of you on the other side of the aisle who want to support this bill, at least come out and call out your -- your Department of Corrections Director and call for his termination in light of the gross mismanagement that has brought more dangerous people sooner on the streets of this State. Totally inappropriate to give them more money. I urge a No vote.

PRESIDING OFFICER: (SENATOR HENDON)

Presiding Officer certainly appreciates the succinct questions and answers in this time. And I hope all Members take note, that's the way it should be and it's going to be. Senator Schoenberg -- or, Senator Trotter, do you want to... Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you -- thank you, Mr. President. I -- I'd like to rise in support of the bill and directly address some of the false information that was put forward. The reason why -- that the Department of Corrections had to ask for additional supplemental money is not due to any -- is not due to any

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

mismanagement, but rather the savings that had been anticipated to be realized were not realized because of a court injunction that essentially froze the layoffs of the security staff. And because of that court injunction, the Department, therefore, was not able to see the kind of cost savings that normally would have had the revenue in -- in sync with the appropriation authority. So, what's especially notable about this is that if we want to help people who've been put out of work -- the Department of Employment Security has had an increased caseload because of the large numbers of folks throughout the State who need to file unemployment insurance claims. Now, I know that Senator Jim Bunning wants to stop states from being able to administer unemployment insurance claims to people who are out of work, but I think that we should help people during this most vulnerable time and that's why I urge an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Thank you, Senator. For the second day in a row, the Senate has been graced with the honor of having the Speaker of the House here with us, Speaker Mike Madigan. Let's welcome him to the Senate. And be on your best behavior so he will know how we do it here in the Senate. Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR HENDON)

He will yield for a few questions. Senator Righter.

SENATOR RIGHTER:

Thank you. Senator Trotter, I notice in the analysis that our staff has put together that there is roughly 1.1 billion dollars in this appropriation for -- for road construction. Is

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

that correct?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Trotter.

SENATOR TROTTER:

That is correct.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

And, Senator Trotter, I don't know if you got one, but I got one of these lists from the Governor's Office and I think most of the Members did. It's a two-page list, or at least a two-page list for me, of what is entitled "additional projects potentially ready for summer 2010 construction season" and it has a stamp on it that says "draft". Now, it's my understanding from our staff that the cumulative total of all these lists that have been passed out is two billion dollars or, as you know, roughly twice of the money that's in this appropriation. So, can you tell me anything about which projects are going to be funded and which projects are not going to be funded?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Trotter.

SENATOR TROTTER:

That determination will come out of the Department of Transportation who -- who will make those assessments of which projects are ready to go now - and they're not going to go do that old shovel ready, but ready to go - and those that are -- they can be ready during this construction season.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter, sir. Senator Righter.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

SENATOR RIGHTER:

...you, Mr. President. So -- Senator Trotter, so we don't know which projects on -- on this list will be funded as a result of this bill. As you and I stand here right now, you don't have any idea on these two pages here, which my go and which may not...

PRESIDING OFFICER: (SENATOR HENDON)

Senator -- Senator Righter, that's been asked and answered, sir. Go to another question, if you will. He just answered that. We're trying not to be duplicitous today. Senator Righter.

SENATOR RIGHTER:

Do you know which projects will be funded?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Trotter, for the second time. Senator Trotter.

SENATOR TROTTER:

No.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR HENDON)

Certainly. Senator Righter, to the bill.

SENATOR RIGHTER:

Thank you, Mr. President, Ladies and Gentlemen of the Chamber. I suppose there are some reasons to vote for some of what's in here, but I would just caution the Members, if you've gotten one of these lists that's stamped "draft", that's an indication that it's subject to change. And the fact that we've

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

got twice as many road projects as money we have, I would just caution you not to send this home and tell your folks back home, "Hey, I did you a huge favor. I voted for this supplemental appropriation and look all that's coming back to the district", because it is at best a coin flip whether or not this is actually going to happen. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

Seth Perlman of the Associated Press seeks leave to take photographs, which he does fantastically. Leave granted? Leave is granted. And Catie Sheehan from WICS seeks leave to videotape - which we always grant to Catie. Leave is granted. Senator Syverson. The last speaker on this bill, so don't push your button. Senator Syverson.

SENATOR SYVERSON:

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

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will yield for a few questions. Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. Senator Trotter, Senator Schoenberg had mentioned that the reason that there's this shortfall is because of the injunction, but isn't it really the -- the shortfall is because this budget was predicated on the -- the twelve-hour shift program, instead of the eight-hour shift program, which -- which AFSCME said they weren't going to support, but that's what the numbers were built on, and knowing that, we still passed this budget, which created a large portion of this hole because they were never able to implement that twelve-hour shift policy. Is that correct?

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

PRESIDING OFFICER: (SENATOR HENDON)

Senator Trotter.

SENATOR TROTTER:

The short answer is, no, it's not correct. But the long answer is that it's partially correct. The -- the real correctness is, in fact, because of the injunction; because of the dollars that could have been realized with the layoffs, there would have been more dollars that they could have taken care of their shortfall. And we could even expand it even further - if, in fact, we did have closure of the various facilities and those dollars came in, those would have been more dollars to the DOC budget and coffers that would have been able -- and would have been -- and the reason why not to do this bill. But as a consequence of none of that happening, in fact, is why we're here today asking for this twenty-three million.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Syverson.

SENATOR TROTTER:

I believe. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Syverson.

SENATOR SYVERSON:

Thank you. The idea of foreclosure -- starting to close those facilities, I mean, that came after the budget was done. So, that was not predicated as part of the budget. So we need to make that clear - those discussions were -- were after the fact; that most of these numbers were based on the changing the work hours, which, again, didn't occur. But one other -- another question, is there funding in this to start a new

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

program down in Franklin County?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Trotter.

SENATOR TROTTER:

Again, the simple answer is no.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Syverson. Because you're caucus chair, I'm giving you a little bit more time. Senator Syverson. Because you're caucus chair, I'm giving you a little more -- more time. Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. Is that an operating subsidy that's currently in this -- currently in -- it's not in the FY'10 budget?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Trotter.

SENATOR TROTTER:

It probably looks in -- or, you may have something that says it -- calls it a pilot program; however, this program was funded in last year's budget as well. So the 1.5 million dollars will be going for this meth program down in Franklin County, which the -- they have a very serious problem there.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Syverson, would you like to speak to the bill, sir?
Senator Syverson.

SENATOR SYVERSON:

Sure. Thank you, Mr. President. No other county is getting a subsidy to create a meth program like this. So, when we're looking at times when we are literally over a billion

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

dollars over our spending, to come back here and ask for another supplemental, and then we see some of these programs, which we -- may be well-intentioned but we just can't afford, this doesn't seem to be a -- a priority. When we're laying off hundreds of State police officers to start new programs, I -- it's difficult for us to explain that back home. So, I appreciate your answering these questions. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Because it's Senator Forby's county that was mentioned, I'm going to bend the rules just slightly, so you all won't think I'm mean. Senator Forby.

SENATOR FORBY:

Thank you, Mr. Speaker {sic}. To the bill: And I -- you know, I was listening to the thing and it -- it said one county. This is not a one-county deal; it's thirty {sic} counties. There's two or three other Senators in this room, their county's involved too. And if you go back and look the last two or three years what they've done to some of these fifteen-, sixteen-year-old kids that's been on meth, it's been a great job. It's unbelievable. And I just don't think we can lose this job. It's not just for Franklin County. There's thirteen counties down there. And methamphetamine, as everybody knows, in my district, it's worse than any place in the State of Illinois. So this is a great deal and I'd hate to lose this project.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Trotter, to close.

SENATOR TROTTER:

Everything has been addressed. And I just ask for an Aye vote.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate -- shall the Senate concur in Senate Bill -- to House Amendment No. 2 to Senate Bill 1182. All those in favor will vote Aye. Opposed, vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 36 voting Aye, 21 voting Nay, and none voting Present. Senate Bill -- the Senate concurs in House Amendment No. 2 to Senate Bill 1182. And the bill, having received the required constitutional majority, is declared passed. We're now going to go -- Senate Bill 1578. Senator Noland. Madam Secretary, read the bill.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1578.

Filed by Senator Noland.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Noland.

SENATOR NOLAND:

Thank you, Mr. President. Senate Bill 1578, as amended by the House, creates the Small Business Job Creation Tax Credit Act. This bill will allow small business owners to apply for and receive an income tax credit equal to twenty-five hundred dollars for each new employee hired between July 1st, 2010, and ending June 30th, 2011. The credit shall be limited to a maximum of fifty million dollars awarded to applicants - that is for the State - wide. The credit can be carried forward up to five years if the credit exceeds the tax liability of the applicant for the year it is being applied. These are for jobs

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

paid for in excess of thirteen dollars and seventy-five cents an hour. So this is meaningful employment for people who need it most. To qualify, a new...

PRESIDING OFFICER: (SENATOR HENDON)

There -- is there any discussion? Seeing none, the question is, shall the Senate concur to House Amendment No. 1 to Senate Bill 1578. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. The Senate concurs in House Amendments {sic} No. 1 to Senate Bill 1578. And the bill, having received the required constitutional majority, is declared passed. We're going to go to page -- we're about to go to substantial action immediately. We're going to jump around just a little bit to get to the heavy lifting. And will all Members under the sound of my voice who are not on the Senate Floor please come to the Senate Floor? We're going to page 7 of you're Calendar. Senate Bill 2494. This is Senator Meeks. 2494. Page 7 of your Calendar. With leave of the Body, we'll go there. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 2494.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Meeks.

SENATOR MEEKS:

Thank you so much, Mr. President and Ladies and Gentlemen

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

of the Assembly. Senate Bill 2494 is a bill that will enable kids in underperforming schools to be able to receive a -- a voucher. These schools are the forty-nine schools in the City of Chicago that are failing schools. They've been on the Academic Watch List since 2001. And by passing this bill, we will give twenty-two thousand kids an opportunity, and their parents an opportunity, to have a choice in whether or not they will continue in that failing school or go to another non-public school within the City of Chicago. Just as we came up with and we passed charter schools so that we could help children, now it's an opportunity for us to pass this bill so that we can help more children escape the dismal realities of Chicago public schools, but especially those kids that are in failing schools. This bill only addresses the bottom ten percent of failing schools, K -- kindergarten through eighth grade. And I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Cronin.

SENATOR CRONIN:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. I rise in strong support of Senate Bill 2494 and the legislation and the concepts and the principles and the program that Senator Meeks is seeking to accomplish here. I -- first, I'd like to commend the speaker and the sponsor, the lead sponsor, Senator Meeks. I want to commend him for his leadership, for his toughness, his strength, his desire to do something a little different, to do something out of the convention. So much of what we do down here is nibbling around the edges and we immerse ourselves in the established approach.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

Ladies and Gentlemen, there are children that are failing in our public schools and they've been failing for years and years and years. And I think it's high time that we try something a little dramatic, try something that relies and is founded on principles that we all believe in - competition, family involvement, parental support, investment, scholarships, giving families a chance to get out of the position that they are stuck in. Frankly, Ladies and Gentlemen, I've been down here a long time and we've tried a lot of things, some with some success, some with little or no success. I urge all of you to take a step away from the convention, away from the groups that we talk to every day, and I want you to think about one group as the most important group that will motivate your vote here today, and that's the twenty-two thousand children that march into schools that are failing. They're dangerous. The teachers, while may be -- maybe they're well-intentioned, they're not the best teachers that we have to offer. Some are good, some are not. But the bottom line is, the school is failing. Give these children a chance. Give them an opportunity to go to the school of their choice. Give them a chance to go down the street to the Catholic school, or the Lutheran school, or the Christian school, or -- or the Hebrew school. Give them a chance to go to a different environment, to try a different approach. Give these children a chance. I beg of you, vote Yes. Vote Yes and give Senator Meeks the opportunity to lead in the City of Chicago on the most important issue to the future of the City of Chicago, and that's education of young children who are failing in schools. This is essential. Please vote Yes.

PRESIDING OFFICER: (SENATOR HARMON)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

Senator Harmon in the Chair. Is there further discussion?
Senator Dillard, for what purpose do you rise?

SENATOR DILLARD:

Thank you, Mr. President. Really to echo what Senator Cronin said. I commend Senator Meeks, Reverend Meeks, for bringing this proposal forward. He has spent an inordinate amount of time trying to get this bill in this position. And, Senator Meeks came to this Body, Mr. President and Members, as an Independent. And he's a Democrat - we all knew that even when he was elected as an Independent. But I commend Senator Meeks' work on this bill. I mean, how can you be against trying to help the -- the -- the bottom of the education food chain here? I -- you know, there is a similar program that was tried in Florida by Governor Jeb Bush. It worked well. But, to me, I just think this is, like the pension bill last night, some of the most significant legislation we have tackled in a long time. And my hat's off to you, Senator Meeks. These children may be mostly in the City of Chicago, but they are all our children and we've got to give 'em a chance in life. And Senator Meeks lives his personal life, as well as his political life, trying to help these children and I want to help 'em too. And I'd urge an Aye vote. And, again, I just thank you, Senator Meeks, for having the courage and the time invested to help these children and give 'em a chance in life. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR HENDON:

To the -- to the bill, Mr. President. I'm going to follow

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

my own rules while I'm in the Chair now that I'm speaking - I'm going to be very brief. So I'm going to be just a tad loud because I'm going to be very brief. I need fifty-nine, fifty-seven -- how many -- green votes on this bill. Everyone should vote for this bill. I thought I would never be for vouchers. I'm a Democrat. It's a Republican idea. Yada yada yada. Sometimes we get caught up in that. We get caught up in pride of authorship or -- or what's the philosophy, and we forget the most important thing, which are the children - the babies. This bill is only for the ten percent of the children who are being totally -- undereducated, not educated in Chicago - ten little percent. So when you hear the cries of the unions - who I love - you just got to say, "I still love you, but I love the children more." When are we going to love the children more? When are we going to do the right thing? This is it. Bipartisan cooperation so the children can learn and they can compete around the world with children from everywhere. Vote for this bill. Tell the unions you love 'em later. Get rid of your other problems you have with the bill. Vote for the children. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator Hendon. Senator Trotter's indicated that he couldn't hear you. Maybe you want to brief him? Is there any further discussion? Senator Martinez, for what purpose do you rise?

SENATOR MARTINEZ:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR HARMON)

Sponsor indicates that he will yield.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

SENATOR MARTINEZ:

Thank you. Senator Meeks, my -- my line of question comes because I -- I was a Catholic school student and when I went over to public school in my seventh grade, I was far ahead of the students that I -- in my grade level. And my concern -- and I'm going to be voting Yes because I really believe that we have to give the bottom -- children that have not had an opportunity in a system that the school has failed them, an opportunity to try to -- to learn better. But my -- my -- my question to you is this: Are the private schools or these -- these schools that are going to take these students in, are they prepared to really be patient and know that this child is coming in from a failed school, where now they're going to be competing, you know, with students that are probably much more advanced? And I want to make sure they don't fail in that school. And that, at the end of the day, the teachers that are going to be there are very conscious that they're going to have to have patience and they're going to need extra help in order for them to really get at the level that that -- of those students in that school. And that's the only concern that I have and I just want to ask you that question.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Meeks.

SENATOR MEEKS:

Thank you so much, Senator Martinez. That question came up in committee as well and I had received a commitment from the -- the Archdiocese, which many people assume will be the larger receivership, but then I asked them for that commitment in writing. And so I'll read: Children who - and this letter

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

comes from the Catholic Conference of Illinois - Children who cannot read or read significantly below grade level present a significant challenge. Each child will undergo a one-on-one evaluation. Of those identified reading significantly below grade level and -- will be assessed and given special resources and personnel. Resources and personnel will work with these children in summer school, before school, after school, and during the regular school day in timed, pulled-out programs, typically two hours a day. So, I think that the Catholic Conference recognizes that this could be a problem and they've already set up a program to help any student who comes to them below grade level.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Martinez, do you have a follow-up question?

SENATOR MARTINEZ:

To the bill: I, too, always was very skeptical about vouchers, because I really believe that we have to fix our school system - our public school system. I really believe that no school should fail our children and we got to do a better job of fixing the problem, as opposed to letting students who really have issues, because the school has failed them, go on to other. I -- I -- I am going to, actually, vote for this bill because I think we're doing the right thing. I just want to make sure that that student going into a new setting, where probably the school level is much higher, that the teachers and that that school system really has the patience and the time to take on these students that really do need our help and that they don't go into a setting that now will fail them also because they are too far behind. So I would urge an Aye vote.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Further discussion? Senator Maloney, for what purpose are you seeking recognition?

SENATOR MALONEY:

Just to the bill, Mr. President. I -- I, too, have some concerns about the bill, but certainly it is an intriguing idea, especially with the level of desperation and the level of service here that the -- Senator Meeks wants to address - the lowest ten percent. I do have one problem that I -- I mentioned to Senator Meeks that I would state publicly, that I hope can be corrected if, in fact, this bill moves forward, and that is that currently, the way the bill is written, parents who have children already in these targeted areas in parochial schools cannot take advantage of this voucher. And I -- so I think that's sending the wrong message. We have -- we're saying to these parents, you have sacrificed, but you don't -- to this point, but you're not receiving any benefit as a result of that. So I -- I hope that that's looked at in the House. Again, it's an intriguing idea and I -- I will support it at this level, pending -- and hopefully pending some of those changes that I mentioned. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. There are still several Senators seeking recognition. Senator Jacobs, for what purpose do you rise?

SENATOR JACOBS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR HARMON)

Sponsor indicates that he will yield.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

SENATOR JACOBS:

Senator, I think all of us appreciate what you're trying to do, but I'm not sure that we're getting to the core of the problem. It -- it seems to me that maybe the problem isn't so much the teachers, maybe the problem starts at home. Are there vouchers so that we can replace the parents who aren't doing a good job, rather than replacing the teachers who aren't doing a good job?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Meeks.

SENATOR MEEKS:

That -- was that a question? Was that a...

PRESIDING OFFICER: (SENATOR HARMON)

Senator Jacobs, can you please restate your question?

SENATOR JACOBS:

Does this voucher allow us to replace the parents who aren't preparing their children to come to school or just the teachers after the parents who aren't doing their job drop their children off at the school unprepared?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Meeks.

SENATOR MEEKS:

The answer is no. And, Senator Jacobs, I'm not sure that this Body, the General Assembly, or the federal government can do anything about parents. The only thing that we're responsible for are the institutions that are under our auspices, and I'm trying to correct a -- a problem in the worst ten percent of the schools and -- but not in the homes.

PRESIDING OFFICER: (SENATOR HARMON)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

Senator Jacobs, you have a follow-up question?

SENATOR JACOBS:

To the bill: It just seems to me, Senator, that we're not getting to the root cause. I mean, isn't it true that ten percent of these schools are in minority districts?

PRESIDING OFFICER: (SENATOR HARMON)

Senator -- Senator Jacobs, that's a question, not to the bill? Senator Meeks.

SENATOR MEEKS:

Not -- not only is it true that ten percent of these schools are in minority areas, but it's also true, according to Education Trust, the think tank out of Washington, D.C., that these schools also have the worst teachers in the system as well.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Jacobs.

SENATOR JACOBS:

I think I've made my point. The only thing I would like to say, Senator, is that I would love to hear from those ten percent of the teachers, because I'm not sure they're the worst teachers. I think, instead, they're saddled with things they can't deal with. If a child goes to -- to Farragut school, the pool's broken; they go through two metal detectors; they don't get breakfast before they come. But when they go to Naperville, it's a brand-new school, brand-new carpet, brand-new pool. The diversity in our dollars and our funding is the problem - not the teachers.

PRESIDING OFFICER: (SENATOR HARMON)

Is there further discussion? Senator Risinger, for what

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

purpose do you seek recognition?

SENATOR RISINGER:

Thank you, Mr. President. To the bill: I have the greatest respect for the sponsor of this bill. I think that we need to try everything that we can to educate our children and I think that this is a program that we need to try. One thing I've learned in this Body is that if it doesn't work, we can always come back and we can change it later, Senator Meeks. So I appreciate what you're doing and I'm going to -- vote for this bill.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR LIGHTFORD:

Thank you, Mr. President. Perhaps to the bill and then I might have a question of the sponsor. So, just to the bill for now. Ladies and Gentlemen of the Senate, I share lukewarm feelings on this subject. I -- I feel like charter schools, which is something that I wouldn't have, never, in my wildest dreams as a Democrat encourage. In my mind, it was a form of privatizing public schools. As the years have gone by, the statistics are getting lower; the Prairie State exam scores of these students are getting lower; and we're constantly elevating that same child upward and upward and upward. So, little Johnny, who could not read in the third grade, is now in the sixth or seventh grade, and guess what? Little Johnny still can't read. Out of the ten percent, Senator Jacobs, these are the ten percent of the lowest-performing schools in Chicago public schools, and it makes up forty-nine schools at CPS. Of

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

that forty-nine schools, I represent six of those schools. And these are schools that I have watched over my twelve years here, my twelve years on the Education Committee. I've watched these schools. They have been on the academic failing watch list since NCLB was enacted in 2001 - No Child Left Behind. Guess what? That child is left behind. That system provided school choice, but it was school choice within the public schools. So, if the school was notified, the parent would be notified that that school is on the academic failing watch list. So - guess what? - they can enroll their child in any other public school within Chicago - not a non-public school. So we thought perhaps it would work. Well, guess what, you guys? It hasn't worked. Little Johnny still can't read. We have to do something. We have to find creative and innovative ways to educate our children. Now, I don't think the bill goes far enough. It's not just Chicago public schools. It's children around the entire State of Illinois. I don't care what part of the State you represent. Don't think that you don't have these same issues in your school districts. Don't think little Johnny doesn't live within your community. It exists. And I don't want any of us to believe that this is just a black issue - because it's not. This is a learning issue. This is an issue because we're failing the education system in the State of Illinois. It's underfunded. There is disparities. Why is it that the highly qualified teachers are not in these schools, these forty-nine schools that we've clearly identified where the kids aren't learning? So I proposed this question to Senator Meeks in Exec and his guests: What are you going to do with little Johnny when he arrives at your doorstep, he's in fifth

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

grade and he's reading at a second-grade level? What are you going to do with little Johnny who didn't get a meal for breakfast? What are you going to do with little Johnny whose grandparents is raising him because his parents is incarcerated, and - guess what? - the other one might be on meth, Senator Forby? What do you do? What do you do? They responded. I appreciate that. Catholic Conference came up with a response so quick, we hadn't even adjourned the committee yet. We need all of that, but we don't need any more guns up our way, I can tell you that. Catholic Conference of Illinois, they came up with a response. I'm concerned that these children will be labeled as special ed. I'm afraid that they will be labeled as BDs - behavior disorders. I didn't feel that they would be able to look inside and say, "Okay, there's a learning disability here. There's a problem at home. Parents aren't involved." I was afraid of that. Oh, they responded quickly; they came up with a program called pull-out. We're just going to pull 'em out of their class for two hours of that day, give them the special attention that they need. We would never call 'em special ed. Now I got to believe that the faith community is not giving me a lie. I've got to believe that this will be the pilot program that will identify some problems within CPS. I'm not picking on the teachers. I'm not picking on the administration. I'm not picking on the parents at this point. I'm picking on each one of us in this room who have been here a period of time who have watched our children continue to fail and have done nothing, nothing. So I commend the sponsor for saying, "Let's do something radical; let's do something outside the box", and only the good Reverend can do it and get away with it. If I

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

sponsored the bill, we wouldn't even be having this conversation. Only the good Reverend can -- can say no matter what our kids have to be educated, and if it's typically something that a Republican would do -- because that's what we're looking at, we're looking at is it a Democrat principle, is it a Republican... - who cares! Help. Help. Help educate them. Give them an opportunity. And if it doesn't work, the good thing about it is that it's a pilot program and it does not have to continue on. And we'll know that we tried, that we tried something different. So I guess I'm appealing to my colleagues on this side of the aisle. Teachers' union, love you, not on this particular issue. You should embrace this issue, because if the classroom sizes get smaller, then your fight should be "let's keep every teacher so we can have smaller classrooms finally". That'll help you get at that problem that's been on your agenda for years, fighting to keep the teachers there in smaller classrooms. Perhaps it will open up an opportunity for more counselors in the Chicago public school system, more truancy, to address some problems. So I don't have anything -- a question for the sponsor. I want to tell the sponsor I appreciate his tenacity, I appreciate his fight, and I appreciate his drive. And I would appreciate if all of us voted Aye.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. There are -- there are now three Senators seeking recognition. Senator Viverito, for what purpose do you rise?

SENATOR VIVERITO:

Thank you, Mr. President, Members of the Senate. Normally,

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

I don't like to get up on a lot of issues, but this particular issue - we've been talking about education for as long as I've been here, for sixteen years, and truthfully, we haven't done very much. But the speakers that were before me and the very honorable Senator Meeks, from the day he arrived, his -- education was the most thing on his agenda. And, of course, the passionate Kimberly Lightford, of course, is another advocate. But also we have, across the room on the other side, Dan Cronin, who I consider one of the top in the field of education, and his deep concerns. When two of them join and say that this should be an opportunity for a pilot program, let's be realistic. Now is the opportunity to give at least a man who has dedicated himself in this particular field. Not only is he a Senator, but he's a highly respected religious man in the whole Midwest, and often he speaks from the pulpit about educating his children. Please give them the opportunity. Let's all join together in this pilot program and help the State of Illinois. We made history yesterday in changing the darn pension system, which we should have done for -- fifteen years ago. I talked about it. I talked about education - from the time that I've arrived here. And it's time we did a pilot program and respect the sponsor for what he's trying to do. Please vote Yes. Thank you very much.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator Viverito. Senator Forby, are you seeking recognition?

SENATOR FORBY:

Yes, Mr. President. You know my name was brung up and I wasn't going to say nothing, but I'm just going to tell you what -- I'm just going to tell you one thing. I'm talking now. I

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

can holler and scream, do whatever I want to. I come from a district where -- Donne Trotter knows as well as anybody - he's from there. We got the poorest kids in the State of Illinois. So don't say your district is better than anybody else's district. All schools needs help - every school. My schools is closing down. So don't say we need it more than anybody else or whatever. My district needs it just as much. My kids is just as much -- as important as your are and everybody else. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

Our final speaker is Senator Raoul.

SENATOR RAOUL:

To the bill: I admire the speaker's tenacity, his drive and his willingness to shake things up and try innovative things in the interest to -- towards bringing attention to the fact that we're undereducating our children. And I haven't always agreed with some of the mechanisms that the -- that the sponsor has used, but I agree with his end goal. And this is another instance where I do disagree with the mechanism that is being used, for several reasons - some of the reasons already brought out by several speakers. But since I'm the last speaker, I'd like to kind of reiterate some of those things. One is that -- that -- you know, I myself have my children in Catholic school and I know that while the Chicago public school system has a disparate treatment with regards to kids within the Chicago public school system, there are great public schools within the Chicago public school system and there are awful public schools within the Chicago public school system. Well, let me tell you, within the Catholic school system, there are great Catholic

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

schools and there awful Catholic schools that have gone out of business and closed their doors. Now, if I was in the Catholic Conference, I'd be interested in this bill too, because I'd be interested in the revenue to reopen some of those schools. But what does that guarantee in terms of the quality of education? As I said, there, historically, has been good Catholic schools and there have been bad Catholic schools. There have been good private schools and there have been bad private schools. The school that my children go to is very competitive to get in to and they let most of the children in at the preschool level. Most of these kids, vast majority - probably all of these kids - won't be allowed into that school and the other high quality Catholic schools. We have zero -- we -- we hear about zero tolerance throughout school systems. If you think that some -- certain public school systems have zero tolerance, you better believe the private school systems have zero tolerance. So there are going to be all sorts of problems. And -- and Senator Jacobs, in his own unique way, touched on one of the issues that I want to raise, is that this is not just the teachers. It is the community circumstances; the lack of resources that families and communities are getting that are leading to the kids entering the schools underfed, without access to -- to -- to -- to -- to resources; having to walk down streets and facing danger as they come and go toward schools - all sorts of circumstances that lead to it being a -- challenging circumstances for any teacher - for any teacher - to deal with. And I don't know that the Catholic Conference is going to guarantee that they're not going to kick these kids out of school when they have to deal with behavioral problems. I don't

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

know if they guarantee that they're going to put these kids in their highest quality schools. Or are they just going to reopen the schools that they had to close down because they were low quality schools? I have a school, a public school, right down the street from me that would have been in this ten percent. But that school turned into what is called a community school. And I do believe schools can do something about parents through the community school concept. And because this school has embraced the community school concept, they bring parents into the school after hours and teach parents how to support their -- their kids academically, teach parents parenting classes, bring in communities -- community organizations, into the public schools. And I think that is the type of thing that we ought to be doing instead of giving up on the public schools and thinking somehow that the Catholic schools are going to do a better job. The Catholic schools have proven that in these very neighborhoods, they have failed. They have closed down the doors because they didn't have the resources. Again, I -- I really do admire the speaker and I do admire the fact that he's trying to shake things up and bringing attention to this. And you know, the notion that people in these neighborhoods that don't have great economic resources, have already been making a sacrifice to try to put their kids into a school, yet they are not going to be able to take advantage -- of this because they've already made that sacrifice is unfair. The notion that there are kids in other schools that are performing far worse than some of the schools in these kids -- some of the kids in these schools, but because they don't fall -- the school as a whole does not fall within the bottom ten percent is unfair.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

The notion that we're going to think that being Catholic or private is better while -- while there is already evidence that these very institutions has failed in these very neighborhoods is unfair. And despite my awesome respect for the sponsor, I urge a No vote on this.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Meeks, to close.

SENATOR MEEKS:

Thank you very much to all of my colleagues for recognizing that this is an issue that the General Assembly should at least try to deal with. I wish the bill was going to do more. I wish it was going to help more children. Let's start with this twenty-two thousand, and perhaps after the pilot is over, we can help more. I would appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR HARMON)

The question is, shall Senate Bill 2494 pass. All in favor will say Aye. Opposed, vote Nay. The -- 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 33 voting Aye, 20 voting Nay, 3 voting Present. And Senate Bill 2494, having received the required constitutional majority, is declared passed. Ladies and Gentlemen of the Senate, with leave of the Body, we're going to return to page 5 of your printed Calendar, Senate Bills 3rd Reading. On that Order is Senate Bill 936. I'm sorry, -- Senate Bill 935. Senator Cullerton seeks leave of the Body to return Senate Bill 935 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is Senate Bill 935. Madam Secretary, are there any Floor amendments approved for consideration?

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

SECRETARY ROCK:

Floor Amendment 1, offered by President Cullerton.

PRESIDING OFFICER: (SENATOR HARMON)

President Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This bill -- this bill deals with the red light cameras. And Floor Amendment No. 1 I would like to adopt and then also Amendment No. 3, and then discuss the bill on 3rd Reading, if I could.

PRESIDING OFFICER: (SENATOR HARMON)

There any discussion on the amendment? Seeing none, the question is -- Senator Cullerton moves for the adoption of Floor Amendment No. 1. All in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, have there been any further Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 3, offered by President Cullerton.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Cullerton.

SENATOR CULLERTON:

Thank you. Did we adopt Amendment No. 3? I would like to move to adopt Amendment No. 3 as well.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Cullerton moves for the adoption of Floor Amendment No. 3 to Senate Bill 935. All in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, have there been any further Floor amendments approved for consideration?

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HARMON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 935. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 935.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Cullerton.

SENATOR CULLERTON:

Yes, thank you, Mr. President, Members of the Senate. A number of years ago, the City of Chicago instituted a red light camera policy and there was no State statute governing that policy. The City started off, I think, with ten intersections and it resulted in a dramatic drop in fatalities the next year. After that experience, I got involved personally and ended up passing a bill that was designed to provide protections for motorists. And just to give you an idea, we -- we provided for administrative adjudication if there was going to be an appeal; we made exceptions for being allowed to get a ticket - for example, if you -- there was a funeral or if there was an ambulance. So we passed that legislation designed to protect the motorists. It's come to our attention, through news stories and other pieces of legislation that have been introduced, that there are some more protections that we need for motorists from being improperly ticketed, and that's what this bill is all about. It does not abolish them, because I believe it's fairly

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

clear that there's still a need to -- for safety reasons, to make sure that people are not allowed to run red lights. But at the same time, there's been some questions raised about the motivation of the municipalities, that this whole effort is an effort to just raise money and not be concerned about safety. My initial concern was, and continues to be, about safety. So we are in effect, in this bill, making some changes that will protect those -- those motorists. One of the most important things is to make sure that there's no ticket issued if someone actually goes up to a red light and comes to a complete stop, but maybe had gone past the stop line or past the intersection. So we make it clear that they would be protected. If there's pedestrians or a bicyclist around, that might -- that would be different. But other -- other than that, if they're just coming to a stop, there's no technical violation that will result in that ticket. And we want to make sure that the red light cameras, obviously, must post the locations of the red light cameras on their website. We're not trying to trick people. We want people to know that the -- where these red light cameras are. The intersections would be equipped with cameras that have a yellow change interval that conforms with the U.S. Department of Transportation standards. And require municipalities or counties to report to the Secretary of State whenever a registered vehicle owner has failed to pay fines or penalties. With regard to the yellow lights, we understand that there's different length of time that a yellow light is on, based on the speed limit. We want to make sure that their standards are adhered to. Many people say that this is already going on. Well, let's put it in the law to make sure that no city can ever

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

change it in the future. So that would also be a protection that is in the bill. We also want to make sure that if someone wants to appeal, that they're not penalized by appealing. So that there's no fee - no additional fee can be charged to appeal. And then once they do appeal, if they lose, they would have the same amount of time to pay that -- that ticket as -- as they would if they had not appealed. We also want to make sure that police officers are the ones that issue these tickets ultimately, or in the case of Chicago, that we have a -- a technician who is a person who's received supervised training -- and -- and understands the subjects, which shall include image inspection and interpretation and all the elements necessary to prove a violation - that would be allowed for the City of Chicago. The municipality -- also - and this is a very important addition; I believe it was added in the last amendment - a municipality shall conduct a statistical analysis to assess the safety impact of each automated traffic system, and they should then do an analysis that would include before and after conditions and do that within a reasonable period following the installation of the automated traffic law. And if the analysis indicates there's been an increase in the rate of accidents at the approach to the intersection monitored by the system, the municipality shall undertake additional studies to determine the cause of those accidents. So I think this is a very good step to protect motorists from being improperly ticketed. I appreciate the support, the input we had from a number of Senators, including Senator Millner, Senator Hendon, Senator Duffy. And I'll be happy to answer any questions and ask for an Aye vote.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator Cullerton. Senator Link, for what purpose do you rise?

SENATOR LINK:

Thank you, Mr. President. I move the previous question.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Link has moved the previous question. There are five Senators seeking recognition. Senator Risinger, for what purpose do you rise?

SENATOR RISINGER:

Thank you, Mr. President. To the bill: You know, I think most of you in this Body know that I don't get favorably excited about red lights. They're not my favorite thing. But that being said, I do think that there needs to be protections for the motorists wherever we have the red light cameras in place. And the sponsor has been very open to receive suggestions and -- and put in the bill things that would protect a motorist and -- and to make sure there's fairness in -- in this running of the red lights. So I am going to vote for the bill. I -- I think it's an improvement if we have to have the cameras in place, and -- and legally they're -- they're there. And so I think it's important that we put all of these protections in place. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR BOMKE:

Thank you, Mr. President. Question to President Cullerton.

PRESIDING OFFICER: (SENATOR HARMON)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

Sponsor indicates that he will yield.

SENATOR BOMKE:

Mr. President, could you clarify the -- the -- the Amendment 3, the part that requires a municipality or county using a camera to conduct the statistical analysis? Is that -- are you saying there that once the camera is up, if accidents increase at that intersection, that there will be further studies, or is this, simply, by using the cameras to study accidents at -- I'm -- I'm just not real clear on your intent.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Cullerton.

SENATOR CULLERTON:

Well, I think the best thing to do is to literally just read the language, and if you have further questions, I'll be happy to answer 'em. "If the statistical analysis for the thirty-six month period following the {sic} installation of the system indicates that there has been an increase in the rate of accidents at the approach to the intersection monitored by the system, the municipality or county shall undertake additional studies to determine the cause and severity of the accidents, and may take any action that it determines is necessary or appropriate to reduce the number or severity of the accidents..." That would include removing those cameras if that's what they determine. We're not mandating it, but we are -- we are requiring statistical studies to be done. So public will be aware of; it'll be public record. And the -- from what I understand, a number of jurisdictions have removed these red light cameras when there's been public objections. And this is going to make it easier for the public to see whether these

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

things are working or not.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Bomke, a follow-up question?

SENATOR BOMKE:

Not a follow-up question, to the bill. I want to commend President Cullerton for addressing this issue. I -- I, like Senator Risinger, am not terribly fond of the red light cameras. One day maybe I will be, but certainly this makes it much more palatable than the past. It's much more fair. And I, too, will be voting Aye. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Ladies and Gentlemen, I apologize. The microphone was blocking my view of the board. There were six Senators seeking recognition before the question was moved. There are four remaining. Senator Righter, for what purpose do you rise?

SENATOR RIGHTER:

Will the sponsor yield, please, Mr. President?

PRESIDING OFFICER: (SENATOR HARMON)

The sponsor indicates that he will yield.

SENATOR RIGHTER:

Thank you. Mr. President, I just have some -- a couple three areas of inquiry just so -- so we're clear on -- on what the meaning is in this bill. As I understand the bill, it is not -- it would not be a violation if you -- if you stopped, but you stopped past the -- the crosswalk. Is that correct? And how...

PRESIDING OFFICER: (SENATOR HARMON)

Senator Cullerton.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

SENATOR CULLERTON:

Yes, this came out of our meeting -- our negotiations with the bill with a number of legislators and I wanted to get a sense of what the practice was in the various jurisdictions and to make sure that we codified this practice to guarantee that people are not given, you know, kind of ticky-tacky hundred dollar fines. And so what we say is - and this came from -- Senator Hendon had put a bill in to say you can go one foot past the stop line and we thought about how difficult it would be to kind of, you know, measure that, so we said, "Look it, you can go past the stop line, you can go past the crosswalk, but you have to come to a complete stop before the intersection." And the intersection, of course, is defined in the -- in the traffic -- in the Vehicle Code. It -- and -- it's referenced in the Vehicle Code. And the intersection, of course, Senator, on a red -- right turn on red would be the -- the lane of traffic going in the opposite direction. So that was the point. That was the goal. That's the intent. I think it's pretty clear.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Thank you, Mr. President. And I guess you're in a little bit of a Catch-22 situation here, because if an officer is sitting at the intersection, clearly the Vehicle Code says you have to stop at or before the stop line. And so -- I mean, do we need a reconciliation there, or do you think it's -- it's okay to have a -- a different standard for the cameras, as opposed to a live officer?

PRESIDING OFFICER: (SENATOR HARMON)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

Senator Cullerton.

SENATOR CULLERTON:

Yes, I think that we acknowledge that if -- this is still a technical violation of the traffic code -- of -- of the Vehicle Code. And if -- you're right, if a police officer was there, we -- we still have the law that says you're supposed to stop at the stop line. But for the purposes of reacting to the concern that these red light cameras are designed to be a revenue generator, especially in light of the allegations that -- that the right turn on reds are the ones that bring in most of the money, and -- and -- and as part of a compromise, we're putting this in without changing the underlying Vehicle Code. We still want to send the signal, I -- I would argue, that you should come to a stop when you come and turn on a red light. You know, when the red light cameras were first instituted back in the seventies, there was - I'm sorry, not the red light cameras, but the right turn on red - there was an increase in accidents. And when there's higher speed intersections, crashes for right turn on reds increase by a hundred and thirty-one percent. So there's still a concern about making people stop and -- before they turn on right -- right on red. But as an accommodation to the people who put bills in and asked for this, to be some relief, we said we'll give this exception for getting a ticket when there's a right turn on red when there's a camera.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. I do have one other area of inquiry. And, Mr. President, it has to do -- and you've talked

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

a lot about safety and I think there's a lot of merit to what you've said, but, I guess, delving in -- into the area of a different standard again. If a police officer sees someone roll over the stop line, I mean, technically, that's a moving violation, and then, at some point, they're going to lose their license. If that happens with a camera, and even if you don't stop at the stop line or before the intersection, you could be ticketed pursuant to the camera use one week after another and your -- your license would never be subject to suspension. I want to ask you, one, is that your understanding of the bill, and, two, how does that mesh with the argument on public safety, if you have a chronic offender out there like that?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Cullerton.

SENATOR CULLERTON:

Well, I don't know if I fully understand the question. The -- if you don't pay fines -- if you don't pay five fines, you can have your license suspended. You talked about a police officer giving a ticket. You know, police officers are humans who can give -- use discretion as to whether or not they want to stop somebody if they see somebody roll through a red light. They can decide not to give 'em. But if it's a camera, we have the law saying that it's -- you get a ticket. So that's another reason why we might want to have this exception put into the law. It -- I -- I -- if you're suggesting that we should ban -- some people have suggested that we ban the use of cameras for all right turn on reds. I don't think we're there yet. I don't think we should do that.

PRESIDING OFFICER: (SENATOR HARMON)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

Senator Righter, do you have another question?

SENATOR RIGHTER:

...restate it, Mr. President, because that's not what I'm suggesting. Even if you pay the fine pursuant to the camera violation -- I mean, that could happen week after week after week. If -- if you do that when a -- a police officer actually gives you a citation, at some point you rack up enough moving violations that you will have your license suspended. But you -- with the camera process, you could -- as long as you pay your fine, can't you continue to do that week after... I mean, I could do one a week and have fifty-two on my record at the end of the calendar year. And -- well, all I'm asking, Mr. President, is this, is -- I can understand you're trying to -- this is not easy, because you're trying to -- you're trying to fashion a compromise here. And I'm just asking for your thoughts on the safety argument that you've -- that you've made, which, again, I think has merit, and the notion that that driver, long as he or she pays their fines, will not suffer any ramifications with regards to the license. That's all I'm asking.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Cullerton.

SENATOR CULLERTON:

I understand what your point is. It -- it -- it's a fundamental difference between the police officer giving you a ticket, which is a moving violation, and this scheme that has been put into the law which allows for people to get tickets for red light. This is akin - akin - to a parking ticket. And if you -- so we don't give a ticket to the driver; we only give a ticket to the -- to the vehicle owner, and just like with a

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

parking ticket, no matter who's driving, they still get the ticket. And that's the difference.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Righter.

SENATOR RIGHTER:

First, thank you, Mr. President, for your responses. Mr. President, I'd like to make a parliamentary inquiry, if I might, now. It -- it's my understanding on page 18, lines 4 and 5, the bill states that home rule counties and municipalities may not use the cameras to issue violations to vehicles which have not come to a complete stop. My inquiry is whether or not this is a home rule preemption and, if so, does it require a supermajority vote in order to be approved by the Senate? Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you for your inquiry, Senator. I'm going to check with the Parliamentarian and we'll take that under advisement. Senator Duffy, for what purpose do you rise?

SENATOR DUFFY:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR HARMON)

To the bill, Senator.

SENATOR DUFFY:

I appreciate the sponsor's efforts and for him opening up the red light camera issue for discussion. This bill codifies existing laws, and it's clear that Illinois citizens are not happy with red light cameras. This bill does not satisfy their concerns. People do believe that these cameras are all about revenue and not about safety. And this bill does not address

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

concerns, such as there's no analysis of intersections that are required before cameras are installed. Cameras are being installed at intersections even if there has never been an accident. There will be no complete information available about the red light camera system. We have asked that an annual report be submitted which highlights several key areas to tell if accidents have increased or decreased at intersections since cameras were installed. We asked to see how much revenue each camera has generated. And we would like to know what percentage of tickets were issued for turning right on red at each intersection. This complete set of information is not going to be easily accessible or available. If accidents in intersections with red light cameras -- if rear-end collisions increase due to those cameras and if it is really all about safety, then would those cameras be removed? This bill skillfully skates around the issue, but does not address at all in this bill about removing cameras. What limitations are being put on the camera companies and the lobbyists that are profiting from every single ticket issued? It is like the Wild West for profits here, and these cameras and these camera companies are targeting everyone while literally raking in cash on every corner where these red light cameras exist. This bill glosses over the whole right turn on red issue. If certain intersections have troubled right turn lanes, then install No Turn on Red signs for safety reasons and take down the cameras. The people of this State overwhelmingly do not want cameras ticketing in the right-turn lanes. They view those as a money grab, pure and simple. Big Brother is always watching our every move. Videos from these red light cameras can be shared with

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

the world via the Internet. These cameras open the door for abuse of power by government officials. Once a red light...

PRESIDING OFFICER: (SENATOR HARMON)

Senator Duffy, could you -- pursuant to our Rule 7-3, if you could please confine your remarks to the -- to the subject matter of the bill? Senator Duffy.

SENATOR DUFFY:

Thank you, Mr. President. This is a very important issue that the people overwhelmingly want to talk about. I'd be happy if you'd like to put on the timer.

PRESIDING OFFICER: (SENATOR HARMON)

...could -- if we could just confine your remarks to what's in the bill, Senator, and not to those external matters, please. Senator Duffy.

SENATOR DUFFY:

Absolutely, thank you, Mr. President. We work for the people. We should not be implementing laws that governments -- to make governments wealthy. We should be implementing laws that the people want. The people do not want the red light cameras. It is extremely disappointing that the lobbyists who represent the companies that have the most to gain by the continued use of these cameras had such a pivotal role in drafting this legislation. Therefore, I do not support this bill and I encourage others to vote No. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR HENDON:

To the bill, Mr. President. First, let me say that I don't

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

like the cameras at all. I have a history in this Chamber of being against red light cameras, being against the blue light cameras, being against any cameras that, in my opinion, take away our civil liberties, whether it's -- following 9/11 and now we're afraid of the terrorists, or whatever, because I'm not afraid of any terrorists or anything. I don't believe that we should take -- allow these cameras to take away our privacy rights. So I'm totally against them. But politics is the art of compromise. Now, is this a perfect bill? No it's not. And I -- I won't say any names at all because of length of time, but we all -- many of us are against the cameras altogether - but that's not going to happen. So what do we do? Take -- take our ball and go home or throw the baby out with the bathwater? No we shouldn't. We get the best bill we can. Look it up in the dictionary - the art of compromise. I want to thank Senator Pankau, for instance, and what we did as far as the study. Now, people are correct that the study in itself doesn't automatically remove a camera that we find has created an unsafe intersection. But we will then have the data to go forward. I intend to have a trailer bill that will go forward and I hope that all of you on that side of the aisle and this side of the aisle who worked on it -- because it was Members on both sides of the aisle who worked on this diligently and we gave some of the ideas to the President. He incorporated some of all of our ideas. So the study is in there for the City of Chicago and we will look at it, because if we're creating an unsafe intersection, then we can take them down with -- with follow-up legislation and reason. Also, as the President indicated, I would prefer if there weren't cameras at all giving people

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

tickets. I like having a police officer who has discretion, who has discernment, who can determine whether or not that person deserves a ticket. What happened to human beings? Are we getting to the point to where everything is cameras and robots and computers? I hope not. So now, yes, you can go past the little white line, you can go over the line - as long as you don't go into incoming traffic, you don't get a ticket. But police officer could still give you one. But the camera should not be able to give you a ticket. And that is good for the people of this State. Also, the President didn't mention, 'cause there's a lot of things in there, you don't have to pay to appeal your ticket, and that's a wonderful thing. We should work for the people of the State of Illinois and not for the camera companies -- anybody else. The municipalities also get a part of this money and that's one reason why some of us are still gonna -- as long as we regulate it, for the first time go ahead, because the municipalities want to keep getting this money. All of them testified to that point. And if the camera companies make some money, okay, fine. But we did something today and I urge everyone to be an Aye vote. I want to thank President Cullerton, Senator Millner, of course, and -- and even Senator Duffy, who -- who did what he could do and I just hope that he understands it won't be perfect, but this is a good bill, and Senator Muñoz, and of course the Chairman of Transportation. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator Hendon. Our final speaker seeking recognition is Senator Millner.

SENATOR MILLNER:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

Thank you, Mr. Chairman and Members of this Body. You know, when I first looked at this bill -- we've heard many comments today, but when I first looked at this bill, it was because we -- we passed it in 2006, and in 2008, there was another bill about cameras for speeding, et cetera, which -- which I opposed. But then there was a series of articles written by the Daily Herald, the Chicago Tribune - there were a number of media outlets reporting on the camera issue - which drew my attention. So as I looked at that -- and I realized that enforcement is not popular. In -- in my past career, it was not a popular thing to write a traffic ticket, whether it was for speeding, running a stop sign, or even a parking ticket. They're just not popular. And we never won popularity contests by writing traffic tickets. But one thing they did do is they worked. Because when we had a problem - as an example, there were numerous accidents on a stretch of highway - we would write tickets and we would slow the vehicles down. And you know what happened? The accidents would drop. And we learned, and I learned over the years, that by enforcing the laws that the violations would decrease and safety would increase. It's not popular. So I read these things, and -- and instead of organizing a protest, instead of spewing hateful rhetoric, instead of writing on e-mails and blogs with irresponsible, emotional, deprecating and ominous statements, I instead chose to look at the facts. I convened over fifty police officers, traffic experts, and others. And when I did that, we looked at all the possibilities that were out there - the perception that was created. We looked at each and every issue that was brought up by the news media. And the bottom line of those meetings was

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

that we have to really continue with this process because it does reduce accidents. We looked at the real data. The real data reduces accidents. And, yes, I, too, have read the e-mails that said the National Highway Safety Traffic {sic} (Traffic Safety) Administration says it's easier to win the lotto than to get in a red light -- right turn on red accident. That, my friends, is blatantly false. In my career, I've handled hundreds of accidents at intersections. People do have accidents on right turns on reds. And, in fact, everybody in this Body, when you're driving, many times you probably avoided a right turn on red because some knucklehead was pulling out without stopping. In my district, at I-290 and Biesterfield, in a two-year period of time, there were five pedestrian accidents, including children. And the police department didn't know what to do because there was no driveways they could pull into and watch the traffic. There's no gas stations that they could watch the traffic. They had no clue what to do. So what they did was -- they were able - because of this legislation that we passed in 2006 - was able to install a traffic camera. Five -- five pedestrians hit, including children. After those cameras were installed - you know what, folks? - there hasn't been another person or child hit at that intersection. And these cameras go beyond this issue of writing tickets. You know, at Lake and Gary in my district, a lady was driving eastbound on -- on Lake Street and she struck a vehicle turning left in front of her. And the witnesses said that she blew the red light - the lady who was driving eastbound on Lake Street. The police issued her a -- her a ticket. She said, "I didn't run a red light." They issued her a ticket. Then they realized they have

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

the cameras. They went to the police station, called the camera company, got it sent over via video, and realized that the lady told the truth. She did not run the red light. The witnesses were wrong. In my district, there was an accident where a police officer struck and seriously injured somebody who will now be paralyzed for life, and there were seven witnesses that came forward testifying against the police officer - seven witnesses. And those seven witnesses said that the police officer blew the red light, the police officer did not have his lights and siren on, as the police officer had said. The police officers lied. Do you know what, folks? This police officer would have lost his job. This police officer would have been sued. This police officer may have gone to jail because of the seven witnesses. But they had a red light camera at that intersection and they watched this police officer and they saw that this police officer was telling the truth. The witnesses lied. Subsequently learned - good friend of the victim. So this goes on and on, folks. This happens continually. We're trying here to craft legislation that's meaningful and fair. You know what people don't like? They don't like the unfairness of it. We know the enforcement works; the statistics are real. In fact, I even have this brand-new issue of U.S. News and World Report and Illinois is not on the -- the safest, but it's one of the safest. And if we would have better red light enforcement, we would probably be number one or two as the safest roadways in the country. But because we don't have it, they claim our red light enforcement is inadequate. It saves lives. It protects people. And what President Cullerton's bill is doing is trying to make it fair. We want to make sure that people aren't

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

getting tickets because they're technically violating the law. You don't give a speeding ticket for someone doing fifty-six in a fifty-five, nor do you want to do somebody who just rolls through when there's no traffic and it's 4 o'clock in the morning. So we need a second set of eyes on this. We need to make sure that there's a number of safety measures put in place here. We've heard testimony from some of our other Members and -- said this is just wrong; it's Big Brother. Well, you know, it's really not Big Brother. We had testimony from one of the police chiefs, who, the day before, said that - and we were here in Springfield - said the day before, he -- were -- they were investigating an armed robbery and they walked over to the Shell station across the street to get their camera from the Shell station because they're trying to determine who the offender was. You know, on these red light camera things that we -- people get tickets - I am one person who received a ticket from a red light camera and I paid it - they don't take our picture. Big Brother's not there. They don't see my face, but they do see me car. And, you know, there's many more things I want to say. I know there -- there's a -- there's a time frame on here. But I'd like to finish with this, when we were in committee - and, again, for the people who are the naysayers on the red light - when we were in committee, it was very interesting to see this -- this young little boy, just this nice little boy, listening to what his parents told him. "Wait 'til the light turns green." "Walk in the crosswalk." And this little boy had a balloon, and the balloon is floating in the air - it was a shiny balloon. And he -- the light turned green, he proceeds to walk into the crosswalk. And a vehicle, in a hurry, blows

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

through the right turn on red, right on camera - that we all saw in committee - and ran over that little boy and the balloon gently floated away. Please vote Aye.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Cullerton, do you wish to close?

SENATOR CULLERTON:

Yes, thank you, Mr. President, Members of the Senate. To clarify a few points: It was suggested by some earlier speakers that the red light camera companies make more money based on giving more tickets. I would remind you that I put into the original law the following language: The compensation paid for automated -- automated traffic law enforcement systems must be based on the value of the equipment or the services provided and may not be based on the number of traffic citations issued or the revenue generated by the system. That's the law now. You -- they don't make any more money if there's more tickets issued. Number two, I'm told almost every red light camera is at a State route. In order to get permission to put a camera up on a State route, you need to get a permit. The Department of Transportation has a nineteen-page -- guidelines - that you can look at; it's a public record - that has to be followed before they can get those cameras. There's a concern about maybe not obtaining enough information from the municipalities about the accidents or about the amounts -- amount of revenue. I would suggest anybody can file a Freedom of Information request and you can get information from the municipalities concerning red light cameras. Now, it's also very important, I think, to point out - I didn't mention it earlier - but we are mandating in this law that people have a right to view their own violation. They

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

have a right to view their own violation. And if that is -- and it's - as Senator Millner had mentioned - it's really something to see your own violation. That way you know maybe I shouldn't appeal, maybe I was mistaken, maybe I really didn't -- didn't stop. And finally, if you want to talk about the process, Ladies and Gentlemen, I think everybody here knows that I've passed a lot of bills. We've all passed a lot of bills. And the way that process works is we write the laws. Do we have witnesses? Do we have lobbyists? Yes. Lobbyists around that we ask questions of to get information for? Yes. But we write the laws. And in this particular case, I sat down with five other legislators and we collectively wrote this law. It was a collaborative process. It's a process repeated hundreds of times in this building. It's a fair process. It's a fair bill. I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HARMON)

Before I call the question, in response to the parliamentary inquiry, I've consulted with our Parliamentarian and it is the ruling of the Chair that Senate Bill 935 does not require passage by a supermajority vote because it does not implicate home rule authority under Article VII, Section 6(g) or 6(j) of the Illinois Constitution. The question is, shall Senate Bill 935 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 45 voting Aye, 10 voting Nay, none voting Present. And Senate Bill 935, having received the required constitutional majority, is declared passed. Senator Garrett, are you seeking recognition?

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

SENATOR GARRETT:

Point of announcement, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Please state your announcement.

SENATOR GARRETT:

Yes, the Environment Committee will meet - 12:51 in Room 400.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR RISINGER:

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

PRESIDING OFFICER: (SENATOR HARMON)

State your point, Senator.

SENATOR RISINGER:

You know, engineers are not noted to be great communicators, and being an engineer, I certainly fall in that category. We have had a staffer, Lisa Sims, whose job it's been to take my words and make 'em sound good and -- and -- and make me look a lot better than I really am. That lady started work in the Senate for the Republican Caucus twenty-five years ago today. And, so, it is great pride and -- and respect that I have for her, and I hope that all of you can wish her a happy anniversary for being here in the Senate for twenty-five years.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hendon in the Chair.

PRESIDING OFFICER: (SENATOR HENDON)

Thank you, Senator Harmon. Senator Viverito, for purpose of announcement.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

SENATOR VIVERITO:

The announcement is for the Revenue Department {sic} to meet at 1 o'clock in Room 400.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Delgado, for purpose of announcement.

SENATOR DELGADO:

Thank you, Mr. President. The Health Committee will meet at 12, at noon, in Room 212.

PRESIDING OFFICER: (SENATOR HENDON)

Senator, I believe you might want to move that back - 12:30. 12 noon will not work. We're about to do another bill.

SENATOR DELGADO:

Well, then, yeah, we're going to reconvene upon recess.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Steans, on Senate -- turn to -- your Calendar to page 30. Senate Bill 3522. Madam Secretary, on Senate Bill 3522. Page 30 of your Senate Calendar. So you need to turn to that page, so we can deal with the substantial Senate action. Senate Bill 3522. Senator Steans. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 3522.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

It's 3rd Reading of the bill. Senator Steans, on 3522.

SENATOR STEANS:

Thank you, Mr. President, Members of the Senate. Senate Bill 3522 will eliminate the requirement that Chicago public

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

school teachers live in the City. It will end up making the statutory language for the Chicago School Code read exactly the same as the rest of the State School Code, saying -- to make it, you know, the exact same, that residency within any school district governed by this Article shall not be considered in determining the employment or the compensation of the teacher or whether to retain, promote, assign, or transfer that teacher. You know, all research indicates that the quality of the teacher, first and foremost, really indicates how well that child is going to do. I think making sure that we can draw on the broadest employment pool for teachers in the City is good educational policy. At this point in time as well, given our economy, I think it's very timely. We have folks who are rethinking careers and going into teaching. We also know we have lots of retirements coming up. And we also have teachers who -- you know, who are -- have spouses and others who may be losing their jobs and might have to move to the suburbs to be with family members or such 'cause -- who are going through foreclosure procedures. Lots of indications in the economy, I think, make this very relevant at this moment in time. I think that -- there's no other district that has this requirement in the State. We also have charter schools in the City already that do not have this requirement. So I think we're also unduly hamstringing the traditional public schools versus the charter schools. So I would appreciate support on Senate Bill 3522.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

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

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

PRESIDING OFFICER: (SENATOR HENDON)

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

SENATOR RIGHTER:

Thank -- thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of Senator Steans' bill. It was heard in Executive Committee yesterday. And honestly, when I -- when the -- when the hearing started, I didn't know how I was going to vote. Senator Steans made a good case for the bill. But probably the most interesting testimony was from the Chicago public schools, who attempted to justify that we should continue to have this kind of educational Berlin Wall erected around the City of Chicago and not allow the teachers to come from somewhere else. She indicated that they had a good pool of applicants from which to select teachers and we didn't really need to do any better. I think when we're out here on the Senate Floor and we're talking about remedies, like vouchers, for schools that are clearly failing kids, the notion that we're not going to do more to expand the quality of teachers that we could have in those schools and every school is foolhardy. I urge an Aye vote. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

Thank you. Further discussion? Senator Raoul.

SENATOR RAOUL:

Quick -- quickly, to the bill: Again, I have tremendous respect for the sponsor. You know, one of the things that we -- you know, I introduced a bill this -- this General Assembly that acknowledged the fact that many people take trains in from Indiana into Chicago to work in Chicago's downtown and take all of their resources not only outside of the City, but outside of

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

the State. We -- we have initiatives to encourage police officers to live in neighborhoods where they serve, because they will be well-invested in those neighborhoods. And that same philosophy should be followed for our teachers. It -- it should be more than -- than a job. It should be an investment in the communities and in the childrens that -- the children that come from the communities. And I think that the residency requirement is an initiative. It -- it is an initiative that makes the teachers that are in the classroom more sensitive to the communities that the children that -- that they teach come from. So I urge a No vote on this.

PRESIDING OFFICER: (SENATOR HENDON)

Further discussion? Senator Martinez.

SENATOR MARTINEZ:

Thank you. And I -- I rise with mixed feelings on this bill. I was a former City of Chicago employee, and let me just tell you that as an employee of the City of Chicago, it's very hard and very expensive to live in the City of Chicago. And sometimes to find rent, affordable rent, affordable housing is a very -- it's a very hard -- hardship on -- on City employees who want to be able to have money left over at the end of the day. And so I -- I rise -- and I'm -- and with all due respect to my wonderful friend, Senator Steans, I'm going to vote Present. I'm going to vote Present because I think that all City employees should have that right. I believe that Chicago firefighters and -- and the Chicago police should also have that right to be able to work in the City, but also be able to live outside the City because of the fact of affordability. So, you know, I -- I -- I -- I have strong, mixed feelings about this.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

I am for all the other City employees, including fire and -- and the police, but also for the other unions that have members that live in the City. So I am going to vote Present.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Trotter is the last speaker.

SENATOR TROTTER:

Thank you very much. To the bill: I rise in support of this legislation. I dropped out of high school in my junior year, and because of a real dedicated teacher who came around and knocked on my door and, literally, and figuratively, slapped me into realizing that I had potential to do better and to do more things with my life, that I went back to high school. This teacher was from Winnetka, Illinois. So if she wasn't -- wasn't a dedicated individual who wanted to teach in the City public schools, I might not have finished high school -- might -- more possibly got a GED. But, again, this was a dedicated individual. And I think everyone should have the freedom to live where they want. But if they have a passion to want to teach in the City and -- and teach hardheads like myself and others, we should allow them to do that. So I rise in support of your legislation.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Trotter, I don't know if you helped or hurt Senator Steans' bill, because if you'd have dropped out of high school, you probably wouldn't be here now and we might all be more blessed not to have you around, at least in this Chamber. But that's a joke - you know you're my best friend. But we're glad that teacher helped you out. Senator Steans, to close.

SENATOR STEANS:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

Well, Mr. President has a lot of best friends in the Senate today. That was a very effective close, I think, made by Senator Trotter. Thank you. I would also like to note that with regards to other employees, you know, there's -- there's -- there are many municipalities throughout the State that do have requirements for police and fire, those first responders, to live near in their communities. You know, I think there's great sense for that. I know folks can get concerned about a slippery slope. Chicago has home rule control over all their municipal - - municipal employees. You know, the school system is a separate and apart jurisdiction. I -- I would also like to note that principals really do have site-based hiring in Chicago and -- and in the school system. And they, I think, are the best to say how important is it where their employees are living. So they can continue to take that into account as they're making the hiring decisions. You know, I think this really does work towards increasing the caliber of the pool we have overall for the teachers. And would appreciate your support. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 3522 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Vote the Presiding Officer, please - Yes. Take the record. On that question, there are 40 voting Aye, only 7 voting Nay, and 9 voting Present. Senate Bill 3522, having received the required constitutional majority, is declared passed. We're going to go to page 32 of your Calendar. 3796. 3796. Page 32 of your Calendar. President Cullerton. Madam Secretary... 3796. Top of page 32. President Cullerton

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

seeks leave of the Body to return to the Order of 2nd Reading Senate Bill 3796. Leave granted? Leave is granted. Now on the Order of 2nd Reading is Senate Bill 3796. Madam Secretary, have there been any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 2, offered by President Cullerton.

PRESIDING OFFICER: (SENATOR HENDON)

President Cullerton.

SENATOR CULLERTON:

Yes, thank you, Mr. President, Members of the Senate. Amendment No. 2 prevents the sentence of court supervision from being imposed for excessive speeding forty miles per hour or more over the posted limit -- to this bill. I would like to debate it on 3rd Reading.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, all in favor, 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 Senate Bill 3796. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 3796.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

President Cullerton.

SENATOR CULLERTON:

Yes, thank you, Mr. President, Members of the Senate. This bill is officially called Chris and Katie's Law. It comes as a result of a tragic crash that occurred in Logan County, where a driver was driving with some passengers who told him to slow down - the State Police estimate this driver's speed was ninety-three miles per hour - missed a curve, hit two trees. Four young people, including the driver, were killed instantly. The driver had four previous excessive speed incidents. In one incident, he was speeding eighty miles an hour in a speed -- in a school zone and received only a verbal warning. He had received two oral warnings and two tickets with minor fines. He paid the fines; he was back on the road. He had been warned by police, school officials and his parents. He received many complaints about his speeding, but, unfortunately, he was allowed to continue. And there were -- there was no alcohol or drugs - it was simply speed. And so, Katie McCarty and Katie Carpentier and Chris McGlasson lost their lives. Now, this also comes at a time that the Chicago Tribune did a -- did a study, finding that, since 2006, Chicago area courts have given a special probation to nearly two-thirds of speeders going over a hundred miles an hour or faster. So this bill is in response to that. I think it's a necessary response. And ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 3796 pass. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are there are 53 voting Aye, none voting Nay, none voting Present. Senate Bill 3796, having received the required constitutional majority, is declared passed. Senate Bill 3797. President Cullerton. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 3797.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

President Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This is a -- a bill that's an agreement between the Illinois Retail Merchants Association, the Cook County State's Attorney's Association {sic}, the Bar Association, and the CLEAR Commission. Allows multiple retail thefts committed by the same person as a part of a continuing course of conduct which have been aggregated may be prosecuted and sentenced as if it were a single crime. And it also increases the threshold for felonies for retail theft from a hundred and fifty to three hundred dollars and increases the felony threshold for theft, financial crime, online theft by deception and telephone charge fraud from three hundred dollars to five hundred dollars. Be happy to answer any questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Any discussion? Senator Righter.

SENATOR RIGHTER:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

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

PRESIDING OFFICER: (SENATOR HENDON)

Go ahead. To the bill.

SENATOR RIGHTER:

Thank -- thank you. Simply -- I simply rise to make sure the Members are aware, and the Senate President listed that, is what this bill does, at least in part, is raise the amount of money that you have to steal or may have to damage in order to qualify for certain levels of offenses. It applies to financial crimes. It applies to property crimes - telephone fraud, for example. So, just the Members are aware. Obviously, there are analyses on both caucuses' laptops to look and see what exactly what this bill does. So I'm simply urging caution. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul.

SENATOR RAOUL:

I'm for most of this bill, but I have a challenge with the aggregation portion. But, you know, every bill that I've spoken against, it's been -- it's led to its passing. So I'm going to urge a No vote on this bill.

PRESIDING OFFICER: (SENATOR HENDON)

President Cullerton, to close.

SENATOR CULLERTON:

Yes, let me explain. If -- if those two previous speakers confuse you, let me explain what the -- what the deal is here. This is -- it's true that this does increase, as one of the previous speakers said, the -- the threshold amount for retail

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

theft. The last time it was changed was thirty-five years ago. And so we went to the Retail Merchants and we said, "Would you agree to this change?" They said yes, but only if we make a -- the thing that Senator Raoul complained about, that is the ability to aggregate a continuing course of conduct and have them treated as if it were a single crime. And so that's the trade-off. It's a very good bill, which I believe is, as I said -- indicated, supported by the State's Attorneys, the Bar Association, the CLEAR Commission, and the Retail Merchants. And I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Bill 3797 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 48 voting Aye, 4 voting Nay, and none voting Present. Senate Bill 3797, having received the required constitutional majority, is declared passed. Ladies and Gentlemen of the Senate, I want to just remind you, we'll be taking break for a few weeks, and it's going to be wonderful. I know you're going to love being with your families and all of that. While you're home, please get in shape for the annual softball game. We do have the trophy on this side of the Rotunda. Let's keep it over here. And we cannot do that if you come back fat and/or out of shape. So please, please -- the game is April 21st, I believe. We come back April 12th, or so. So prepare yourself. Kotowski, Murphy, my main men there, tell you the same message. It's bipartisan - both side of the aisle and men and women. So please be in shape. We're going to do one last bill. Senate

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

Bill 3800. President Cullerton. And then committees.
President Cullerton, on 3800. Madam Secretary, Senate Bill
3800, please read the bill.

SECRETARY ROCK:

Senate Bill 3800.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

President Cullerton.

SENATOR CULLERTON:

Yes, thank you, Mr. President. This bill is a bill that's
-- we passed almost identically as Senate Bill 2452 58 to
nothing last year. It got held up in the House. It simply
expands the crime of tampering with public records to expressly
include knowingly tampering with court records. Happy to answer
any questions. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is,
shall Senate Bill 3800 pass. All those in favor will vote Aye.
Opposed will vote Nay. And the voting is open. Have all voted
who wish? Have all voted who wish? Have all voted who wish?
Take the record. On that question, there are 55 voting Aye,
none voting Nay, and none voting Present. Senate Bill 3800,
having received the required constitutional majority, is
declared passed. Please drive carefully. We want to see you
back. Enjoy your families. Be as calm as I am right now. We
will now proceed to the Order of Resolutions Consent Calendar.
With the leave of the Body, all those resolutions read in today
will be added to the Consent Calendar. Madam Secretary, have

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

there been any objections filed to any resolutions on the Consent Calendar?

SECRETARY ROCK:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

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, say Nay. The Ayes have it, and the motion carries. And the resolutions are adopted. On the Order of Resolutions is Senate Joint Resolution 119. Madam Secretary, read the resolution.

SECRETARY ROCK:

Senate Joint Resolution 119, offered by Senator Muñoz.

(Secretary reads SJR No. 119)

PRESIDING OFFICER: (SENATOR HENDON)

Senator Muñoz moves to suspend the rules for the purpose of immediate consideration and adoption of Senate Joint Resolution 119. Those in favor will say Aye. Opposed, say Nay. The Ayes have it, and the rules have been suspended. Senator Muñoz moves the adoption of Senate Joint Resolution 119. All those in favor, say Aye. Opposed, say Nay. The Ayes have it, and the resolution is adopted. Enjoy your families! The Senate will stand in recess to the call of the Chair. After committee meetings, the Senate will reconvene to receive committee reports. No further Floor action. The Senate stands in recess. Bye-bye!

(SENATE STANDS IN RECESS/SENATE RECONVENES)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

PRESIDING OFFICER: (SENATOR HENDON)

The Senate will reconvene. Senator Sullivan, for the purpose of an announcement.

SENATOR SULLIVAN:

Thank you, Mr. President. The Senate Appropriations II Committee will reconvene at 1 o'clock in Room 212 to hear testimony regarding the State Board of Education's budget. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

The Senate will stand in recess to the call of the Chair. After committee meetings, the Senate will reconvene to receive committee reports. No further Floor action. The Senate stands in recess. Bye-bye!

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR HARMON)

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

SECRETARY ROCK:

Senator Delgado, Chairperson of the Committee on Public Health, reports Senate Bill 3144 Do Pass; and Senate Amendment 2 to Senate Bill 678, Senate Amendment 2 to Senate Bill 731, Senate Amendment 1 to Senate Resolution 642 recommended Do Adopt.

Senator Viverito, Chairperson of the Committee on Revenue, reports Senate Amendments 1, 2 and 3 to Senate Bill 2505 recommended Do Adopt.

Senator Garrett, Chairperson of the Committee on

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

Environment, reports Senate Amendment 1 to Senate Bill 3320 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 passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bill 4781.

Passed the House, March 25th, 2010. Mark Mahoney, Clerk of the House.

PRESIDING OFFICER: (SENATOR HARMON)

Madam Secretary, House Bills 1st Reading.

SECRETARY ROCK:

House Bill 4781, offered by Senator Collins.

(Secretary reads title of bill)

House Bill 4982, offered by Senator Maloney.

(Secretary reads title of bill)

House Bill -- House Bill 5065, offered by Senator Lightford.

(Secretary reads title of bill)

House Bill 5571, offered by Senator Righter.

(Secretary reads title of bill)

House Bill 5691, offered by Senator Frerichs.

(Secretary reads title of bill)

House Bill 5781, offered by Senator Silverstein.

(Secretary reads title of bill)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

103rd Legislative Day

3/25/2010

House Bill 5923, offered by Senator Link.

(Secretary reads title of bill)

House Bill 5969, offered by Senator Frerichs.

(Secretary reads title of bill)

House Bill 6082, offered by Senator Raoul.

(Secretary reads title of bill)

1st Reading of these House bills.

PRESIDING OFFICER: (SENATOR HARMON)

Pursuant to Senate Joint Resolution 119, the Senate stands adjourned until Wednesday, April 7th, 2010, in perfunctory Session. And when it adjourns on that day, it stands adjourned until Tuesday, April 13th, 2010, or until the call of the President. The Senate stands adjourned.