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REGULAR SESSION
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PRESIDING OFFICER: (SENATOR SCHOENBERG)

The regular Session of the 96th General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the gallery please rise? The invocation will be given today by Pastor David Hemphill of Valley Baptist Church in Oswego. Pastor Hemphill.

PASTOR DAVID HEMPHILL:

(Prayer by Pastor David Hemphill)

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SENATOR JACOBS:

(Pledge of Allegiance, led by Senator Jacobs)

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Madam Secretary, Reading and Approval of the Journal.

SECRETARY ROCK:

Senate Journal of Wednesday, May 5th, 2010.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Hunter.

SENATOR HUNTER:

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

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SECRETARY ROCK:

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Senator Maloney, Chairperson of the Committee on Higher Education, reports Motion to Concur with House Amendment 1 and 2 to Senate Bill 3547 recommended Do Adopt.

Senator Sullivan, Chairperson of the Committee on Appropriations II, reports Senate Amendment 2 to House Bill 2270 recommended Do Adopt.

Senator Demuzio, Chairperson of the Committee on State Government and Veterans Affairs, reports Senate Resolution 792 and 806 Be Adopted; Senate Resolution 802 Be Adopted, as Amended; House Joint Resolution 114 Be Adopted; Motion to Concur with House Amendment 1 to Senate Bill 3531 recommended Do Adopt.

Senator Silverstein, Chairperson of the Committee on Executive, reports Senate Amendment 2 to House Bill 4788, Motion to Concur with House Amendments 1, 3, 4 and 5 to Senate Bill 107, House Amendment 1 -- excuse me, Motion to Concur with House Amendment 1 to Senate Bill 459 and Motion to Concur with House Amendments 1 and 2 to Senate Bill 3762, all recommended Do Adopt.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Madam Secretary, Resolutions.

SECRETARY ROCK:

Senate Resolution 822, offered by Senator Hunter and all Members.

Senate Resolution 823, offered by Senator Haine and all Members.

Senate Resolution 824, offered by Senator Haine and all Members.

Senate Resolution 825, offered by Senator Haine and all Members.

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They are death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Resolutions Consent Calendar, Madam Secretary. If all Members within the sound of my voice could please come to the Senate Chamber, we're beginning to -- we're preparing to proceed to final action. All Members within the sound of my voice please proceed to the Senate Chamber. We're beginning to proceed to final action. Senator Murphy, for what purpose do you seek recognition?

SENATOR MURPHY:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Please point -- state your point, since you demand to be heard.

SENATOR MURPHY:

I -- I would ask that the record reflect that it was my intention to vote Aye in favor of House Bill 4623.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The record will so reflect that Senator Murphy intended to vote Aye on House Bill 4623. Senator Lauzen, for what purpose do you seek recognition, sir?

SENATOR LAUZEN:

Thank you, Mr. President. For purpose of an announcement - - or, for a -- a personal privilege.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Please state your point.

SENATOR LAUZEN:

Today we prayed along with Pastor David Hemphill from the Valley Baptist Church in Oswego and Pastor David brought his

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family with him today and they are seated over -- above the Democrat side of the Senate. And his wife's name is Carolee. Five of the six children are Melody, Courtney, Tiffany, Brandon and Benjamin. And I would just ask the Senate to welcome them to Springfield.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

...you. Will our guests from the Hemphill family please rise? Welcome to the Illinois Senate. Senator Murphy, for a second time before -- before lunchtime.

SENATOR MURPHY:

I -- I -- another point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Don't get nervous. Please state your point.

SENATOR MURPHY:

You're a -- you're a commanding presence, sir. I -- I am joined today by some Pages today and they are down with their grandfather, known to many around this building, Dave Burden, who is in the President's Gallery, joined by his wife, Marilyn - down today back visiting the old stomping grounds. Welcome back. And the Pages are four of his grandsons: Patrick Riordan, from Our Lady of Perpetual Help, sixth grade in Glenview; Connor Carlin, from St.... A long Greek name. It's Evanston. It's Evanston.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

I believe the correct pronunciation is St. Athanasius.

SENATOR MURPHY:

Very good, sir.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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That's my parish. If I had a parish, it would be my parish.

SENATOR MURPHY:

Hold that over my head. Sixth grader. Nicholas Cassier, from Gurnee, seventh grade; Michael Carlin, Evanston, seventh grade as well. So please give them all a warm Senate welcome and a -- and -- and a fond hello to Dave Burden, back visiting with us today.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Our guests from the Burden family, all of whom live in my district, please rise. Welcome to the Illinois Senate. Majority Leader Clayborne in the Chair.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Schoenberg, for what purpose do you seek recognition?

SENATOR SCHOENBERG:

I rise on a point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point, Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. You've all been very indulgent with every day seeming like it's Evanston Day, but perhaps this is the most special Evanston Day for me in the entire Session, because, Mr. President, Ladies and Gentlemen of the Senate, directly behind me is the eighth-grade class of the Dr. Bessie Rhodes Magnet School. They're in Evanston/Skokie School District 65. And while all the children from Evanston, like all the children from Lake Wobegone are bright, smart, talented, and have a brilliant

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future, the eighth-grade class of Dr. Bessie Rhodes Magnet School is especially dear to my heart. It's the eighth-grade class of my daughter, Michal, who is here on her eighth-grade trip today. And please give our guests in the gallery a -- a warm Senate greeting and a special hug and shout-out for Michal. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please rise. Welcome to Springfield. Thanks for coming. Hope you enjoy your day. Senator Schoenberg back in the Chair.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

We will now proceed to the Order of House Bills 3rd Reading, page 30 on your printed Calendar. House Bill 13. Senator Trotter. Senator Trotter. Out of the record. House Bill 80. President Cullerton. Out of the record. We'll now proceed to -- we will -- with leave of the Body, we will now proceed to the top of page 31 of your printed Calendar, House Bills 3rd Reading. House Bill 150. President Cullerton. Out of the record. House Bill 306. President Cullerton. Out of the record. House Bill 391. Senator Trotter. Out of the record. House Bill 543. President Cullerton. Out of the record. House Bill 707. Senator Lightford. Senator Lightford. Out of the record. Senator Silverstein, for what purpose do you seek recognition, sir?

SENATOR SILVERSTEIN:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

State your point, Senator.

SENATOR SILVERSTEIN:

Thank you -- thank you, Mr. President. I am very honored

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here to have a class of Arie Crown Hebrew Day School, the girls' school, which represents your district and my district. And I'm also honored to have my favorite niece, who I understand is wearing a Sox jersey underneath her... Yeah, I -- I hope Senator Clayborne's not in the room here. So I wish -- wish you would please acknowledge them and they get a warm Senate welcome. Thank you.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Will our guests in the gallery please rise, even those not wearing a Sox T-shirt? Welcome to the Illinois Senate. B'ruchim Habaim. Senator Rutherford, for what purpose do you seek recognition, sir?

SENATOR RUTHERFORD:

Mr. President, I appreciate it. Purpose of a personal point -- point of personal privilege, if I may.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

You're new here. Please state your point of personal privilege.

SENATOR RUTHERFORD:

Thank you, Mr. President. I'd like to have the Illinois Senate welcome Jamie Dobson here. Jamie is a mother of a young boy, six years old, with autism and she has been a -- an advocate on funding and assistance in that area. And she personally wanted to take time out of her job today to come to the Illinois State Senate and talk about her six-year-old little boy with autism and tell me personally about it and support the -- and asking that we support programs for little boys and girls in the State of Illinois with autism. And I would appreciate if the Illinois Senate would please welcome Jamie Dobson to the

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Illinois General Assembly.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Jamie, welcome to the Illinois Senate. Senate will come to order. Supplemental Calendar No. 1 has been printed and distributed. We'll now proceed to the Order of Supplemental Calendar No. 1, Secretary's Desk, Resolution. Senate Resolution 792. Senator Crotty. Senator Crotty wishes to proceed. Madam Secretary, please read the resolution.

SECRETARY ROCK:

Senate Resolution 792, offered by Senator Crotty.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Crotty.

SENATOR CROTTY:

Thank you. Senate Resolution 792 recognizes that the chronic autoimmune disease psoriasis affects nearly three hundred and twenty-five thousand people in Illinois with severe skin irritation, scaling spots, and swollen or stiff joints. This resolution also recognizes that phototherapy is a commonly prescribed, economic treatment for psoriasis, but is often not used due to the high out-of-pocket copayments mandated by insurance providers. Senate Resolution 792 asks the Illinois Department of Insurance to study the costs associated with treating psoriasis with phototherapy. I'd like to thank everybody that came to the table - the insurance companies, the departments - that sat down and is working on this. And this resolution will allow them to continue with a study.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Is there any discussion? The question is, shall Senate Resolution 792 pass -- 792 be adopted.

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All those in favor will say Aye. Opposed, Nay. In the opinion of the Chair, the Ayes have it, and the resolution is adopted. Senate Resolution 802. Senator Garrett. Senate Resolution 802. Senator Garrett wishes to proceed. Madam Secretary, please read the resolution.

SECRETARY ROCK:

Senate Resolution 802, offered by Senator Garrett.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Garrett.

SENATOR GARRETT:

Yes, thank you very much, Mr. President. Senate Resolution 802, as amended, designates May 3rd through May 9th, 2010, as National Drinking Water Week to applaud the efforts of all the people that work diligently to ensure that every resident in Illinois has safe drinking water. National Drinking Water Week also highlights the importance of fresh tap water, as well as the need to reinvest in our nation's drinking water infrastructure.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SENATOR RIGHTER:

Thank -- thank you, Mr. President. Will the sponsor of the resolution yield, please?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Garrett indicates that she'll yield for a battery of tough questions.

SENATOR RIGHTER:

Thank you for the setup, Mr. President. Senator Garrett,

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what was -- what's the week that we're celebrating - not the name, but the dates?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Garrett.

SENATOR GARRETT:

May 3rd through May 9th.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Righter.

SENATOR RIGHTER:

Today is May 6th, Senator Garrett. So we're already four days into the seven-day Drinking Water Week. I feel a little cheated that -- that I did -- if I had known this earlier, I would have, I don't know, done whatever you need to do to prepare to celebrate for Drinking Water Week. Would you consider maybe amending the resolution and moving it to next week or the week after so all of us can kind of be ready and get the full seven-day enjoyment out of the Water Week?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Garrett.

SENATOR GARRETT:

Yes. Senator Righter, I do not have a thirst for doing that.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any further discussion? Senator Raoul.

SENATOR RAOUL:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

She indicates she'll yield.

SENATOR RAOUL:

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I'm not sure she's prepared for my tough battery of questions. Now -- now, this National Drinking Water Week is to honor those that have brought us about good tap water. I'm very curious as to -- if you, Senator Garrett, drink more bottled water or tap water. You seem like the bottled water type of State Senator to me. Which do you drink most of?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Garrett.

SENATOR GARRETT:

You know, Senator, like everything else, I'm pretty balanced. I don't have a bias toward one or the other.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Raoul.

SENATOR RAOUL:

I also want -- being a legislator from Chicago, I want to know if this is anti-Chicago legislation, in that we have a bottled water tax and you're trying to encourage more people to drink tap water over bottled water. Is this anti-Chicago legislation?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Garrett.

SENATOR GARRETT:

I feel like I'm a freshman. But I will say that this is a pro-Chicago drinking water resolution, because, as you know, most of our drinking water comes from Lake Michigan and Chicago has a heavy hand in that and we should all be appreciative of how clean our water is thanks to the Water Reclamation District in Chicago.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SENATOR GARRETT:

Well, I'm very appreciative that so many of you have an interest in clean tap water. And I hope you join me in celebrating through May 9th all of the virtues of Illinois' water systems throughout the State. Thank you.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The question is, shall Senate Resolution 802 pass. All those in favor will -- will say Aye. Opposed, Nay. In the opinion of the Chair, the Ayes have it, and Senate Resolution 802 is adopted. Senate Resolution 806. Senator Sandoval. Senator Sandoval. Senator Sandoval. Out of the record. Senator Dahl, for what purpose do you seek recognition, sir?

SENATOR DAHL:

Moment of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Please state your point, Senator.

SENATOR DAHL:

I have with me today a Page for a Day, Samantha Hebel, who is a senior at LaSalle-Peru High School and is going to be going on to Illinois Valley Community College in the future. Her mother is -- is up here in the gallery behind you. Give 'em a warm welcome. Thank you.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

...give our -- Senator Dahl's guests a warm Senate greeting. Senator Rutherford, for what purpose do you seek recognition, sir?

SENATOR RUTHERFORD:

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A point of personal privilege, if I may.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

You've been practicing.

SENATOR RUTHERFORD:

I have.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Please state your point.

SENATOR RUTHERFORD:

Mr. President, I have been practicing. Thank you very much. Ladies and Gentlemen of the Illinois Senate, I'd like to ask you to welcome Eric Weiher, who is actually a resident of Downers Grove in Senator Dillard's district. He's down visiting us for the day. He's a graduate of Butler. And if you'd please welcome -- if you'd please welcome him to the Illinois State Senate, I'd appreciate it.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

...you. Let's welcome Senator Rutherford's guest to the Illinois Senate. Senate {sic} Joint Resolution 114. Senator Forby. Senator Forby wishes to proceed. Madam Secretary, please read the resolution.

SECRETARY ROCK:

House Joint Resolution 114, offered by Senator Forby.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Forby.

SENATOR FORBY:

Thank you. House Resolution {sic} 114 recognizes Private Joseph William Ozbourn for his bravery during World War II. And what they want to do with him is, we have a road down there from Herrin between 57 and 149, they want to name this road after

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him. And why the people want to -- why they -- they want to do this, in July of 1944, this guy was in the service and he took -- he took a -- a -- a shot and there was a hand grenade came into the group where he was at. He slammed his body on top of this hand grenade so it saved everybody else. So, this -- in July 24th {sic} (30), 1944, he gave -- he gave his life away to save other people. So this is what we're asking to do for him.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Is there any discussion? Seeing that House Joint Resolution 114 requires an expenditure of State funds, a roll call vote is in -- is in order. Senator Forby, do you wish to close? The question is, shall House Joint Resolution 114 pass. All those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. House Joint Resolution 114, having received the required constitutional majority, is hereby declared adopted. With leave of the Body, we will return to our daily printed Calendar, House Bills 3rd Reading, page 34. Page 34 on your printed Calendar, House Bills 3rd Reading. House Bill 5085. Senator Koehler, do you wish to proceed? Senator Koehler seeks leave of the Body to return House Bill 5085 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 5085. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Koehler.

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PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Koehler.

SENATOR KOEHLER:

Yes, the -- the amendment is basically to -- it's an agreed-upon bill to set forth the process for billing when an insurance -- insured person receives treatment from a facility-based provider or physician that is not part of an insurance plan.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Is there any discussion? All those in favor will say Aye. Opposed, Nay. Opinion of the Chair, the Ayes have it. Amendment is adopted. Are there any further Floor amendments approved for consideration, Madam Secretary?

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Koehler.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Koehler.

SENATOR KOEHLER:

I would like to withdraw that amendment.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Floor Amendment No. 2 is withdrawn. Are there any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. Madam Secretary -- now on the Order of 3rd Reading, Madam Secretary, please read the bill.

SECRETARY ROCK:

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House Bill 5085.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Koehler.

SENATOR KOEHLER:

Thank you, Mr. President, Members of the Senate. As I mentioned before, this represents an agreement between the Illinois State Medical Society and the insurance industry. The amendment addresses an ongoing situation that when an insured person visit -- visits an in-hospital network, but receives treatment from an out-of-network physician or health care provider, that because of a Department of Insurance rule requiring that the patient be held harmless for the increased cost of out-of-network care, the insurance companies continue to -- to dispute the costs of medical care with nonparticipating providers. So this helps to correct that and it really becomes good for everyone in the industry and certainly the consumers.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SENATOR SYVERSON:

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

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Sponsor indicates that he'll yield.

SENATOR SYVERSON:

Senator, the -- this is language that has been worked out by all parties. The fact that Amendment No. 2 was not adopted, does that change the support or the views of those who are --

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were supportive of Amendment No. 1? Or is it -- are they still supportive of -- Amendment No. 1, as it stands, even though No. 2 was withdrawn?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Koehler.

SENATOR KOEHLER:

Yes, thank you for your question. That's -- that's a good question. Amendment No. 2 dealt with the -- the issue of being able to have an oral medication instead of a -- an intravenous injection -- an injection. There was not agreement on that because it -- it -- I'm sorry, I got my amendments mixed up. Senate Amendment No. -- No. 2 -- Floor Amendment No. 2 was really the issue of clinical trials and whether benefits were going to be continued to be paid for by the insurance companies when somebody was in a clinical trial. We were close on that, but we could not get agreement on that. We put the two amendments together so that the first amendment could stand alone. It has really nothing to do with the second amendment. There is support for the first amendment.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. First, I want to thank the -- the sponsor for the amount of time it's taken to work this through and the diligence of working with all the parties, as opposed to running something through and coming back and doing cleanup. So, we appreciate your work on that and certainly urge Members on our side to support this agreed legislation.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SENATOR HAINE:

Yes, Mr. President, to the bill. I, too, want to thank Senator Koehler for many hours we spent - not only on Amendment No. 1, but on Amendment No. 2. The clinical trial issue is a very important matter to be resolved and we're working to fruition on that. Frankly, we just don't have the time because of the -- the -- the number of players, particularly the research medical schools - University of Chicago, Northwestern and Rush. And we just don't have time to raise everyone's comfort level on this so that there's a shared cost, but the patient is held harmless. That's the key. And in Amendment No. 1, as the Senator referred to earlier, the -- the gist of this and the goal is to hold the patient harmless. That was the result of an edict by the Department of Insurance. And -- and at all times, we want to avoid an out-of-network charge being leveled against a patient, which has been past practice until this past year. Although I do want to add, just for clear disclosure, there's one group of docs that is not fully on board on this and that's the emergency room docs. They just came in early this morning with that knowledge. But we think it's imperative, because of the consumer issue, to move the bill to the House and then take that matter up there or in a trailer bill. Because the key, again, is the consumer protection for the patient. So I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

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SENATOR KOEHLER:

Yes, thank you, Mr. President. I want to thank Senator Haine. Without his efforts in this, we would have not gotten to where we are. But I just reiterate what he said about this being a good bill. Patients will not be balance billed and everybody wins in this. So I appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The question is, shall House Bill 5085 pass. All those in favor, vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On this question, there are 59 voting Aye, none voting Nay, none voting Present. House Bill 5085, having received the required constitutional majority, is hereby declared passed. With leave of the Body, we will return to Supplemental Calendar No. 1 on the Order of Secretary's Desk, Resolutions. Senate Resolution 806. Senator Sandoval. Senator Sandoval wishes to proceed. Madam Secretary, please read the resolution.

SECRETARY ROCK:

Senate Resolution 806, offered by Senator Sandoval.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Madam -- thank you, Mr. President and Members of the Senate. Senate Resolution 806 creates the Illinois and Midwest High-Speed Rail Commission to study and make recommendations on how to implement, fund, and integrate a high-speed rail system in the State of Illinois. This Senate resolution is similar to the legislation that passed here

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unanimously in regards to establishing the High-Speed Rail Commission under Senate Bill 2579 {sic} (2571). This resolution is better because it allows the Leaders of both Chambers to appoint Members to the Commission. Let's make the vision of President Obama a reality in Illinois and let's bring bullet trains to the Midwest.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Is there any discussion? Senator Haine. Senator Haine, on the resolution? Is there any further discussion? Senator Sandoval, do you wish to close?

SENATOR SANDOVAL:

I'd ask a favorable vote.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senate Resolution 806 requires an expenditure of State funds and therefore a roll call vote is necessary. The question is, shall Senate Resolution 806 pass. All those in favor, vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 59 voting Aye, none voting Nay, none voting Present. Senate Resolution 806, having received the required constitutional majority, is hereby declared passed. Senator Haine, for what purpose do you seek recognition?

SENATOR HAINE:

Mr. President, a point of personal privilege.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Please state your point.

SENATOR HAINE:

Mr. President and Ladies and Gentlemen of the Senate, I

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just want us to take a moment out of our busy day to remember one of our distinguished colleagues who's celebrating his ninetieth birthday today. I'm sorry, we don't know how old he really is. He just looks ninety. He -- he served with distinction in the Korean War. He's a veteran. Again, we don't know his age. You'll never know his age or what he makes every year. Those are two highly kept secrets. But he is our distinguished colleague. He's been a Leader. He's served his country, his community. He's a family man. He's our good friend, Lou Viverito, celebrating his birthday.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Happy birthday, Senator Viverito! Senator Syverson, for what purpose do you seek recognition?

SENATOR SYVERSON:

Thank you, Mr. President. The Senate Republicans would request a one-hour caucus immediately upon recess.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senate Republicans request a one-hour caucus. That -- that request is in order. We will return to the Chamber at 1:15. The Democrats will go to lunch. The Senate now stands in recess.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

The Senate will come to order. Madam Secretary, Committee Reports {sic}.

SECRETARY ROCK:

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

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

Senate Bill 43.

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

House Amendment 3.

We have received like Messages on Senate Bill 1526, with House Amendments 1 and 3; Senate Bill 2487, with House Amendment 1; Senate Bill 2523, with House Amendments 1 and 3 {sic} (2); Senate Bill 3089, with House Amendment 1.

All passed the House, as amended, May 6, 2010. Mark Mahoney, Clerk of the House.

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

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

Senate Bill 82.

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

House Amendment 1 and House Amendment 2.

We have received like Messages on Senate Bill 642, with House Amendment 8; Senate Bill 2660, with House Amendment 1; Senate Bill 3460, with House Amendments 1 and 2; Senate Bill 3655, with House Amendment 1; Senate Bill 3683, with House Amendments 1 and 2; and Senate Bill 3702, with House Amendment 1. Point of clarification - that's Senate Bill 3655, with House

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Amendment 1.

They all passed the House, as amended, May 6, 2010. Mark Mahoney, Clerk of the House.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, we -- we're going to Supplemental Calendar No. 1. Supplemental Calendar No. 1 was printed and distributed on the Members' desks earlier today. We are going to the Order of Secretary's Desk, Concurrence, Senate Bills. We have Senate Bill 107. Senator Bond, do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, before you read the gentleman's motion, Senator Hendon in the Chair. Madam Secretary, read the gentleman's motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1, 3, 4 and 5 to Senate Bill 107.

Filed by Senator Bond.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Bond.

SENATOR BOND:

Thank you, Mr. President. We'd like to proceed.

PRESIDING OFFICER: (SENATOR HENDON)

Senator -- Madam Secretary, read the motion. Yes, she did. To explain your motion, Senator Bond. Senator Bond.

SENATOR BOND:

Senate Bill 107 is the telecom modernization Act. We have four amendments. Amendment 1 simply shells the original bill. Amendment 3 is the -- the -- the -- the bulk of the -- the modernization Act. 4 amends 3 and 5 is a technical change. And

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I'd like to just give a -- a brief overview of what this is. This is a culmination of a lot of work that began last year with the Telecom Committee. My Minority Spokesperson in the Telecom Committee, Senator Hultgren, has put a lot of effort into this and demonstrated exceptional leadership. We've worked closely with our partners in the House of Representatives. State Representative Kevin McCarthy, the Chairman over there, has done a great job pulling all the parties together, with myself and the Members that came together to do this. I want to comment on the collaboration here. This is a bipartisan effort. It passed unanimously out of the House yesterday. Both Chambers came -- together. Governor Quinn's Office convened a working group over a month ago, had a -- a series of meetings. We brought in Lisa Madigan, the Attorney General's Office; the Illinois Commerce Commission; our friends in labor, specifically IBEW. And I believe we have a great bill here. Essentially what this does, if you have to summarize it in a sentence or two, this reform allows competition and choice to drive the marketplace for telecommunications. Companies will be able to invest in the infrastructure and technology that best creates value in the marketplace. We are letting competition and choice drive the marketplace. That will create value and that will create jobs. Three things the bill does: Essentially, it levels the playing field for the providers who choose to opt-in to market regulation. We are not throwing out the Telecom Act. We are simply creating a new Section of the Telecom Act. It's specifically called Electing Providers or market regulation. Secondly, by doing this, we create a regulatory framework that provides some certainty for all of those wishing to invest in

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the State of Illinois, specifically in the investment of infrastructure and broadband technology and wireless technology. The third thing it does, and most importantly, is we've been able to do this and strike a balance that protects consumers. For the life of this Act, which is three years, we have created three package -- packages that any consumer can choose. These three packages are the best consumer protection plans in the country for any state with a modern telecommunications Act. Any of these three packages that a consumer could choose are all under twenty dollars. Those packages were developed with negotiations among the ICC, the working group, and the Attorney General's Office. In closing, I just want to kind of make an analogy between when the United States decided to build the U.S. railroad system. There were tremendous amount of direct jobs - direct jobs with laying down the track and connecting town to town, city to city, and state to state. The magic of that was not really the direct jobs; it was the secondary effect, that wave of energy that created economic unlock across the United States. What we're doing here -- we will create direct jobs, 'cause the companies will begin to invest in the technology and infrastructure that they should be, that creates value for consumers. But the magic will occur when we put in the infrastructure backbone for the 21st century and the jobs that are created from that - in health care, in education, in research and technology. So with that, I'd like to ask all the Members of the Illinois Senate to join me in supporting this bill. It is a bipartisan effort - worked very closely with the House. I believe it is a model of cooperation and the work product I think we can all be very proud of. It is -- it is not

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opposed by the Attorney General. They put a lot of work in it. It is not opposed by the ICC. It is strongly supported by Illinois AFL-CIO and IBEW Local 21. With that, I'm happy to take any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Thank you, Senator. The Presiding Officer would appreciate succinct descriptions of your bills and comments. You know when I'm in the Chair that the pace is about to quicken and I'd appreciate if you will cooperate with me. Also, we have a number of lights that have been lit and people want to speak, so the sponsor will have ample time to answer questions. Senator Hultgren.

SENATOR HULTGREN:

Thank you, Mr. President. To the bill: First of all, I want to thank Chairman Bond for his hard work on this. Ladies and Gentlemen of the Senate, I do honestly hope that this Session of the General Assembly will be remembered for this legislation. Senate Bill 107 is good for jobs, good for consumers, and good for the long-term economic health of Illinois. These days we could use some good news here in Illinois. The economy is struggling with too many people who are looking for work. But we have an opportunity to pass a modern telecommunications law that can attract private sector investment in our State. Today, the State's public policy is not good for private investment in broadband. Why? There's too much uncertainty in our law as it is. Private sector investors understand there is a risk that the ICC might demand that a provider deploy investment, regardless of customer demand, whether or not it makes business sense or not. We need to let

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business do what it does best. We need to let employers know that Illinois is open for business and we want more private sector investment, not less. This legislation will send that message to the private sector. One thing I appreciate about this telecom modernization legislation - and Chairman Bond mentioned this - is that Members on both sides of the aisle understand this is not a partisan issue. This bill is about Illinois coming together to improve our climate for investment in jobs - Republicans and Democrats, business and labor, Chicago, the suburbs, and downstate. We all have a stake in getting this right. This effort has been a lengthy, serious attempt to determine the best policy that provides certainty for private sector investment, while at the same time ensuring that there are appropriate protections for consumers. I want to commend the Attorney General for negotiating consumer protections that are sound. This is a balanced bill and the goals for providing certainty have been achieved, I believe. This issue is about preparing an environment to attract private sector investment and jobs to Illinois. This update is long overdue and it is of critical importance to the future of our economy. Other states have moved ahead of Illinois. It's time for our State to catch up. We can do that today by passing Senate Bill 107. I also join with Chairman Bond and urge all of us to vote Yes on this important concurrence. Thank you very much, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

Thank you, Senator. Just for a point of information, we're not using the timer today, but if during your speech and any time I stand up, that is an indicator to you that you're

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probably running out of time, so you may want to wrap -- wrap it up. Senator Raoul.

SENATOR RAOUL:

...you -- thank you, Mr. President. To the bill: I, too, want to commend my colleague, Senator Bond, for all of his work on this bill. I support Senate Bill 107 because it updates the State's telecom laws in the right way. It helps our State level the playing field and better prepares the way to attract private sector investment in broadband and to reap the benefits of the jobs that follow. I want to point out and applaud the Attorney General. The bill has significant consumer protections that have been negotiated by her. She did a great job and sealed a big win for consumers in Illinois. The consumer safeguards in this bill include price protection and service quality standards. In addition, the Illinois Commerce Commission retains oversight and still keeps its ability to impose major fines for providers who have fallen down on the job. These fines could be as large as two hundred thousand dollars per offense per day. This is a serious hammer to ensure consumers are protected and that's something that's important to me and the people in my district. The price -- the bill also guarantees that you will have access to land -- landline services, although the landline market is eroding. I, myself, try as often as I can to use my cell phone at home. The price protections in this bill are undeniable. For phone companies that elect new modern regulation, this bill requires a major -- major concessions for consumers. Those providers must offer three low-cost basic service packages that will remain in place. These are so-called "safe harbor" packages. These are packages

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that were designed by CUB in 2006. So I urge all of my colleagues to come together and light up all green lights in favor of this bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Murphy.

SENATOR MURPHY:

To the bill, Mr. President. Doesn't it feel good to actually be excited about being for something down here right now? This -- this is always a tough time of year and this year maybe more than others. And there's a lot of things that a lot of us aren't real excited about going to come out of this place in the next forty-eight hours. This bill stands in stark contrast to that. This is a forward-looking advancement for Illinois job creators and, by extension and more importantly, for the Illinoisans, our constituents, they put to work. The fact that this was a bipartisan bill - again, another bipartisan success in this General Assembly this year - is something that we on this side of the aisle are particularly excited about. We're eager to be for things when they make a positive difference for the people we represent. This bill makes a positive difference for the people we represent. This bill keeps people employed in this State. This, people, increases the likelihood that will drive down that eleven and half percent unemployment rate going forward. This bill sends a message to job creators around the country: Illinois is willing to break out of the image that it has and be receptive to you. Invest in here. Invest in us. Invest in our people. Now this bill is a good bill, but I'm looking forward to the next one when we hit a homerun, like our neighbors in Indiana did, and not just the

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double that we hit here today. I commend all of you who worked so hard to make this bill a reality. Appreciate the opportunity to be excited about a bill here and look forward to the job growth and the positive benefits this bill will have over the next three years for the people of the State of Illinois. Strongly urge an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Leader Righter.

SENATOR RIGHTER:

Thank you, Mr. President. To the gentleman's motion, please. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

To the motion, Leader.

SENATOR RIGHTER:

Thank -- thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of the gentleman's motion and congratulate him and the other legislators who have toiled to make this a reality. I represent a district that has all or parts of twelve counties, five of which sit on the Illinois/Indiana border. So the differences in economic policy, such as telecommunications policy between Indiana and Illinois, are felt particularly sharp by the constituents in my district. And I'm glad that this bill is a step towards recognizing that we can do much, much better. We can come closer to Indiana when it comes to a policy that will encourage investment and encourage consumer choice. I think it's also important to note, Mr. President, that this bill reflects an important principle - that the reason that our economy is still the most powerful economy in the world is because this country is unique in

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recognizing that the people who are most likely to create jobs and be innovative are the people who are in the private sector and not necessarily the public sector. The incentive to increase the economic standing of yourself and your family is what drives economic activity, and it goes to say -- it is clear that therefore when government steps back, loosens the bonds of regulation and allows people to be innovative, that rises all boats, that increases -- that increases the economic being in the end for everyone. I want to thank, again, Senator Bond for the work that you've done on this and others here in this building in making House -- Senate Bill 107 the fine product that it is. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

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

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will yield. Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Senator Bond, does this bill allow the State to regulate Voice over Internet Protocol and broadband service providers?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Bond.

SENATOR BOND:

Thank -- thank you, Senator. The answer to that question is, yes. After conferring with the House sponsor, it is our mutual understanding and our legislative intent that if there is

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an FCC order or a change in federal policy dealing with broadband, then this bill provides enough authority to the State to regulate broadband. For instance, the FCC came out with FCC Order 10-70, WC Docket Number 09-193, stating that the FCC does, quote, "not question that states may have a legitimate interest in broadband data-gathering", end quote. They also stated that the FCC, quote, "has not preempted or otherwise precluded the states from mandating that broadband providers file data or other information regarding broadband infrastructure or services within the states", end quote. If the FCC or Congress permits states to regulate broadband or portions of broadband services, we automatically have the authority to regulate those services with no further legislative action.

PRESIDING OFFICER: (SENATOR HENDON)

The -- Kevin Lee from Illinois Statehouse News seeks leave to videotape. Is leave granted? Leave is granted. Seeing nothing further, the question is, shall the Senate concur in House Amendments No. 1, 3, 4 and 5 to Senate Bill -- Senator Bond, to close.

SENATOR BOND:

Thank you, Mr. President. Just to briefly close. A lot of work went into this. I would like to recognize staff, particularly on the House side. Heather Wier's put a lot of energy into this. On the Senate Republican side, Scott Foiles has worked very diligently. And, most importantly, I want to recognize our staff here in the Illinois Senate side, Eric Madiar and Louie Mossos on our side. So they put in a lot of effort for 'em and I thank them for their contribution.

PRESIDING OFFICER: (SENATOR HENDON)

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We certainly don't make predictions, but I know this will get about 59 and we spent thirty minutes on it. Very important piece of legislation, but it's not the intent of the Chair for us to continue at this pace. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 - 59 - voting Aye, none voting No, none voting Present. The Senate concurs in House Amendments No. 1, 3, 4 and 5 to Senate Bill 107. And the bill, having received the required constitutional majority, is declared passed. Senator Maloney, for what purpose do you seek recognition, my friend?

SENATOR MALONEY:

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

PRESIDING OFFICER: (SENATOR HENDON)

State your point.

SENATOR MALONEY:

I think if many of you attended the TECH 2010 displays downstairs, you would be most impressed. I would like to introduce two young men from my district, from the Oak Lawn-Hometown Middle School, had a tremendous display downstairs, Brian Kobiernicki and Jacob Allen. They are in the gallery behind me. I would appreciate if everybody give them a nice Senate welcome.

PRESIDING OFFICER: (SENATOR HENDON)

Will our guests please rise? Welcome to the Illinois Senate. You came at a good time. A lot of business is about to be transacted. Senator Delgado, for what purpose do you seek recognition, sir?

SENATOR DELGADO:

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Thank you, Mr. President, Members of the Senate. I, too, join my colleague in welcoming with -- the TECH 2010 today in the Rotunda on the first floor. But here in our gallery, Prosser Career Academy, the advanced technology group, which is working on cloud computing education, and their coordinator, René Tapia, the Tech Crew Coordinator, along with Jonathan Carter - the students - Carter II, José Juan Radilla, also a student, and Sebastian, one of the teachers here from Prosser. They're all competing in the statewide technology. And let's give 'em a round of applause, a warm welcome to our Capitol.

PRESIDING OFFICER: (SENATOR HENDON)

Welcome. Welcome to the Illinois Senate. Welcome. Senate Bill 549 {sic}. Senator Harmon. Madam Secretary, read the gentleman's motion. Senator Harmon, do you wish to proceed? Madam Secretary, read the gentleman's motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 459.

Filed by Senator Harmon.

PRESIDING OFFICER: (SENATOR HENDON)

Jason Wambsgans from the Chicago Tribune seeks leave to -- to seek -- photographs. Leave granted? Leave is granted. Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. First of all, I just want to confirm we are on the Order of Senate Bill 459 - correct? - for the record.

PRESIDING OFFICER: (SENATOR HENDON)

Yeah, 459. That's correct.

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SENATOR HARMON:

Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Thank you. As you may or may not know, Ladies and Gentlemen of the Senate, we in Illinois, each citizen, is under an obligation to annually pay a use tax on goods purchased outside of the State of Illinois for use in the State. There's a form that the Department of Revenue promulgates, the ST-44. We're supposed to calculate the amount we've purchased and the amount of taxes that are owed to the State. The compliance rate on that is very, very low, I've learned from the Department of Revenue. And this bill, when it left the Senate, proposed to incorporate that filing into the regular 1040 income tax form. The House has simply changed some of the mechanics. They've limited it to taxpayers with liabilities of six hundred dollars or less, not a -- not a bad improvement in my view, and made some other technical changes. So I'm happy to -- to move to concur in the House amendment and ask your support.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, does the Senate concur in House Amendments {sic} No. 1 to Senate Bill 459. All those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, none voting Nay, none voting Present. The Senate concurs in House Amendment No. 1 to Senate Bill 459. And the bill, having received the required

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constitutional majority, is declared passed. Senate Bill 2538. Senator Maloney. Out of -- out of the record. Senate Bill -- I'm sorry, Madam Secretary. Senator Maloney, would you -- do you wish to proceed, sir? This is a nonconcurrency motion? Madam Secretary, read the gentleman's motion.

SECRETARY ROCK:

I move to nonconcur with the House in the adoption of their Amendment No. 1 to Senate Bill 2538.

Filed by Senator Maloney.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Maloney.

SENATOR MALONEY:

Thank you. We -- we are asking for nonconcurrency on this. We just didn't think it did anything to improve the situation.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall the Senate nonconcur in House Amendments {sic} No. 1 to Senate Bill 2538. All those in favor, vote Aye. Opposed, vote Nay. And the voting is open. 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 -- having received the required constitutional majority, the Senate does not concur in House Amendment No. 1 to Senate Bill 2538. And the Secretary shall -- shall so inform the House. Senate Bill 3531. Senator Hunter. Madam Secretary, read -- please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 3531.

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Filed by Senator Hunter.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Hunter.

SENATOR HUNTER:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill creates the African American Employment Plan, which establishes the African American Employment (Plan) Advisory Committee {sic} (Council). It will consist of eleven members appointed by the Governor and the body will be meeting on a quarterly basis to investigate any barriers African Americans face as it relates to employment or investment and explore possible incentives to -- to -- to foster the employment and promotion of African Americans in State government.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator John Jones.

SENATOR J. JONES:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Jones, to the bill.

SENATOR J. JONES:

Senator Hunter, I -- I -- I talked with you in committee this morning and -- and we support what you're trying to do here, but it seems like we just keep having to do those -- these types of things over and over and over, year after year. And I talked with you this morning about a -- an African American concrete man in -- in -- in Senator McCarter's district that's trying to get a -- a -- an agreement with IDOT so he can bid on the -- and work on the new Mississippi River bridge that we're going to build in St. Louis and he's running into an obstacle.

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And -- and that's the types of things that we need to stop. Because, my understanding, the reason he cannot get the authorization that he needs to be a minority contractor on that job is because he's nonunion, and that's baloney. You and I both know that and I want to thank you right now, because I know that you have been working with Senator McCarter and that constituent of his all day today, along with several other African Americans, and I deeply appreciate that. This shouldn't be an African American issue or a man or woman or whatever. When people have an opportunity to bid on a job that are legitimate contractors, they should be allowed to do that. So I just want to personally thank you for working with Senator McCarter today. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Hunter, to close.

SENATOR HUNTER:

Thank you for those comments, Senator Jones. We would not have to have a bill such as this if people would do the right thing as it relates to employment and contracts as it relates to African Americans. And I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall the Senate concur in House Amendments {sic} No. 1 to Senate Bill 3531. 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 57 voting Aye, none voting Nay, none voting Present. The Senate concurs in House Amendments {sic} No. 1 to Senate Bill 3531. And the bill, having received the required constitutional

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majority, is declared passed. Senator Emil Jones, for what purpose do you seek recognition, sir?

SENATOR E. JONES:

Thank you, Mr. President. On personal privilege.

PRESIDING OFFICER: (SENATOR HENDON)

State your point.

SENATOR E. JONES:

I have some students down here from Chicago for TECH Day, John Whistler. They're down here showing me their -- their boards and the different technology -- new technology that they are learning in their schools. So please join me in giving them a warm Senate welcome to the Floor.

PRESIDING OFFICER: (SENATOR HENDON)

Will our guests please rise? Welcome to the Illinois Senate. Welcome. Welcome, young people from Senator Jones' district. Continuing with our business, Senate Bill 3547. Senator Clayborne. Madam Secretary, read the gentleman's motion, please.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 3547.

Filed by Senator Clayborne.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President, Members of the Senate. Basically, I concur in House Amendments 1 and 2. Basically, one change was to allow the locals to make the determination. It's optional, but they have to make the determination whether it's

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economically feasible to purchase electronic textbooks. And the other change removed list and allow for it to only be used with equipment to gain access and use electronic textbooks.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussions? Seeing none, the question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 3547. 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 58 voting Aye, none voting Nay, none voting Present. The Senate concurs to House Amendments No. 1 and 2 to Senate Bill 3547. And the bill, having received the required constitutional majority, is declared passed. Will all Members under the sound of my voice please come to the Senate Floor? We are about to go to 3rd Readings, House Bills 3rd Readings. This may be, probably will be, the last time we go through that part of the Calendar. So if you want something passed, you should be here and be ready to vote and give it serious consideration. Senate Bill 3762. Senator Schoenberg. Madam Secretary, read the gentleman's motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 3762.

Filed by Senator Schoenberg.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Schoenberg.

SENATOR SCHOENBERG:

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

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House. Move that the..

PRESIDING OFFICER: (SENATOR HENDON)

Of the Senate, sir. It's getting late. We understand. Of the Senate. Senator Schoenberg.

SENATOR SCHOENBERG:

My -- my bad, Mr. President. Ladies and Gentlemen of the Senate, I move that the Senate concur with Amendments -- House Amendments 1 and 2 to Senate Bill 3762. These two amendments are agreed to between -- were negotiated between Secretary Saddler at DHS and Director Hamos at DHFS on -- on Medicaid billing. There's no -- there's no dissent to this. And I have something very brief, Mr. President, for the purposes of legislative intent, if you could recognize Senator Garrett.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Garrett.

SENATOR GARRETT:

Yes, thank you very much, Mr. President. I have a question for Senator Schoenberg from the -- previously from the House. This legislation moves billing for Medicaid-reimbursable community-based mental health services to HFS, effective July 1, 2011. During the 2009 Fall Veto Session, the General Assembly unanimously approved HB1802, now Public Act 96-0868, which would ensure that, effective July 1, 2012, one hundred percent of all deposits into the Community Mental Health Medicaid Trust Fund, including FMAP, would be used for the purchase of mental health services. This legislation represented an agreement between the Governor's Office, DHS, and community mental health providers. Would anything in Senate Bill 3762 change or disrupt deposits into and payments out of the 718 Fund as it currently operates

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and will operate effective July 1, 2012?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Schoenberg.

SENATOR SCHOENBERG:

It's not the intent of this legislation to disrupt how the 718 Fund currently operates or will operate. And in fact, I've asked DHS Secretary Saddler and HFS Director Hamos to confirm this in a letter to community mental health providers. By making this change to the bill, along with the underlying bill, it's our hope that we can -- if the State were to utilize all the funds to attain the maximum federal reimbursement, we could capture approximately a hundred and sixty-four to two hundred and thirty-four million in federal matching dollars overall and thus allow the State to pay an estimated two hundred and seventy-three to three hundred and ninety million in Medicaid claims. That's according to the analysis by the Commission on Government Forecasting and Accountability.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, does the Senate concur in House Amendments 1 and 2 to Senate Bill 3762. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. The Senate concurs in House Amendments No. 1 and 2 to Senate Bill 3762. And the bill, having received the required constitutional majority, is declared passed. Madam Secretary, Committee Reports. Madam Secretary, Messages from the House.

SECRETARY ROCK:

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

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

Senate Bill 3084.

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

House Amendment 1.

We have received like Messages on Senate Bill 3180, with House Amendments 1 and 2, and Senate Bill 3716, with House Amendments 1 and 2.

They all passed the House, as amended, May 6, 2010. Mark Mahoney, Clerk of the House.

PRESIDING OFFICER: (SENATOR HENDON)

Please turn your Calendar to page 31. We're going to House Bills 3rd Reading. House Bill 859. Middle of the page. Page 31 of your Senate Calendar, your regular Calendar. Senator Trotter. 859. Out of the record. House Bill 895. President Cullerton. Mr. President. Out of the record. House Bill 923. Out of the record. House Bill 962. Senator Sullivan. Out of the record. House Bill 991. Out of the record. House Bill 1075. Senator Hutchinson. 1075. Senator Hutchinson. Out of the record. House Bill 1313. President Cullerton. Out of the record. 1826. Out -- President -- out of the record. House Bill 2254. Senator Lightford. 2254. Senator -- out of the record. House Bill 2263. President Cullerton. Out of the record. 2270. Out of the record. House Bill... Sorry, Senator Forby. 22 -- Senator Forby, for what purpose do you seek

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recognition, sir?

SENATOR FORBY:

I think 2270 has been turned over to me, hasn't it? It was a vehicle bill, they turned it over to me, and I had it in committee this morning?

PRESIDING OFFICER: (SENATOR HENDON)

Give me -- give me a second. That was the last one, 2270? Okay, Senator Forby, we're going to go back to 2270. Senator Forby seeks leave of the Body to return House Bill 2270 to the Order of 2nd Reading for purpose of amendment. Is leave granted? Leave is granted. Now on -- on the Order of 2nd Reading is House Bill 2270. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Forby.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Forby, to explain Floor Amendment No. 2. Senator Forby.

SENATOR FORBY:

Thank you. 2270 is a bill that we've run in here the last three years and -- and it's -- last year I think it was No. 314. It's always voted with no opposition and what this does is a supplemental appropriation to a -- special ed. I think the State Board -- we put a lump sum of money in for State Board this year. They didn't take the money out for special ed, so I'm running this bill again. It's 17.1 million dollars for Special Ed. Goes in GRF. And it goes for everybody from downstate to upstate. It's a hold harmless bill. And I -- I don't see any -- there was no opposition to this. Hasn't been

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the last two or three years. And we just need to pass it one more time.

PRESIDING OFFICER: (SENATOR HENDON)

Any discussion on the amendment? Senator Murphy. Okay. On the amendment, 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 on 3rd Reading is House Bill 2270. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 2270.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Forby.

SENATOR FORBY:

I've already explained the bill, so I will take any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Questions. Senator Murphy. Or discussion. Senator Murphy.

SENATOR MURPHY:

To the bill, Mr. President. I -- let me first commend the sponsor for his commitment on this issue. The -- the problem here is we're asking to appropriate 17.1 million dollars at the

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end of Fiscal Year '10 that everybody down here knows we don't have. And the reason we're being asked to appropriate 17.1 million for special ed children in many of our districts, including mine, is because last year when we gave the Governor the lump sum - the same lump sum we're probably going to give him tomorrow - and he said, "Don't worry, I can manage it", what he meant was I can mismanage it into a 2.2-billion-dollar increase in our deficit and, along the way, I'm going to stiff special ed. He didn't think it was a priority. His Board of Ed has a -- has a philosophical difference with funding this. And now we're left at the eleventh hour with a bankrupt State being asked to put them back in. I hope those in the special education community will take note of who is and who is not their friend in this building. We've got a lot of people in my district for whom this is a very important issue. And I have a lot of schools that are going to be covered by Senator Forby's bill. I'm going to vote today to put them back in line, but I think the other thing that needs to be put back in line is the prioritization of the Governor when we give him the free reign we've given him and his Board of Education. And I hope that message can be sent.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Forby, to close.

SENATOR FORBY:

I think what you just heard was -- was good and I -- I've been working on this for the last two or three weeks. I would've loved to have got it in here quicker, but this is the quickest I could get it. But you know our kids come first. We need to take care of them. So, that's what this bill does.

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Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall House Bill 2270 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. House Bill 2270, having received the required constitutional majority, is declared passed. House Bill 2314. Senator Trotter. Out of the record. House Bill 2376. Senator Clayborne. We're into the heavy lifting now, Ladies and Gentlemen. Let's -- let's rock and roll. House Bill -- out of the record. House Bill 2386. Out of the record. Will all Members under the sound of my voice please come to the Senate Floor? We are voting on substantial Senate action right now. Would all administrative assistants, as able and capable as you are, please reach your Senator and send 'em to the Senate Floor immediately. House Bill 2428. President Cullerton. Out of the record. House Bill 2469. Trotter. Out of the record. House Bill 2598. Out of the record. House Bill 2640. Trotter. Out of the record. House Bill 3659. Senator Kotowski. Out of the record. House Bill 3677. Out of the record. House Bill 3806. Out of the record. House Bill -- 3833. Out of the record. House Bill 3841. Out of the record. House Bill 3845. Out of the record. House Bill 3900. Out of the record. House Bill 3962. Out of the record. House Bill -- 4681. Out of the record. House Bill 4708. Senator Cronin. 4708. Out of the record. House Bill 4711. Senator Maloney. Senator Maloney. 47 -- out of the record. House Bill 4781. Senator Collins. Madam Secretary, read the

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bill.

SECRETARY ROCK:

House Bill 4781.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 4781 creates the Debt Settlement Consumer Protection Act. The Act regulates the practice of debt settlement services. This legislation will help crack down on predatory companies that are preying on people who are desperate and vulnerable, often through misleading and fraudulent promises of help. We've all seen the ads on TV and radio promising that you can be debt-free. In fact, most consumers end up in worse financial shape than when they started. The debt settlement companies tell consumers not to pay their creditors in order to negotiate with creditors in the future. In the meantime, the consumer's debt grows, interest rates increase, penalties are assessed, credit scores are damaged, and most consumers are sued. Therefore, this legislation would put in -- put in certain protections that will prohibit all upfront and monthly fees, except for a one-time fifty-dollar application fee; cap fees at fifteen percent of the savings achieved from settling a debt; prohibit debt settlement companies from advising consumers to stop payment to creditors; and among other things, require debt settlement companies to be licensed by IDFPR and bonded. And I'm willing to take any questions.

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PRESIDING OFFICER: (SENATOR HENDON)

Senator Rutherford.

SENATOR RUTHERFORD:

Mr. President, I'm going to address the bill and let me -- if I...

PRESIDING OFFICER: (SENATOR HENDON)

To the bill, sir.

SENATOR RUTHERFORD:

Thank you, Mr. President. I want to start out by thanking Senator Collins and also to show a great deal of respect for her. What happened when this bill came to us from the -- from the House was -- there was some concerns about it. And Senator Collins and I talked about that. I spoke with Attorney General Madigan about this as well. I know she's worked very closely with Jacqui on this. And a sensitivity, and let's just be upfront with it, is the issue of cash flow for a legal, legitimate business in this State to have to be able to cover and pay part of its bills through the process. There's question as to whether this bill finally accomplishes that to some of the industry's liking. I stand in strong support of this bill. Senator Collins and I have spoken. I believe that as we progress over the next year -- or in the like, to take a look at this and see if there may be some modifications in regards to the cash flow side of it. But what I saw happen with this bill and what I saw happen with an effort in hostile amendments and what I saw with regards to, let's just say, questionable respect for the process and the person, really caused me to step back and have some real concern about the way this thing came down. Senator Collins, thank you for holding strong for what you think

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is right for good public policy. This is a piece of that type of legislation. I hope it goes to the Governor's desk and becomes law. I stand in strong support of Senator Collins' bill.

PRESIDING OFFICER: (SENATOR HENDON)

Thank you, Senator. Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President. I, too, rise in support of this fine piece of legislation. You know, during these hard times, and -- and -- and -- we have found that so many people who -- who thought they were smart and people who are smart got caught up with some fast-talking individuals, ended up getting over their heads in debt. And as a consequence, not only lost their homes, but lost their -- their life, their -- their lifestyle. And then, to add insult to injury, what the buzzards did not pick off of these individuals, the other rats came in and tried to take what was left, tried to take what left -- what was being left for their -- for their children, left of their self-respect. This bill corrects that and I applaud the sponsor for -- for carrying this legislation to -- to give the consumer some respect and some dignity in how they do business and -- so they once again can earn -- trust individuals that they are working with. So I ask all to give this an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Collins, to close. I'm sorry, Senator... Senator Collins, to close.

SENATOR COLLINS:

Thank you. Let me just thank the exceptional leadership,

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cooperation and collaboration of my Minority Spokesperson, Senator Rutherford, who serves with me on the Committee of Financial Institutions - not only on this piece of legislation, but on all of my legislation and legislation that has come through the committee. I thank you for your leadership. I also want to thank all the members on my committee who allowed me to go forward to continue the -- the negotiations. Although we didn't come out to the agreement -- agreed language, I think we who are here are sent here to represent those who are the most vulnerable in society. I also want to thank the leadership of the AG's Office and the team of her negotiators, headed by Debbie Hagan and Kathy Saltmarsh. I also want to thank the Treasurer's Office, Alexi Giannoulis and his negotiator, Colleen Daley, and my colleague as well, Iris Martinez, had also had a similar piece of legislation. In closing, let me just say this legislation does not outlaw debt negotiation, but will go a long way in curtailing the fraudulent, abusive and deceptive practices of debt settlement companies that seek to enhance their bottom line at the expense of working families struggling with substantial personal debt. It will provide greater disclosure, limit fees, and provide additional enforcement. And I agree with Terry Savage of the Sun-Times and the editorial boards of the Herald-Review, The State Journal-Register and the Quincy Herald-Whig, when they state this legislation is reasonable, necessary, overdue, and should become law. I hope my colleagues will join with me in sending a strong bipartisan message to our constituents and Illinois consumers that money and influence do not trump fair play and good and just policy in the Illinois General Assembly. Thank you.

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PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall House Bill 4781 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, 1 voting Nay, none voting Present. House Bill 4781, having received the required constitutional majority, is declared passed. Madam Secretary, Messages from the House.

SECRETARY ROCK:

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

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

Senate Bill 3348.

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

House Amendment 1 and House Amendment 2.

We have received like Messages on Senate Bill -- excuse me, Senate Bill 3638, with House Amendments 1 and 2. They all passed the House, as amended, May 6, 2010. Mark Mahoney, Clerk of the House.

PRESIDING OFFICER: (SENATOR HENDON)

Continuing on the Order of House Bills 3rd Reading, and the pace is about to quicken, both on debate, discussion, and on the roll call. So I'm letting you know, be ready to vote. House Bill 4788. Senator Martinez. Madam Secretary, read the bill. Senator Martinez seeks leave of the Body to return House Bill 4788 to the Order of 2nd Reading for purpose of amendment.

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Hearing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 4788. Madam Secretary, are there any amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Martinez.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President and Members of the Senate. It -- Floor Amendment No. 2 deletes all and it becomes the bill and I'll be happy to discuss it on 3rd Reading.

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. Are there any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is House Bill 4788. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 4788.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Martinez.

SENATOR MARTINEZ:

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

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bill, House Bill -- 4788, allows the city treasurer to appoint a designee to the retirement board of the municipal employees in absence of the treasurer. And I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, the question is, shall House Bill 4788 pass. All those in favor, vote Aye. Opposed, vote Nay. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. House Bill 4788, having received the required -- required constitutional majority, is declared passed. House Bill 4815. Senator Wilhelmi. Senator Wilhelmi. Out of the record. House Bill 4933. President Cullerton. Out of the record. House Bill 4934. Out of the record. House Bill 4973. Senator Luechtefeld. Out of the record. House Bill 4975. Senator Althoff. Althoff. Out of the record. House Bill 4976. President Cullerton. Out of the record. House Bill 4985. Out of the record. House Bill 5018. Senator Steans. 5018, ma'am. Out of the record. House Bill 5057. Out of the -- President Cullerton. Out of the record. House Bill 5085. Senator Koehler. 5178. President Cullerton. Out of the record. House Bill 5255. Out of the record. House Bill 5416. Out of the record. House Bill 5501. Out of the record. House Bill 5630. Senator Haine. Out of the record. House Bill 5677. Senator Haine. Madam Secretary, please... Senator Haine seeks leave of the Body to return House Bill 5677 to the Order of 2nd Reading for purpose of amendment. Hearing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 5677.

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Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Haine.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Haine.

SENATOR HAINE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Floor Amendment No. 1 adds some additional language to allow for earnest money, funds in the amount of less than fifty thousand, whether in the form of attorney or realtor trust account checks, not to count toward the buyer's funding totals for the purposes of wired funds requirements under the law.

PRESIDING OFFICER: (SENATOR HENDON)

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:

Floor Amendment 2, offered by Senator Haine.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Haine, on Amendment 2.

SENATOR HAINE:

Thank you, Mr. President. Floor Amendment 2 merely corrects a typographical error in Senate Amendment No. 1.

PRESIDING OFFICER: (SENATOR HENDON)

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

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for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is House Bill 5677. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 5677.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Haine.

SENATOR HAINE:

Mr. President, Ladies and Gentlemen of the Senate, this -- this bill amends the Title Insurance Act and further defines and clarifies the handling of what's called "good funds". It was ranked number fifteen in the top twenty most boring bills of this General Assembly this year. I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

There any discussion on this boring bill? Seeing none, all in favor will vote Aye. Opposed, say -- vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Aye, none voting Nay, 2 voting Present. House Bill 5677, having received the required constitutional majority, is declared passed. House Bill 5727. Senator Link. 5727. Out of the record. House Bill 5772. Senator Schoenberg. Schoenberg. Madam Secretary read the gentleman's bill.

SECRETARY ROCK:

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House Bill 5772.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 5772 represents an agreement on the -- on a consumer protection measure that pertains to purchasing pets, particularly dogs and cats. It spells out specifically how animal shelters, animal control facilities, and pet shop operators are to provide specific detailed information disclosing the origins of the animal. It's also supposed to have disclosure forms that are signed by the purchaser, maintained by the pet store for two years. And I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HENDON)

There any discussion? Seeing none, all those in favor, vote Aye. Opposed, vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, none voting Nay, none voting Present. House Bill 5772, having received the required constitutional majority, is declared passed. House Bill 5821. Senator Haine. 5821, sir. Out of the record. House Bill 5858. Out of the record. House Bill 5873. Senator Link. 5873, sir. Out of the record. House Bill 5890. Senator Kotowski. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 5890.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Kotowski.

SENATOR KOTOWSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 5890 allows that a pharmacist may be able to, but not required to, list the illness, disease, or condition for which a drug or device is being prescribed. This allows for the intended purpose of the prescribed drug or device to be explained with either its "on label" or "off label" use. This change suggested by ISMS and the pharmacists.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Seeing none, all those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. House Bill 5890, having received the required constitutional majority, is declared passed. House Bill 5917. Out of the record. House Bill 5933. Out of the record. House Bill 5960. Out of the record. House Bill 6113. Senator Martinez. 6113, ma'am. Out of the record. House Bill 6195. Out of the record. House Bill 6195, the sponsorship has been changed to Senator Dillard. 5195. Senator Dillard. Dillard. Dillard. Out of the record. 5195, sir? House Bill 6267. Senator Demuzio. Senator Demuzio. 6267. Out of the record. I would appreciate some kind of wave or something. Let me know. House Bill 6368. Out of the record. House Bill 6748. Out of the record. House Bill...

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Going to go back to page 30. Go to page 30 of your Calendar, House Bills 3rd Reading. Be ready. House Bill 13. President - - I mean -- House Bill 13. Senator Trotter. Out of the record. House Bill 80. Out of the record. House Bill 83. Senator Schoenberg. Do you want it, sir? Out of the record. House Bill 84. Senator Schoenberg. Do you want it? Out of the record. House Bill 150. Out of the record. House Bill 306. Out of the record. House Bill 391. Trotter. Out of the record. House Bill 543. Out of the record. House Bill 707. Senator Lightford. Out of the record. House Bill 859. Trotter. Out of the record. House Bill 895. Out of the record. House Bill 923. Out of the record. House Bill 962. Senator Sullivan. Out of the record. House Bill 991. Trotter. Out of the record. House Bill 1075. Senator Hutchinson. Out of the record. House Bill 1313. Out of the record. House Bill 1826. Out of the record. House Bill 2254. Senator Lightford. Out of the record. House Bill 2663 {sic} has been changed to Senator Kotowski. 2263. Are you ready to move that one, sir? Out of the record. Give us a hot second. We ran through 3rd Readings and I hope we're ready to pass the budget like right now. All the funding, all -- let's do it. Let's make it happen. Madam Secretary, Resolutions. Please turn to page 36 of your Calendar. We're going to the Order of Resolutions. On the Order of Resolutions, Senate Resolution 682. Senator Sandoval. 682. Senator Sandoval. Out of the record. Senate Resolution 814. President Cullerton. Resolution 814, sir. Madam Secretary, read the resolution.

SECRETARY ROCK:

Senate Resolution 814, offered by President Cullerton.

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PRESIDING OFFICER: (SENATOR HENDON)

Mr. President, to the resolution, sir.

SENATOR CULLERTON:

Yes, thank you, Mr. President, Members of the Senate. This resolution recognizes Paul Rusesabagina, who was -- of course, for his heroic actions and bravery during the 1994 Rwandan genocide. He has continued to work for social justice and human rights activism. This recognizes his courage and compassion and says that he is truly a model for the people of Illinois and the world at large, and designates May 12th, 2010 as his day, where he will be the guest of honor at the 48th Annual Governor's Prayer Breakfast at the Crowne Plaza in Springfield on May 12th. So I would move for the passage of the resolution.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? The question is, shall Senate Resolution 814 pass. All those in favor will vote Aye -- will say Aye. Opposed, say Nay. The Ayes have it, and the resolution is adopted. Senator Schoenberg in the Chair.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senate will stand at ease for ten to fifteen minutes in order to enable us to complete some paperwork. The Senate will stand at ease.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SENATOR DELGADO:

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Thank you, Mr. President. Personal privilege.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Please state your point.

SENATOR DELGADO:

Thank you, Mr. President and Members of the Senate. Today we have here some students here, also participating in the Technology 210 {sic}, and they're also from Majority Leader -- Leader -- Senator Rickey Hendon's district. They're sitting in the President's Gallery from the Chicago Academy for Advanced Technology. We have Keautishay Young, I believe - I hope I pronounced that right; Christopher Hayes, and Gabriel Villarreal. Please stand up. And please give them a welcome, a nice welcome, from -- from the General Assembly here in the Senate.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Our guests in the gallery, please rise. Welcome to the Illinois Senate. Madam Secretary, Messages from the House.

SECRETARY ROCK:

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

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

Senate Bill 3658.

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

House Amendment 1 and House Amendment 2.

Passed the House, as amended, May 6, 2010. Mark Mahoney, Clerk of the House.

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

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

Senate Bill 3610.

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

House Amendment 1.

We have received like Messages on Senate Bill 3659, with House Amendments 1 and 2, and Senate Bill 3681, with House Amendments 1 and 2.

They all passed the House, as amended, May 6, 2010. Mark Mahoney, Clerk of the House.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Will the Committee on Assignments -- will the members of the Committee on Assignments please come to the President's Anteroom immediately? Will the members of the Committee on Assignments please come to the President's Anteroom? Senate will stand at ease.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senate will come to order. Stephen Bourque of WICS-TV requests permission to shoot video. Seeing no objection, leave is granted. Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Clayborne, Chairman of the Committee on

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Assignments, reports the following Legislative Measures have been assigned: Be Approved for Consideration - House Bill 4182. Signed by Senator James F. Clayborne.

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to the Energy Committee - Motion to Concur with House Amendment 1 to Senate Bill 2660; refer to the Executive Committee - Floor Amendment 4 to House Bill 80, Floor Amendment 2 to House Bill 4182, Floor Amendment 3 to House Bill 5873, Motion to Concur with Floor Amendment 3 to Senate Bill 43, Motion to Concur with House Amendment 8 to Senate Bill 642, Motion to Concur with House Amendment 1 to Senate Bill 2487, Motion to Concur with House Amendment 1 to Senate Bill 3089, Motion to Concur with House Amendment 1 and House Amendment 2 to Senate Bill 3348, Motion to Concur with House Amendment 1 and House Amendment 2 to Senate Bill 3460, Motion to Concur with House Amendment 1 and House Amendment 2 to Senate Bill 3638, Motion to Concur with House Amendment 1 and House Amendment 2 to Senate Bill 3659, and House Joint Resolution 84; refer to the Local Government Committee - Motion to Concur with House Amendment 1 and House Amendment 2 to Senate Bill 82, Motion to Concur with House Amendment 1 and House Amendment 2 to Senate Bill 2523, Motion to Concur with House Amendment 1 and House Amendment 2 to -- to Senate Bill 3716; refer to the Revenue Committee - Motion to Concur with House Amendment 1 and House Amendment 2 to Senate Bill 3683; and Be Approved for Consideration - Senate Resolution 817.

Signed by Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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Senator Althoff, for what purpose do you seek recognition?

SENATOR ALTHOFF:

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

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Please state your point.

SENATOR ALTHOFF:

Thank you very much, sir. In the gallery behind the Democrat side of the Chambers, I have my TECH 2010 team, called WPKL. Their members are made up of Colin Condon, Karissa Kersten. Their advisor is Mrs. Reed. And also with them is my very dear friend and alderman from the City of McHenry, Geri Condon, who just happens to be Colin's mom. Might we give them a warm Springfield welcome, please?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Guests in the gallery please rise. Welcome to the Illinois Senate. Madam Secretary, committee announcements. I'm sorry, Madam Secretary. The Chair would like to now announce committees for the purposes of hearing amendments and concurrence motions that were in the Assignments Report. At 5:15, the Local Government Committee will meet in Room 409 - 5:15. At 4:30, the Executive Committee will meet in 212 and the Revenue Committee will meet in Room 400. And at 5:30 p.m., the Energy Committee will meet in Room 212. Senator Rutherford, for what purpose do you seek recognition, sir?

SENATOR RUTHERFORD:

Mr. President, thank you. I'd like to make a motion if I may, please. Mr. -- Mr. President, I move to waive all applicable Senate rules so that -- House Joint Resolution 84 can be heard in the Executive Committee later today.

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PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Rutherford moves to waive all notice and posting requirements so House Joint Resolution 84 can be heard in the Senate Executive Committee. All those in favor will say Aye. Opposed, Nay. In the opinion of the Chair, the Ayes have it, and all notice and posting requirements have been waived. ...leave of the Body, we'll proceed to page 36 of your printed Calendar, Secretary's Desk, Resolutions. Senate Resolution 682. Senator Sandoval. Senator Sandoval wishes to proceed. Madam Secretary, please read the resolution.

SECRETARY ROCK:

Senate Resolution 682, offered by Senator Sandoval.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. President, Members of the Illinois Senate. Senate Resolution 682 recognizes that some three hundred plus boards and commissions, task force and councils and authorities that have been established by the State of Illinois throughout the last one hundred years and many of them have not fulfilled their missions and may be unnecessary. This resolution directs the Auditor General to conduct a management audit of all the State's boards and commissions. According to the Auditor General, some boards and commissions are not fulfilling their mission, including boards and commissions that have never been established, have never met but one time. Many of them have long-term vacancies. Many of the members have had their terms expired and some of them have even failed to meet. I think this is one of the -- one of the -- one of the best cost-cutting,

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budget-saving Senate resolutions to pass before the Illinois Senate this year. I'd ask for all of you to vote for good government and reform. And let's put an end to all these boards and commissions and save the taxpayers some money. I'd ask for your favorable vote.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

There any discussion? Any discussion? Senator Rutherford.

SENATOR RUTHERFORD:

Mr. President, sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Sponsor indicates he'll yield.

SENATOR RUTHERFORD:

Senator Sandoval, I don't necessarily stand in -- in disagreement with this, but has the -- has the Auditor General weighed in as to the capability and the timeliness of this and what a cost estimate may be for his agency to fulfill this resolution?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Sandoval.

SENATOR SANDOVAL:

I have worked with the Auditor General to develop the scope of this particular Senate resolution and seeked {sic} input from him, and he says the cost impact would be minimal to the savings that would be found as a result of the audit.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Rutherford. Is there any further discussion? Any further discussion? Senator Raoul.

SENATOR RAOUL:

Will the sponsor yield?

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PRESIDING OFFICER: (SENATOR SCHOENBERG)

Sponsor indicates he'll yield.

SENATOR RAOUL:

Senator Sandoval, have you given any thought as to whether or not the Governor should appoint a commission or a board or a task force to look into whether we have...

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Sandoval.

SENATOR SANDOVAL:

I don't know if the Governor has paid any attention to establishing another commission. He has got bigger problems on his plate.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Raoul. Is there any further discussion? Any further discussion? Senator Duffy.

SENATOR DUFFY:

To the resolution: I...

PRESIDING OFFICER: (SENATOR SCHOENBERG)

To the resolution.

SENATOR DUFFY:

I stand in strong support of this resolution. Knowing that we currently have added three hundred and five new boards and commissions over the past seven years and we currently have five hundred and eighty-five boards in the State of Illinois, I think this is a great idea. Thank you, Senator.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SENATOR SANDOVAL:

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I'm urging all Illinois State Senators to vote Aye. Vote green to get rid of waste, fraud and abuse that exists in State government today. Vote for Senate Resolution 682.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The -- Senate Resolution 682 requires the expenditure of State funds and therefore a roll call vote is required. All those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. Senate Resolution 682, having received the required constitutional majority, is hereby declared passed. The Senate will stand in recess. Following -- following the announced committees, the Senate will return for substantive Floor action. The Senate now stands in recess.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senate will come to order. Will all Members within the sound of my voice please return to the Senate Chambers immediately? All Members within the sound of my voice please return to the Senate Chambers immediately. We will be proceeding to final action. Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Koehler, Chairperson of the Committee on Local Government, reports Motions to Concur with House Amendment 1 and 2 to Senate Bill 82, Motion to Concur with House Amendments 1 and 2 to Senate Bill 2523 and Motion to Concur with House

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Amendments 1 and 2 to Senate Bill 3716 recommended Do Adopt.

Senator Silverstein, Chairperson of the Committee on Executive, reports House Joint Resolution 84 Be Adopted; Senate Amendment 4 to House Bill 80, Senate Amendment 2 to House Bill 4182, Motion to Concur with House Amendment 8 to Senate Bill 642, Motion to Concur with House Amendment 1 to Senate Bill 2487, Motion to Concur with House Amendment 1 to Senate Bill 3089, Motion to Concur with House Amendment 1 and 2 to Senate Bill 3348, Motion to Concur with House Amendments 1 and 2 to Senate Bill 3460, Motion to Concur with House Amendments 1 and 2 to Senate Bill 3638 and Motion to Concur with House Amendments 1 and 2 to Senate Bill 3659, all recommended Do Adopt.

Senator Viverito, Chair -- Chairperson of the Committee on Revenue, reports Motion to Concur with House Amendments 1 and 2 to Senate Bill 3683 recommended Do Adopt.

Senator Jacobs, Chairperson of the Committee on Energy, reports Motion to Concur with House Amendment 1 to Senate Bill 2660 recommended Do Adopt.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Madam Secretary, Messages from the House.

SECRETARY ROCK:

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

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

Senate Bill 3721.

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

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House Amendment 1.

Passed the House, as amended, May 6, 2010. Mark Mahoney, Clerk of the House.

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

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

Senate Joint Resolution 72.

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

House Amendment 1.

Passed the House, May 6, 2010. Mark Mahoney, Clerk of the House.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Will all Members within the sound of my voice please come to the Senate Floor immediately for final action? All Members please come to the Senate Floor. Jennifer Wessner of the Illinois Statehouse News Service requests permission to film. Seeing no objection, leave is granted. Page 36 of your printed Calendar. We will now proceed to the Order of House Bills 2nd Reading. Page 36 of your printed Calendar, House Bills 2nd Reading. House Bill 6202. Senator Harmon. Senator Harmon wishes to proceed. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 6202.

(Secretary reads title of bill)

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

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PRESIDING OFFICER: (SENATOR SCHOENBERG)

Are there any Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. With leave of the Body, we'll proceed to House Bills 2nd Reading, page 36 on your Calendar. House Bill 1026. Senator Wilhelmi. Senator Wilhelmi. Out of the record. House Bill 5696. Senator Delgado. Senator Delgado. Out of the record. Senator Murphy, for what purpose do you seek recognition, sir?

SENATOR MURPHY:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Please state your point.

SENATOR MURPHY:

Today is my son Kevin's ninth birthday. And as everybody can see, we're -- we're kind of working, so I didn't have the opportunity to go home and see him. But he and the rest of the family are watching today, right now, so I just wanted to wish my son, Kevin, a happy birthday. Sorry I couldn't be with you, buddy. And if everybody here could wish Kevin a happy birthday, I'd appreciate it. Happy birthday, Kev!

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Happy birthday, Kevin. Make sure you get a good present out of him for being here. On page 37 of your printed Calendar, with leave of the Body, we will now proceed to Secretary's Desk for Concurrence, Senate Bills. Senate Bill 1702. Senator Dillard. Senator Dillard, do you wish to proceed? Madam

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Secretary, please read the bill.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1702.

Filed by Senator Dillard.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill, as it was amended in the House of Representatives, is an initiative of the Illinois Attorney General's Office. And the bad news is, it's a fee increase. The good news is, the fee increase is on sex offenders. And what we do is we raise the fee on a person's first-time registration and subsequent registrations under the Sex Offender Registration Act. The money goes to a variety of places. It would raise, as we're looking at our estimate, an extra couple of million dollars to keep up with the ever-growing computer and technological needs of registering these sex offenders. And obviously the sex offenders don't have a lobby down here, so I'm not aware of any opposition. But I do want to let you know it's a fee increase, but it's a fee increase on sex offenders. And I'd be happy to answer any questions, Mr. President.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Is there any discussion? Senator Dillard, do you wish to close? The question is, shall the Senate concur in House Amendment 1 to Senate Bill 1702. All those in favor, vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have

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all voted who wish? Madam Secretary, please take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. Senate Bill 1702, having received the required constitutional majority -- does hereby concur in House Amendment No. 1 to Senate Bill 1702. And the bill is declared passed. We will now proceed to the Order of Supplemental Calendar No. 2. Supplemental Calendar No. 2 has been printed and distributed. The top of Supplemental Calendar No. 2, House Bills 2nd Reading. House Bill 4182. Senator Link.

SECRETARY ROCK:

House Bill 4182.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Link.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Link. Senator Link.

SENATOR LINK:

Thank you. This amendment, it's clarifying -- or clearing up the final things on the video poker bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

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SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

...Reading. On the Order of Secretary's Desk, Resolutions, Senate Resolution 817. Senator Jacobs. Senator Jacobs wishes to proceed. Madam Secretary, please read the resolution.

SECRETARY ROCK:

Senate Resolution 817, offered by Senator Jacobs.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Jacobs.

SENATOR JACOBS:

Thank you, my friends. We are designating Saturday, May 8th, as Taylor Swift Day in Illinois. Taylor is going to be in the Quad Cities and we're going to present her with this -- this kind resolution. I appreciate your support.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

There any discussion? Is there any discussion? There are so many lights going, we may need to move the previous question. Senator Raoul.

SENATOR RAOUL:

Question for the Chair. Will this -- will this involve any State expenditure?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Thank you for your inquiry. According to the legal advice I've just received, it would not. Senator Raoul.

SENATOR RAOUL:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Sponsor indicates he'll yield.

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SENATOR RAOUL:

Senator Jacobs, have you made certain that you've got invitations to extend to all the Members of the General Assembly to join you with Taylor on Saturday?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Jacobs.

SENATOR JACOBS:

Absolutely, Senator. I'll make sure they have a staff photographer there and I'll make sure you all get a signed copy. Well, it might be my signature, but...

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Raoul.

SENATOR RAOUL:

To the -- to the resolution, Mr. President. I -- I just wanted to make certain an invitation was extended to me so I can watch over Senator Jacobs so -- make sure he behaves appropriately when Taylor visits our great State.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SENATOR MALONEY:

Thank you, Mr. President. I -- I'm real serious. Who -- who is Taylor Swift?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Maloney, is that a rhetorical question? Is there -- are you expecting an answer from the sponsor? Sponsor indicates he'll yield. Senator Jacobs.

SENATOR JACOBS:

Taylor Swiss -- Swift is Artist of the Year of Billboard

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Magazine and has sold over ten million albums and she has won sixty-two of the ninety-five -- ninety-four major awards. The only major award she hasn't been presented with is the one that you're about to bestow upon her.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SENATOR HUNTER:

Mr. President, I request a roll call.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

That request is in order, Senator Hunter. Further discussion? Senator Emil Jones.

SENATOR E. JONES:

Will the sponsor -- yield, Mr. President?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Sponsor indicates he'll yield.

SENATOR E. JONES:

Is there a age limit and have you passed it, Senator?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Jacobs.

SENATOR JACOBS:

Well, I did note as a father, I will be bringing my child, along with my three nieces. But she is kind of a attractive young lady.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any further discussion? Any further discussion?
Senator Jacobs, do I dare ask, do you wish to close?

SENATOR JACOBS:

I -- I would just say that, you know, she's a very well-

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mannered role model. I think it is an important honor for her. It's an important honor for our kids to -- for someone to look up {sic} and I appreciate your support.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The question is, shall Senate Resolution -- 817 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 50 voting Aye, none voting Nay, none voting Present. Senate Resolution 817, having received the required constitutional majority, is hereby declared passed. House Joint Resolution 84. Senator Rutherford. Senator Rutherford wishes to proceed. Madam Secretary, please read the resolution.

SECRETARY ROCK:

House Joint Resolution 84, offered by Senator Rutherford.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Rutherford.

SENATOR RUTHERFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The -- the State College Housing Construction Act requires that the Illinois General Assembly provide prior approval for any new housing projects at universities unless those that may have been destroyed by tornado or act of God. At Illinois State University, they are going to be decommissioning four universities {sic} by 2013. This resolution would allow them to proceed in looking into and having their Board of Trustees look at possibly replacing the housing.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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Is there any discussion? Is there any discussion? Senator Rutherford, do you wish to close? House Joint Resolution 84 requires the expenditure of State funds, therefore a roll call vote is in order. The question is, shall House Joint Resolution 84 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. House Joint Resolution 84, having received the required constitutional majority, is hereby declared passed. Proceed to the Order of Secretary's Desk, Concurrence. Senate Bill 82. Senator Wilhelmi. Gentleman wishes to proceed. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 82.

Filed by Senator Wilhelmi.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Wilhelmi.

SENATOR WILHELMI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Amendment No. 1 shells the bill and House Amendment No. 2 allows county recorders to charge fees for non-certified copies of records up to one-half of the amount that they are allowed to charge for certified copies. This language was in Senate Bill 3749, which passed this Body on March 18th with 47 votes. The House amended the bill to create three exemptions: one for copies in bulk, two for copies under a contractual relationship, and, three, copies by means of

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Internet access. There's a -- a little confusion amongst various State's Attorneys in -- throughout the State as it relates to FOIA and whether recorders can charge a fee, a copying fee, when a constituent comes in and asks for a copy of a document in the recorder's office. This clarifies that. County recorders all over the State, Ladies and Gentlemen, are charging whatever they want today. They're charging whatever fee they want for non-certified copies today. There's a slight confusion in a couple counties. This clarifies that confusion and it also limits the amount that they can charge up to one-half of the certified fee -- or the fee for the certified copy. So this is a very commonsense bill. It allows recorders to do what they're doing now and -- and removes any confusion and provides clarification. I ask for your support.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Is there any discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you. A question for the sponsor.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Sponsor indicates he'll yield. Senator Lauzen.

SENATOR LAUZEN:

Senator, I -- I received this afternoon an e-mail from someone back home who was very alarmed about either this bill or an amendment to this bill, where this -- this constituent claimed that this would allow clerks to charge up to -- is it twenty-five dollars per page in what would cost, you know, a quarter normally, or a nickel, you know, as far as the paper itself. Can you help me with some evidence or proof that I

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could, you know, vote with confidence that that's not the case?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Wilhelmi.

SENATOR WILHELMI:

Senator Lauzen, it's my understanding that there's a range of copying fees that are used throughout the State by various recorders. I've not heard twenty-five dollars a page, though. What this will do is it'll cap the amount recorders can charge for a non-certified copy and it caps it at one-half of the amount that they currently charge for a certified copy. The standard charge that I understand for a certified copy or what is -- is one charge that's being used is a dollar per page. So, if we use a dollar per page, one-half of that is fifty cents per page. That would be the maximum that they would be allowed to charge. Now these recorders are elected officials and they have the discretion to charge whatever they want and many of them charge twenty-five cents a page, I believe, for it right now for non-certified copies. But under this -- under the status quo, as it is today without this bill, recorders are allowed to charge anything they want for non-certified copies. This caps that at one-half of what they charge for certified copies. So I hope I've answered your question and I think this is a good measure and I ask for your support.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SENATOR BURZYNSKI:

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

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PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator indicates that he'll yield. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Senator, I -- I understand that this will cap what they can charge, and if they're currently not capped, they can charge anything they want to. Then why is the bill here, again?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Wilhelmi.

SENATOR WILHELMI:

There is confusion in at least one county that I know of, and that's my county, where there's been an opinion issued, stating that under the FOIA law we passed last year, recorders are not allowed to charge for the first fifty pages of the document. This will clarify that, yes, a recorder of deeds is allowed to charge up to one-half of the certified -- the fee for certified copies. And so it -- it -- it -- it basically answers the question of whether recorders can continue to charge for non-certified copies and the -- through this bill, FOIA will not be an impediment to recorders charging a reasonable fee, which is at the most one-half of what they charge for certified copies, and that FOIA will not prohibit that charge.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you for the explanation, Senator. Do you know of any counties now that are charging over half of what they could for a registered document?

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Senator Wilhelmi.

SENATOR WILHELMI:

No, I -- no, I don't, Senator.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. To the bill: I -- I understand that there's the situation in -- in the Senator's county where there's some uncertainty and I think that perhaps it could have been addressed possibly by clarification of the FOIA law rather than establishing a fee for county clerks. You know, we all know that county clerks are supposed to -- or recorders, excuse me. My county, we have a clerk and recorder - in most of my counties - so, anyway, one person. But we all know that county recorders are elected locally. They're -- you know, serve their constituents the same way we do. But we also know that with some of the pressures that are on them today, relative to raising income for their offices and operations or the county's general revenue fund, that many of them will go up to the maximum now, saying "this is what the law will allow, so we're going to charge it", whereas perhaps they're not charging that amount now. So I'm just raising that as a red flag and I intend to vote No. Thank you.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SENATOR WILHELMI:

Yes. Thank you, Mr. President. I want to make one last point. Recorders can charge anything they want. Clerks and

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recorders can charge anything they want right now today. This bill caps that at one-half of what they're charging for certified copies. I think it makes a lot of sense to put this into the statute, clarify the issue with FOIA. I ask for your support.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Question is, shall Senate Bill -- shall the Senate concur in Amendments No. 1 and 2 to Senate Bill 82. All those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 39 voting Aye, 15 voting Nay, 2 -- 2 voting Present. The Senate does concur in House Amendments No. 1 and 2 to Senate Bill 82. And having received the required constitutional majority, the bill is hereby declared passed. Senate Bill 642. Senator Haine. Senator Haine, do you wish to proceed? Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 8 to Senate Bill 642.

Filed by Senator Haine.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Haine.

SENATOR HAINE:

Thank you much -- thank you very much, Mr. President, Ladies and Gentlemen of the Senate. This, as you know, is the borrowing bill in the sense that it gives authority to our public universities to borrow money within the parameters, the strict -- and narrow parameters, established by the underlying

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Senate bill, which we worked on in the past two months. House Amendment 8 incorporates all of those narrow parameters and adds some additional requirements on our public universities that they must verify with the State Comptroller, concerning their total borrowing limit, prior to executing a promissory note or a line of credit. They must get the approval of the Governor's Office of Management and Budget and the four Legislative Leaders outlining the amount to be borrowed, the terms of repayment, the amount of outstanding vouchers, and the institution's plan for expenditure of all borrowed funds. And, of course, all of this must be preceded by a thorough examination by the board of trustees, which, in every case in Illinois, are men and women appointed by the Governor and confirmed by the Illinois Senate - men and women who have extensive civic histories and responsibilities. We all know, I believe, the crisis we face in our public universities. They are owed seven to nine hundred million dollars currently because of the collapse of the State and the national economy. Ladies and Gentlemen, it would be great harm to these universities to close. It would damage their reputations and their ability to attract students and faculty for many years to come. This gives them a tool. This gives them an option preferable to that closure. And I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Any discussion? Senator Murphy.

SENATOR MURPHY:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

To the bill.

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SENATOR MURPHY:

We see yet another example of the price that's paid for incompetence. You know, this crisis has been manufactured by gross mismanagement for years, perhaps not by Senator Haine alone. But here we are with a ticking time bomb yet again and what's the solution? Borrow more money. We have -- already owe more money per capita than any state in the nation. And here is another effort to farm out our debt. We don't want to take it out here and pay our bills, so we're going to farm it out to them. God knows how they're going to pay it back. If they're in these straits now, I don't know how they're going to pay this back and then they're going to come back to us yet again. The bottom line is we are in this position because we spend more money than we take in. Let me say that one one more time - see if it sinks in. We are in this position 'cause we spend more money than we take in. Borrowing more money is a Band-Aid. It's fool's gold. It's a mistake. Don't borrow on this bill. Don't borrow on any other bill. Let's face up to our responsibilities and tell the truth to the people about their money. Please vote No.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Any further discussion? Any further discussion? Senator Maloney.

SENATOR MALONEY:

Thank you, Mr. President. I just rise in support of this bill. I can tell you, with my conversations and exposure to the presidents of the State universities, this is something they don't want to do. But the times and the history, recent history, and the lack of support of higher education - that part

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is true - necessitates this bill. So if we -- we have conscientious presidents of our universities. They conscientiously want to provide a -- a -- a quality education for our young people, and to do this effectively, they have to have this -- this power. And so I commend the sponsor for his forward-looking leadership in this respect and urge an Aye vote.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SENATOR LAUZEN:

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

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Indicates he'll yield.

SENATOR LAUZEN:

Thank you. Senator, this does seem like a well-intentioned fiscal contortion. My question is, why don't we just pay our bills to the universities, as opposed to -- or as an alternative to this legislation? Why don't we just pay our bills?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Haine.

SENATOR HAINE:

I believe that we should.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Lauzen. Further discussion? Is there any further discussion? Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President, Members of the Senate. You know, the K through 12 already is able to do this, borrow money on -- on money that's maybe going to -- that's -- that's coming in.

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This is a bill that should probably be on the Governor's Desk already, but it was kind of messed around. Games were played over in the House. You know, certainly it's not the universities' fault that we put them in this situation and I would just recommend, on both sides of the aisle, a -- a Yes vote.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SENATOR HAINE:

Mr. President, Ladies and Gentlemen of the Senate, I appreciate all the comments and especially the last one. The -- this is a -- a bill that was crafted prudently by a conservative administration at SIUE and SIUC, the presidency of Glenn Poshard. Senator Jones further narrowed -- Senator John O. Jones further narrowed the scope of the bill in a fiscally prudent manner. And these are extraordinary times and this is an extraordinary remedy that we all take reluctantly, and I know the universities do. But we should listen to them and give them this option. And I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The question is, shall the Senate concur in House Amendment No. 8 to Senate Bill 642. All those in favor, vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 43 voting Aye, 11 voting Nay, 1 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment No. 8 to Senate Bill 642, and the bill is

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declared passed. Supplemental Calendar No. 2, Secretary's Desk, Concurrence, Senate Bill... Senator Haine.

SENATOR HAINE:

I -- I rise on a point of personal privilege just to let my great and esteemed friend, Senator Murphy, know that I'm not familiar with ticking time bombs. I am familiar, however, with how to set up a claymore mine. Thank you.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Thank you. The Order of Secretary's Desk, Concurrence, Senate Bill 2487. There's a sponsor change - Senator Harmon. Senator Harmon wishes to proceed. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment 1 to Senate Bill 2487.

Filed by Senator Harmon.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Amendment No. 1 to Senate Bill 2487 transfers the power and responsibilities for the Grow Your Own Teacher's program from the Illinois State Board of Education to the Illinois Board of Higher Education. The Board of Higher Ed is simply better equipped to make the determination of which consortia are qualified to determine who can fill hard-to-staff teaching positions at a hard-to-staff school and which consortia should receive State grants to fulfill the goals of the program. So I ask you to join me in supporting the motion to concur.

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PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Is there any discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. To the bill: I just simply rise in support of the Senator's motion. I think this is the correct and right way for us to go. Thank you.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Any further discussion? Any further discussion? Senator Harmon, do you wish to close? The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 2487. All those in favor, vote Aye. Opposed, Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 2487, and the bill is declared passed. Senate Bill 2523. Senate Majority Leader Clayborne. Majority Leader Clayborne wishes to proceed. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 2523.

Filed by Senator Clayborne.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Majority Leader Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President. This just makes two -- two changes. One just clarifies that if there is eminent domain, it

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-- the Eminent Domain Act controls, as well as it eliminated a commission.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SENATOR CLAYBORNE:

I just ask for your favorable vote.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Burzynski, I'm sorry.

SENATOR BURZYNSKI:

Let me apologize. I was a little late to the switch, Mr. President. We're on the concurrence right now, correct?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Correct.

SENATOR BURZYNSKI:

Okay. Thank you -- thank you very much. Just a couple of questions, if the sponsor would yield.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Sponsor indicates he'll yield. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Senator, one of the things that we talked about in committee and there seems to be a little bit of a -- of a disagreement on what would happen if there was a default on the bond. Could you tell us what that answer might be or what you believe that answer would be?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Clayborne.

SENATOR CLAYBORNE:

That -- obviously, the -- the bond document controls the

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ultimate -- the ultimate effect of the project -- or the financing of the project. But, typically, this is revenue that goes to the developer to recoup some of his or her cost. So I assume that there wouldn't be a reason, unless the city just wanted to back the bonds, why the city would back the bonds. So it would be -- in -- in most situations, I think it would be prudent that the developer would be on the hook.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any further discussion? Is there any further discussion? Senator Clayborne, you wish to close? The question is, shall the Senate concur in House Amendments No. 1 {sic} to Senate Bill 2523. All those in favor, vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 38 voting Aye, 16 voting Nay, 1 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments 1 and 2 to Senate Bill 2523, and the bill is declared passed. Senate Bill 2660. Senator Clayborne. Senator Clayborne wishes to proceed. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 2660.

Filed by Senator Clayborne.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you -- thank you, Mr. Chairman -- Mr. President.

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This limits the bill to contracts entered into between 2011 and 2012. It also changes what is included in the definition of contract cost. It also prevents the impairment of contract values if the State issues an order prohibiting utilities from selling natural gas. And it deletes both a non-impairment clause and a related bonding authority.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Is there any discussion? Senator John Jones.

SENATOR J. JONES:

Thank you, Mr. President. I just rise in strong support of the -- of the legislation. I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any further discussion? Any further discussion? Senator Clayborne, do you wish to close? The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 2660. All those in favor, vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 2660, and the bill is declared passed. The Chair wishes to acknowledge the presence of and welcome the Speaker of the House, Speaker Mike Madigan. Welcome to the Illinois Senate. We'll now continue on Supplemental Calendar No. 2, the Order of Secretary's Desk, Concurrence. Senate Bill 3089. Senator Raoul. Senator Raoul wishes to proceed. Madam Secretary, please read the motion.

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SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 3089.

Filed by Senator Raoul.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Raoul.

SENATOR RAOUL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Amendment No. 1 to Senate Bill 3089 does what many people have said they want to do within our great State and that is to save jobs and create jobs. It does so by allowing Navistar to use the EDGE tax credit as a credit against their withholding requirement, as opposed to their income tax liability. Navistar is one of the world's largest manufacturers of trucks, buses, and diesel engines, and intends to consolidate its research and engineering operations within its international headquarters at a facility in Lisle, Illinois. In the process, Navistar will create four hundred new head-of-household jobs in the State. And because Navistar chose to remain in the -- in the State despite less costly options in other states, it will also retain two thousand additional jobs in the State and will make at least seventy-five million dollars in capital improvements in its -- to its facilities. So I urge your support of this bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Is there any discussion? Senator Pankau.

SENATOR PANKAU:

Thank you, Mr. President. To the bill: I urge an Aye vote

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on this. The facility that Navistar is going to be moving into sits right next to an autism school called Giant Steps and there has -- has been a fight between them because it wasn't going to help the school with all the noise and everything that the facility was going to be generating. To Navistar's credit, they have worked it out with the school. They are not moving all of their facilities there, which is wonderful. And -- so I urge an Aye vote to this. It's -- it's an example of cooperation.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SENATOR VIVERITO:

I just wanted, Mr. President, to say that this is exactly the same thing we did a while back with the Ford Motor Company with EDGE and gave that same type of advantage to them and they ended up putting eight hundred employees to work and a twenty-four-hour shift. I commend the sponsor of this bill. He's done a great job.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SENATOR LAUZEN:

Thank you, Mr. President. I would just like to thank the sponsor for his work on this and I'd like to thank Navistar for providing employment in the State of Illinois. There is a lady named Joan Dupre, who lives in Naperville, Illinois. She's married to her husband, Dan, of many years. They have many children. Back about eighteen years ago, she organized a whole bunch of moms, helped me get elected, but I noticed how -- what

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a wonderful mother she was of her many children. As her children have now grown up, several of them have entered the United States Armed Forces as either U.S. Marines or U.S. Army. And I -- I received a telephone call not too long ago that one of -- one of these -- one of the little boys who grew up and joined the United States Marines was over in Afghanistan in a Navistar MRAP vehicle and that vehicle that is -- that is built in the Lisle-Naperville area went over one of these land mines and thank God for the good work that was done. He -- he says that the design and manufacture of that mobile unit, that armored mobile unit, with a different design that -- that comes to a point where it disperses the explosion, he says that that saved his life. He came out. His fellow soldiers spilled out of the vehicle, stunned, injuries, but still lived through it. And so they do good work, Senator. And thank you for your help.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SENATOR RAOUL:

Thank you -- thank you to all my colleagues who spoke on this bill. I want to thank one of my colleagues who didn't have an opportunity to speak on this bill and who's a veteran himself and that's my seatmate, Senator Michael Noland, who worked hard on this bill. I urge your support.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 3089. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam

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Secretary, please take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 3089, and the bill is declared passed. We will -- continue Secretary's Desk, Concurrence. Senate Bill 3348. Senator Steans. Senator Steans wishes to proceed. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 3348.

Filed by Senator Steans.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Steans.

SENATOR STEANS:

Thank you, Mr. President, Members of the Senate. The House amendment to Senate Bill 3348 deletes all, becomes the bill. It's an agreed-to bill at this point. I don't know of any opposition. It amends the Liquor Control Act to create a new manufacturer's license for craft distillers, as -- defined as -- creating under five thousand -- manufacturing under five thousand gallons of spirits, and allows for these distillers to -- to -- excuse me, to sell on premise their own liquor.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Is there any discussion? Senator Steans, do you wish to close? Question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 3348. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On

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that question, there are 55 voting Aye, none voting Nay, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments 1 and 2 to Senate Bill 3348, and the bill is declared passed. Senate Bill 3460. Senator Harmon. Senator Harmon wishes to proceed. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 3460.

Filed by Senator Harmon.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Last year, in the capital bill, we appropriated about forty-five million dollars for early childhood facilities. In the implementation bill for the capital program, we included a - - a hundred percent match, which proved to be unworkable for most early childhood providers. The bill as it left the -- the Senate would have reduced that to a ten percent match, which is fairly conventional in the industry, but added further assurances that the facility be used for at least ten years for the initial purposes for early childhood education. The House worked out some language that we had discussed here, creating a -- a lien or letting the State hold title until the grant agreement is fulfilled. So I'm not aware of any opposition and I ask you to support my motion to concur in Amendments No. 1 and 2.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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Is there any discussion? Any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. To the bill, if I might.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

To the bill.

SENATOR RIGHTER:

Excuse me -- excuse me, to the gentleman's motion. I rise in support of the gentleman's motion. There is very little point in having a construction plan for entities if they can't come up with the match and you don't build anything in the end. So I want to thank Senator Harmon for his work and the work that was done in the House as well. I think this will make a program that is supposed to be doing some things for -- around the State actually get those things done. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any further discussion? Any further discussion? Senator Harmon, do you wish to close? The question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 3460. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 57 voting Aye, 1 voting Nay, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments No. 1 and 2 to Senate Bill 3460, and the bill is declared passed. Senate Bill 3638. Senator Link. Senator Link wishes to proceed. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their

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Amendments 1 and 2 to Senate Bill 3638.

Filed by Senator Link.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. This is probably considered the grandson of the seven percent caps, seeing that we've been here so long on this, but this is the seven percent cap. The maximum exemption for assessments for the year 2009 would be twenty thousand dollars; then sixteen thousand in 2010; twelve thousand, 2011. The amendment also would create the Taxpayer's Action Boards which would promote transparency in assessment process, conducted a -- conduct a study on the assessment process in the collar counties, also with Cook County. The bill extends the Returning Veterans' Homestead Exemption for one year to two years. The bill also lowers the disability amount for Disabled Veterans Standard Homestead Exemption from seventy-five percent for disabled to seventy percent disabled. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Any discussion? Senator Pankau.

SENATOR PANKAU:

Thank you, Mr. President. I'm going to be voting No on this. I remember when this was put in place and it allowed counties to opt-in, and I believe the only county that ever opted into it was Cook County. And it was put in place at a time when you had a lot of neighborhoods that -- in the suburbs, we called it redevelopment. In the City, they called it re-gentrification. So you had these areas that had been a very

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low-assessed area, but now these huge McMansions were being built there and the assessments were rising like crazy. And so in essence this was a cap on the rise of the assessment so that it would be level across the years. And in that market and in that time, I voted for it. It was a good idea. We've had a couple sunsets on it and it is coming up again for a sunset. But this isn't that kind of market anymore. In fact, people plead with the assessor, please buy my house for what you're assessing at -- it at. This no longer is the kind of market where you have re-gentrification, where you have assessments continually rising. It's time to make a change. I urge a -- a No vote. Let this go away and then we can look at the current situation the way it is right now, which you have low, low market rates and your assessments no longer reflect what the market rate actually is out there. I urge a No vote.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any further discussion? Any further discussion? Senator -- Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Just to the bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

...bill.

SENATOR LAUZEN:

You know, after a levy is set, it stays the same, which then makes the property tax bill a zero-sum amount. So the most fortunate, whose property has appreciated more than the seven percent, get their assessment capped and then the property taxes are paid or subsidized by less fortunate folks, whose appreciation has not gone up so much. So this really is like a

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reverse Robin Hood and I just -- I recommend a No vote.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SENATOR MURPHY:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Sponsor indicates he'll yield. Senator Murphy.

SENATOR MURPHY:

Senator, I recall a couple years back when this was -- maybe it'd be the father. I hear you call this the grandson, maybe this was the father version of this bill. You started out trying to have a sixty-thousand-dollar per year cap in place. Well, we whittled it to forty, but we started at sixty, I think. Why is this bill -- why does this bill have such a small exemption and a continuously declining exemption from a sponsor that I believe understands that we need a larger exemption?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Link.

SENATOR LINK:

Thank you, Senator Murphy, for that question. Right now, it's at six thousand, it would be declined to. So we're basically raising it to twenty thousand, and what you're doing is -- eventually this will go away - the seven percent. But what we're trying to do is have it at a -- a slower decrease than what it was and what we have now, because if we were to let it go now -- as I'm sure you're seeing in your area, this spike in the tax bills. So what we're trying to do is get a gradual decrease in the tax bills. So that's why it is. But what we

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need is what we did with the reform package that we were looking at, is complete property tax reform, and that's what -- I hope you will be along there with me when we do that.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Murphy.

SENATOR MURPHY:

To the bill: And, Senator Link, you're right; we are seeing increasing bills as this exemption shrinks. Despite the fact that the value of our homes is going down, the bill is going up; the exemption is getting smaller. I intend to vote for this bill and I encourage a Yes vote for this bill because we need as much exemption as we can get. But this is not good enough. Anybody in our area in the suburbs who thinks that this is going to keep their bill from going up, let me disabuse you of that notion right now. Anybody who thinks this is going to be real property tax relief in terms of your bill going down, it's not - another Band-Aid. This is a Band-Aid, another one of these ticking time bombs that's been created. There's some recurring themes here. This one has got to be dealt with soon. This bill is worthy of support right now, but this is not enough property tax relief. But I urge an Aye vote and I commend Senator Link for his sponsorship of this bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SENATOR RAOUL:

Thank you, Mr. President. Briefly, to the bill: If this...

PRESIDING OFFICER: (SENATOR SCHOENBERG)

To the motion.

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SENATOR RAOUL:

To the motion. If this is a ticking time bomb, this is a ticking time bomb that I want in some of the gentrifying communities within my lakefront district. I want to commend Senator Link for his work on this, 'cause there are some homeowners within the City of Chicago that need whatever relief they can get access to and the extension of this cap is something that is well needed in many of the neighborhoods that I represent. So I -- and -- and with regards to the counties that haven't opted in, so be it. It's an option. Opt out. But with regards to the communities I represent, we opted in. And I urge your support of this tax -- property tax relief bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Thank you. Is there any further discussion? Any further discussion? Senator Link, do you wish to close?

SENATOR LINK:

Thank you, Mr. President. Thank you for the questions. There's probably a lot of truth in all these questions because - - first of all, I'd like to see all one hundred and two counties opt into this. I said that the first time we initiated this bill. I said it when we renewed it the last time. I'm saying it this time when we renew it. I think all the counties should look at it. That's why I asked when we were doing the study in this that we would include the six largest counties in this study. That I think we should talk to all these county boards to make sure they opt in to the seven percent cap so that the counties could take advantage of this. The other thing is, we do need true property tax reform. But it's going to take the courage of all fifty-nine Members in this Body to make property

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tax reform and make it real. And if -- my colleague over there says Band-Aid approach. Well, if you don't want a Band-Aid and you want to stop the tourniquet and you want to stop the bleeding, we have to do property tax reform and it's going to take a lot of courage. But this is the thing that needs to be done now to stop the bleeding, to make sure people's taxes don't continuously go up. I encourage all green votes on this.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 3638. All those in favor, vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 54 voting Aye, 4 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment No. 1 and 2 to Senate Bill 3638, and the bill is declared passed. Senator Lauzen, for what purpose do you seek recognition, sir?

SENATOR LAUZEN:

Thank you, Mr. President. On Senate Bill 3460, I'd like the record to reflect my intention to vote No.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Record will so reflect. On the Order of Secretary's Desk, Concurrence, Senate Bills, Senate Bill 3659. Senator Hutchinson. Senator Hutchinson wishes to proceed. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 3659.

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Filed by Senator Hutchinson.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Hutchinson.

SENATOR HUTCHINSON:

Thank you, Mr. President and Members of the Senate. House -- or, I'm sorry, Senate Bill 3659 is -- creates the Public Private Partnership Agreement {sic} (Agreements) for the Illiana Expressway Act. It allows the Illinois Department of Transportation, as a pilot program, to enter into a public-private partnership with a private entity to construct, finance, and operate the Illiana Expressway as a toll road connect {sic} Interstate 55 in Illinois with Interstate 65 in Indiana. Indiana has already authorized legislation earlier this year to construct the Expressway by using public-private partnership agreements. This project will cost nearly one billion to construct, produce approximately forty-seven thousand five hundred jobs, relieve existing traffic delays, increase traffic safety, and promote regional commerce and development. And I would humbly ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

There any discussion? Is there any discussion? Senator Righter.

SENATOR RIGHTER:

...you -- thank you, Mr. President. Will the sponsor yield, please?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Sponsor indicates she will yield.

SENATOR RIGHTER:

Thank -- thank you. Senator Hutchinson, I plan to support

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your motion. I have a question that's come up since our Executive Committee hearing. The bill indicates that the Illiana Expressway Proceeds Fund will be created, but it's not clear exactly what the purpose of that fund is. Can you help me out there?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Hutchinson.

SENATOR HUTCHINSON:

Thank you, Senator Righter. That bill {sic}, it was up to the General Assembly to appropriate as we see fit.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Also, one other - excuse me, Mr. President, thank you - question. There is language in the bill about an advisor being retained for the project. How will that advisor be selected? I mean, through the normal procurement process? What -- is that your understanding?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Hutchinson.

SENATOR HUTCHINSON:

Yes. My understanding is that'll go through our normal procurement process.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Righter. Any further discussion? Any further discussion? Senator Risinger.

SENATOR RISINGER:

Thank you, Mr. President, Members of the Body. I rise in support of the motion. I think this is a very important

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project, a very expensive project, one that will serve the citizens of Illinois well. If you've ever made that trip around the lake and been jammed up for a long period of time, you'll know how important this is to the State of Illinois and -- and to the traveling public and for the commerce. But there's been a lot of work put into this bill to make sure that we have everything that will be in cooperation with the State of Indiana. And I certainly hope that we can get all green votes on this bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SENATOR DILLARD:

Thank you, Mr. President. I rise in strong support of the woman's motion to concur here. You know, the Illiana Expressway was in Daniel Burnham's original plan for Chicago, nearly one hundred years ago. And we often talk on this Floor about how well Indiana is doing compared to us. And, obviously, the Indiana Governor, Mitch Daniels, is for this. But this is a -- a great plan. And its footprint not only helps spur economic development, puts labor and construction people to work in Senator Hutchinson and Senator Wilhelmi's district, but it improves the lives and the safety and the commerce of roads all throughout the northern portion of Illinois. This is a major, needed component of our economic renewal in Illinois. And I want to thank Senator Hutchinson, Senator Wilhelmi, and Senator Risinger for their help with this. But this is just something that Daniel Burnham would have said we should have done a hundred years ago. And I urge an Aye vote.

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PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any further discussion? Senator Wilhelmi.

SENATOR WILHELMI:

Thank you, Mr. President. I, too, rise in strong support of Senator Hutchinson's motion. I think that everyone in the -- in the Chamber should know the effort that Senator Hutchinson put into this bill. This is a truly significant project between Indiana and Illinois and I commend you, Senator. This is going to create jobs. This is going to relieve congestion. This is going to make sure that we have another east-west highway right in -- into your district and just south of mine. When we talk about thinking outside the box, when we talk about being creative and innovative, this is a prime example of that and it's also a great example of a freshman Senator coming into this Body and making her mark with an incredibly important bill. Congratulations, Senator.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SENATOR DAHL:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The motion.

SENATOR DAHL:

Thank you. I -- I, too, applaud the Senator for this bill. I'm -- I'm disappointed that the original bill that I signed on with, with Senator Frerichs, didn't go any place and this got replaced with it, but it's -- I'm still going to leave my name on it 'cause it is a good bill. You know, we're -- we -- this

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Body should have done this thirty years ago. And -- and thirty years ago, had this happened, we would have seen the south side of Chicago and Kankakee County developed hugely and -- and maybe we wouldn't be in this economic distress we're in today and we'd have been competitive with Indiana. So this is a -- an easy Aye vote. I encourage everybody to get on board.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SENATOR HUTCHINSON:

Thank you, Mr. President. I -- I really just wanted to say that, understanding the fiscal crisis that we're facing right now, we don't have very much to celebrate. But the fact that we got two states to pass enabling legislation at nearly the same time in two almost simultaneous legislative cycles, creating a bipartisan, bistate agreement for a public private partnership that creates a road that does not exist today is something we can celebrate. So I'm honored to be able to carry this legislation and I would gratefully, gratefully like to see every green light up on that board. Thank you and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 3659. All those in favor, vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments 1 and 2 to Senate

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Bill 3659, and the bill is declared passed. Senate Bill 3683. Senator Holmes. Out of the record. Senate Bill 3716. Senator Frerichs. Senator Frerichs wishes to proceed. Madam Secretary, please read the motion. The Senate will stand at ease -- for a few moments to take care of some paperwork. The Senate will stand at -- at ease. Don't go far. (At ease) The Senate will come to order. On the Order of Concurrence, Senate Bills, Senate Bill 3716. Senator Frerichs wishes to proceed. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 3716.

Filed by Senator Frerichs.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Frerichs.

SENATOR FRERICHS:

Thank you very much, Mr. President. This is a bill dealing with Global Positioning Systems in commercial trucks. There was a lot of debate on this bill when it came through the first time. The two amendments from the House - one removes a provision stating that staff support services may be provided by legislative staff. That was a requirement of the House. And the other adds a member of the task force who shall represent the county engineers and be appointed by the Minority Leader of the House of Representatives. That was added to gain the support of the county engineers. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Is there any discussion? Senator

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Dahl.

SENATOR DAHL:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The motion.

SENATOR DAHL:

To the motion. You know, once again, I stand up in -- in opposition to this task force that's being put together. I feel it's a task force that's being put together for the benefit of a -- a company or -- or several companies in order for them to advance their technology at our expense. And my biggest fear with this thing is is that once the technology is perfected, that we're going to turn around and make this a mandate for all commercial vehicles. And when I say all commercial vehicles, I don't just mean my trucking company; I mean all commercial vehicles. And -- and it'll be a huge, huge expense. And -- and the technology is out there. If -- if the -- Rand McNally and the other companies want to develop this, I think they should develop it all at their own expense. The products are out there already. There are many, many, many different places around the country that they can show this product and get this product into the commercial vehicles today, if they so desired, without us doing this. I encourage a No vote.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any further discussion? Any further discussion?
Senator John Jones.

SENATOR J. JONES:

Thank you, Mr. President. To the motion.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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...motion.

SENATOR J. JONES:

I rise in support of the motion. You know, this is just a task force that we're forming here and it's not anything special for one individual company. There are five companies in -- in the United States that -- that make these GPS systems for trucking. In fact, Rand McNally has been accused of being the one that we're doing this for, but there's two companies that's even larger than they are. So I would just encourage people. This is a -- this is a task force that's going to be studied. We're not going to force anything down anybody's throats. And -- and I will be the first one to stand up and oppose shoving something down some trucking company's throats because I was in the trucking business for thirty-five years and I think it should be an option to the trucking companies. But I think it's a good thing for us to study this issue and see where we're at with it. And so I would encourage an Aye vote.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Any further discussion? Any further discussion? Senator Risinger.

SENATOR RISINGER:

Thank you, Mr. President. I stand in support of the motion. I think it's important that we take a look at the technology that's available. I think it's important that we make sure that we don't have trucks lost on local systems where they don't need to be and that we also have all the information available to us so that -- that we don't harm the system that's out there and cause us more cost than -- than necessary. Again, this is a -- a look at seeing where we can go, what's available,

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how's the best way to implement it, and I think that's much better than the original bill that -- that we had that would force the issue at that time. Hopefully, this'll give us a chance to do it right whenever the time comes to do it. So I stand in support.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SENATOR FRERICHS:

Thank you very much. I want to thank my colleagues who stand to speak in support of this bill and request a favorable vote.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Question is, shall the Senate concur in House Amendments No. 2 {sic} to Senate Bill 3716. All those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 48 voting Aye, none -- 10 voting Nay, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments No. 1 and 2 to Senate Bill 3716, and the bill is declared passed. The Senate will now stand at ease for a few minutes to allow the Committee on Assignments to meet. The members of the Committee on Assignments please come to the President's Anteroom immediately. The Senate will stand at ease.

(SENATE STANDS AT EASE/SENATE RECONVENES)

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PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SECRETARY ROCK:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to the Appropriations I Committee - Floor Amendment 3, Floor Amendment 4, Floor Amendment 5, Floor Amendment 6 and Floor Amendment 7 to House Bill 859; refer to the Criminal Law Committee - Motion to Concur with House Amendment 1 to Senate Bill 3084, Motion to Concur with House Amendment 1 and House Amendment 2 to Senate Bill 3180; refer to the Education Committee - Motion to Concur with House Amendment 1 to Senate Bill 3610, Motion to Concur with House Amendment 1 and House Amendment 2 to Senate Bill 3681 and Floor Amendment 1 to House Bill 4711; refer to the Executive Committee - Motion to Concur with House Amendment 1 and House Amendment 3 to Senate Bill 1526, Motion to Concur with House Amendment 1 to Senate Bill 3655, Motion to Concur with House Amendment 1 to Senate Bill 3702, Motion to Concur with House Amendment 1 to Senate Joint Resolution 72, Floor Amendment 2 and Floor Amendment 3 to House Bill 4976; and Be Approved for Consideration - Floor Amendment 2 to House Bill 6195.

Signed by Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Chair wishes to announce that the amendments and motions that were featured in the most recent Assignments Report -- at 8:45 p.m., in Room 400, the Appropriations I Committee will meet. Appropriations I room switched to Room 400 at 8:45.

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Executive will meet at 8:45 this evening in Room 212. Executive, in 212, at 8:45. Tomorrow morning, Friday, at 8 a.m. the -- the Education Committee will meet in Room 409. Room 409 in -- the Education Committee. And at 8:15 a.m. tomorrow, Friday, the Criminal Law Committee will meet in Room 212. We will now proceed to the Order of House Bills 3rd Reading, page 30 of your printed Calendar, with leave of the Body. There's a change in the sponsorship of House Bill 80. The sponsor -- the chief sponsor is now Senator John Sullivan. Senator Sullivan wishes to proceed. Madam Secretary -- Senator Sullivan seeks leave of the Body to return House Bill 80 to the Order of 2nd Reading. Seeing no objection, leave is granted. On the Order of 2nd Reading is House Bill 80. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 4, offered by Senator Sullivan.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator -- Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Mr. President. The amendment becomes the bill. I'll be happy to discuss it on 3rd.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SECRETARY ROCK:

No further amendments reported.

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PRESIDING OFFICER: (SENATOR SCHOENBERG)

Now on the Order of 3rd Reading, House Bill 80. Senator Sullivan wishes to proceed. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 80.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Mr. President, Members of the Senate. House Bill 80, with the amendment, has been -- it's kind of an accumulation of work that's been going on over the last several months with regard to unfunded mandates in school districts. There was a blue-ribbon commission put together to look at all the different unfunded mandates to try to come up with a consensus of some mandates that could -- that there could be a waiver process to that would allow some financial relief to the school districts. And we've come up -- and we've come up with the following: The first one allows school districts to modify that a five percent biodiesel blend to be used in all vehicles owned or operated by the district can now be a two percent diesel blend. It also allows districts to increase the driver education fee from fifty dollars to two hundred and fifty dollars by a board resolution following a public hearing. And it also makes the regulatory definition of "general education classroom" would be -- that definition would be amended to not include students receiving speech-only services. And I'll be

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more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Is there any discussion? Senator Sullivan, do you wish to close? The question is, shall House Bill 80 pass. All those in favor, vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary -- Madam Secretary - Senator Garrett - please take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. House Bill 80, having received the required constitutional majority, is hereby declared passed. Senator Muñoz, for what purpose do you seek recognition?

SENATOR MUÑOZ:

Purpose of announcement.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Please state your point.

SENATOR MUÑOZ:

Mr. President, requesting a Democratic Caucus upon recess, immediately in the President's Office. Be advised, the caucus would last no longer than the time we'd need -- for about forty minutes prior -- our scheduled committees should still be on time - 8:45.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Thank you. The Democrats will caucus in the President's Office immediately upon recess, to last no longer than the scheduled beginning of the committees at 8:45. Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. We will caucus likewise for the

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same period of time.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The Senate Republicans will caucus as well for the same period of time. The Senate will now stand in recess till the call of the -- Senate will now stand in recess until the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

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

SECRETARY ROCK:

Senator Silverstein, Chairperson of the Committee on Executive, reports Senate Amendments 2 and 3 to House Bill 4976, Motion to Concur with House Amendment 1 to Senate Bill 3655, Motion to Concur with House Amendment 1 to Senate Bill 3702 and Motion to Concur with House Amendment 1 to Senate Joint Resolution 72, all recommended Do Adopt.

Senator Trotter, Chairperson of the Committee on Appropriations I, reports Senate Amendments 3, 6 and 7 to House Bill 859 recommended Do Adopt.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Madam Secretary, we have Messages from the House, please.

SECRETARY ROCK:

Message from the House by Mr. Mahoney, Clerk.

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

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

Senate Bill 28.

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

House Amendment 1, House Amendment 2 and House Amendment 4.

We have received like Messages on Senate Bill 326, with House Amendments 1, 2 and 3; Senate Bill 3576, with House Amendment 2.

They all passed the House, as amended, May 6, 2010. Mark Mahoney, Clerk of the House.

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

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

House Joint Resolution 111.

Offered by Senator Althoff, and adopted by the House, May 6, 2010.

We have a like Message on House Joint Resolution 121, offered by Senator Noland, and adopted by the House, May 6, 2010. Mark Mahoney, Clerk of the House.

They are substantive, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, could I have your attention, please? The Senate will stand at ease for a few moments. Okay. Can I have your attention, please? The Senate will stand at ease for a few moments to allow the Committee on Assignments to

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meet. I'd ask all the members on the Committee on Assignments to come to the President's Anteroom immediately. The Senate will stand at ease for just a few moments while the members on Committee on Assignments meet. So we'll be back in just a short moment. Thank you. The Senate will stand at ease.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

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

SECRETARY ROCK:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Be Approved for Consideration - Floor Amendment 8 to House Bill 859, Motion to Concur with House Amendment 1, House Amendment 2 and House Amendment 4 to Senate Bill 28.

Filed by Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR DeLEO)

Request for permission to videotape the proceedings, WICS-Television, here in Springfield, seeking leave. Seeing no objection, leave is granted. The Senate will come to order. Ladies and Gentlemen, Supplemental Calendar No. 3 has been printed and distributed. Should be on the Members' desks. I direct your attention to Secretary's date -- Secretary's Desk on the Order of Concurrence, Senate Bills. Senate Bill 28. Senator Cullerton. Senator John Cullerton, do you wish to proceed, sir? Out of the record. Senate Bill 3655. Senator Kotowski. Do you wish to proceed, sir? He indicates he wishes

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to proceed. Madam Secretary, read the gentleman's motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 3655.

Filed by Senator Kotowski.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR KOTOWSKI:

Yes, sir, I -- Mr. President, thank you. I move to concur on House Amendment No. 1 to Senate Bill 3655. Extends the research and development income tax -- tax credit through tax year 2010 and prevents the credit from being carried over.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

If the sponsor will yield, please, Mr. President?

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

Thank you. Senator Kotowski, in Executive Committee, I asked you about just the one-year extension, realizing the -- the reality of the fact that, if we're going to do serious R & D, many companies will -- want to invest in property and equipment and individuals and they'll be less likely to do that if there's an uncertainty every twelve months that the tax

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credit may disappear. I -- I don't think you had a good feel for why it was only one year in committee. I wonder if you've got any better feel for that now.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Kotowski.

SENATOR KOTOWSKI:

No, sir, my feelings have not changed since the committee. The -- the sense here is just that the bill be focused on the one-year period of time to -- to get the tax credit extended and to be able to leverage that with the -- the federal tax credit.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter. Senator Righter.

SENATOR RIGHTER:

Thank you. Thank you, Mr. President. So, Senator Kotowski, you don't know why it's longer -- not longer than one year?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Kotowski.

SENATOR KOTOWSKI:

Thank you, Senator Righter. The bill I have before us is focused on a one-year period of time and that's what we have.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any further discussion? Is there any further discussion? Seeing none, Ladies and Gentlemen, the question is, shall the Senate concur in Floor Amendment No. 1 to House Bill 3655. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 58 Ayes, 0 voting

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Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in -- in House Amendment No. 1 to Senate Bill 3655, and the bill is declared passed. We have two people seeking leave to videotape the proceedings. The Illinois Statehouse News requests permission to videotape. Seeing no objection, leave is granted. The Chicago Tribune is seeking permission to take still photos. Seeing no objection, leave is granted. Ladies and Gentlemen, I ask you at this time to go to your printed Calendars. We're going to your printed Calendars, to page 31. Page 31. In the middle of page 31 is House Bills 3rd Reading, is House Bill -- 859. Senator Trotter, do you wish to proceed, sir? He indicates he does. But, Senator Trotter, are you seeking leave of the Body to return this back to the Order of 2nd Reading, sir, for the purpose of amendment? Seeing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 859. All -- Madam Secretary, has there been any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Trotter.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Senator Trotter, to -- to the amendment, sir.

SENATOR TROTTER:

It's -- it's a technical amendment and I'd just like to go forward. It was a technical error. So...

PRESIDING OFFICER: (SENATOR DeLEO)

Discussion on the amendment, on Floor Amendment No. 2? Senator Syverson, are you -- for what purpose do you rise, sir?

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SENATOR SYVERSON:

Thank you, Mr. President. We would request a caucus immediately. Forty-five minutes. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay... Senator Syverson, could -- would -- you don't mind if the Chair rules on your request. Is that okay? Your -- your request is in order, sir. The Senate will stand at recess till the hour of 11 p.m. The Senate will stand in recess.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

Senate will come to order. Members please be at their desk. We're going to -- back to House Bills 3rd Reading. This is final action. I'd ask you to turn your printed Calendars to page 31. In the middle of page 31 is House Bill 859. The Secretary of the Senate informs me that the bill has already been returned to the Order of 2nd Reading for purposes of amendments. Senator Trotter, do you wish to proceed on the Order of 2nd Reading, House Bill 859, for the purpose of amendment, sir? He indicates he does. Madam Secretary, has there been any Floor -- amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Trotter.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Senator Trotter, to Floor Amendment No. 2, sir.

SENATOR TROTTER:

Thank you very much, Mr. President. Floor Amendment No. 2

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is a -- a technical amendment that was flawed and I would like to adopt it, but it is basically just a shell.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, the gentleman has requested the adoption of Floor Amendment No. 2. Senator Dillard, are you seeking recognition on Floor Amendment No. 2, sir? Senator Dillard.

SENATOR DILLARD:

...President, we'd like a recorded roll call on each of the amendments on House Bill 859. A recorded roll call on each of 'em.

PRESIDING OFFICER: (SENATOR DeLEO)

We'll take that request on each -- individual amendment. We're on Amendment No. 2. There's been a request for -- for a roll call. So the -- seeing no further discussion, all those in favor of adopting Floor Amendment No. 2 will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 33 Ayes, 22 Nays, 0 voting Present. Floor Amendment No. 2 is adopted. Has there been any further Floor amendments approved for consideration, Madam Secretary?

SECRETARY ROCK:

Floor Amendment 3, offered by Senator Trotter.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Trotter, to Amendment No. 3, sir.

SENATOR TROTTER:

Thank you very much, Mr. President. Amendment No. 3 essentially is the appropriation bill for FY'11. It makes appropriations to State agencies totaling fifty-seven billion

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dollars of which 26.1 billion General Revenue Fund is included for all operational expenses, awards and grants, and programs. GRF appropriations are made by the way of two separate lump sums to each agency: one for all operational expenses and the second lump sum for grants and programs, both which will provide the Executive Branch and agencies maximum flexibility to manage the allocations provided to them. The amendment includes an overall decrease of 176.8 million dollars in GRF appropriations, but it holds nearly all other agencies flat with FY'10 funding. The -- FA No. 3 -- Floor Amendment No. 3 funds other State funds and federal funds at the FY'11 introduced level, which increases to 1.9 billion and -- 356.4 million dollars, respectively. Included in this amendment, it also contains the capital appropriations necessary to continue the funding for the spring 2010 capital program. The amendment reappropriates capital assistant {sic} grants to the House Democrats, the House Republicans and the Senate Democratic Caucuses.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion on Amendment No. 3? Senator Murphy, are you seeking recognition on this amendment, sir?

SENATOR MURPHY:

I am, Mr. President. First, I would request a roll call on the amendment, and then I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

The gentleman has requested a -- a roll call on Floor Amendment No. 3. That order is in -- that request is in order. And what is your next point of personal...

SENATOR MURPHY:

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Question of the sponsor, please, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR MURPHY:

Leader Trotter, I have this budget, Amendment 3, right here in front of me. It's twenty-three hundred pages. Makes the new federal health care bill look like a novella. And my recollection from committee, which wasn't that long ago, was that you have not read this. Is that correct?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

...remember correctly, sir.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Murphy.

SENATOR MURPHY:

Thank you, Mr. President. It's May 6th. It's still May 6th. We've got twenty-five days. And as I said in -- in committee, you know, we all just got this. No one knows what's in it. Nobody possibly could. We've got twenty-five days till the adjournment deadline. We all talk about transparency, putting sunshine on government. We have no more important bill every year than the budget. What a statement it would be to put seven days of sunshine on this twenty-three hundred pages and pull this out of the record right now and let the people of the State inspect it, take the time to really see what's in it, see if we can win back some of the trust and respect that we've lost by allowing the people of this State to inspect this before we vote on it at 11:15 at night. And so my question right now, on

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this particular question, is would you consider allowing seven days of sunshine on this budget and pulling it out of the record right now?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

No, sir.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Murphy.

SENATOR MURPHY:

Why not?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

Contrary to what you may believe and -- and what I also know, I'm certain this bill has been read. It certainly has been printed and that there has been sunshine. What is in that bill is essentially no different than what has been in the -- the budget for FY'10. There are no new program changes that's going to be in there. We know we can't afford those. We're -- we're not earmarking dollars for things that we haven't paid for. As a matter of fact, there's a lot of things that we had not paid for in FY'10. You certainly can read that and -- and certainly if you want -- my staff has given me a synopsis. So -- and I trust that many of them have read the bills and various portions of it. And most of the legislation that we pass here, we do by reading the synopsis, otherwise we would never have time to take care of business if we had to read every single page of paper that came before us.

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PRESIDING OFFICER: (SENATOR DeLEO)

Senator Murphy.

SENATOR MURPHY:

Are there pay raises in here for State employees?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

Yes.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Murphy.

SENATOR MURPHY:

How much in this budget is for pay raises for State employees, in Amendment No. 3?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

Senator Murphy, I do not know the answer to that. I'm certain that if you hadn't looked it up just right now, you wouldn't know the answer to that. I'm sure we can nitpick through those twenty-three hundred pages and you're going to find a lot of questions I don't have answers to. But the point is, this is the budget as we're presenting it this evening which has 26.1 billion dollars for operations and -- and for grants and programs that are in there. I do not know every one of 'em. Didn't know it this year and didn't know every one last year. But I'm sure every one that's in there needs to be there, because it certainly is there to enhance the quality of life for the citizens we serve.

PRESIDING OFFICER: (SENATOR DeLEO)

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Senator Murphy.

SENATOR MURPHY:

I -- I guess that's the problem, is we should have the opportunity to go through it and make -- ask the questions. And we're being denied that opportunity - not just us, not just you, the press. On behalf of the people of this State, we ought to know what's in it before we vote on it. Now, you also referenced the reappropriation of capital projects for the House Democrat Caucus, the House Republican Caucus and the Senate Democrat Caucus. And my -- and -- and obviously there's one caucus missing in there and that would be ours. And my recollection from committee was that this was pulled out and we were expressly being asked to vote for ours, even though we've already voted for it once. Even though we participated in an agreement of the four Leaders, we're being asked to put -- to vote yet again on it, because some on your side of the aisle didn't appreciate some of our comments about borrowing. Do I have that correct?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

You have it half correct, sir. You're absolutely correct that the Senate Republicans have been taken out of the capital appropriations for the reappropriations for 2010. However, there is an amendment, Amendment No. 7, which will address that. So, when we get to Amendment No. 7, since we're having a roll call vote on each amendment, we -- I would like to discuss that further.

PRESIDING OFFICER: (SENATOR DeLEO)

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Senator Murphy.

SENATOR MURPHY:

I -- I guess the question is why was it taken out in this one in the first place, when everybody under this Dome had an agreement?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

Sir, I -- I don't know about everyone under this Dome having that agreement. What I've heard repeatedly, and many of my Members as well, and yours has repeatedly talked about throughout the year that there is a misspending of dollars, that we need to be more vigilant in how we spend our dollars and where we spend those dollars. Many of us on this side believe that our projects, our worthy projects, which -- and necessary projects which -- needs to be funded. And we've kept 'em there. The tone that many on your side, some of you on that side, have made, made us think differently. So you have an opportunity in Amendment 7 to reaffirm that those projects are important, otherwise the little dollars that we have, the meager dollars that we have, may be best served if we spend 'em in areas where we deem that there are still importance to those.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Murphy.

SENATOR MURPHY:

The structure of this, as best we've been told - and I presume you've been told, since I know you haven't read it either - is that there are lump-sum appropriations and we are going to entrust the Governor to manage these billions of tax

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dollars, just like we did for FY'10 when he managed to grow the deficit by 2.2 billion dollars 'cause he didn't cut a thing. What confidence and -- on what basis do you have the confidence to walk into the same buzz saw and give the same Governor unlimited -- nearly unlimited authority to spend this money and ask him to manage when he's proven utterly incapable of doing so?

PRESIDING OFFICER: (SENATOR DeLEO)

Before I recognize the sponsor of the bill, Senator Murphy, there's over a half-dozen people seeking recognition. If you could just capsulize a little better. We -- we're trying -- we're trying to refrain from using the timer this evening. So, if you could bring your remarks -- and then I could go to Senator Lauzen and he could follow up on some of these wonderful questions. Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President. Well, as all of us -- and as we look around here, there's fifty-nine opinions on what the Governor did and the job that he did last year with a -- a bad hand that he was dealt. Not only did he have a bad hand and a -- and a -- and exceptionally bad year, we were going on -- on a curve. We think this -- this Governor is capable not only to lead in 2011, but in 2012, 2013 and 2014. And we're giving him something we did not give him last year and that is management -- better management tools -- that is going to be another bill that's going to be forthcoming, in which is going to be the Emergency Budget Act. And in that Act, there are several components will make -- which will allow him to better manage the budgets that we have as we're still going through these

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really devastating economic times here in the State of Illinois.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Murphy.

SENATOR MURPHY:

The -- to the amendment, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator..

SENATOR MURPHY:

Leader Trotter, I appreciate your remarks, if not necessarily all the content. And let me count the ways of why this bill and this amendment ought to be resoundingly rejected. Nobody knows what's in it. Nobody knows what's in it. We're setting ourselves up to look ridiculous, 'cause nobody knows what's in it. We did the same thing last year and now we're supposed to trust Governor Quinn to just manage. We've been asking him what he cut. He hasn't told us once. He hasn't cut a thing. He's not going to cut anything. The definition of insanity is doing the same thing over and over again and expecting a different result. This is the definition of insanity. In addition, it's the embodiment of dishonor. The capital bill passed last year was an agreement by the four Leaders who represent all of us. Republican votes, eleven of 'em, were put on the funding stream - controversial funding stream - for the capital bill. The understanding was there would be appropriations in exchange for those votes. We kept up our side of the bargain. And in -- and in -- and in a move that smacks of Rod Blagojevich at -- at his worst, you're proposing in this amendment to go back on that deal. This is the worst of this place. It's beneath the dignity of this place. We're all

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better than this. I urge you to vote No.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Murphy. Senator Lauzen, are you seeking recognition? To the Floor amendment, sir.

SENATOR LAUZEN:

Yes, sir, Mr. President. Thank you very much.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lauzen, excuse me.

SENATOR LAUZEN:

To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

I got to -- I got to -- I have a -- a little housekeeping here to do. The Chicago Tribune is requesting permission to do still photos. Seeing no objection, leave is granted. Senator Lauzen, to the amendment, sir.

SENATOR LAUZEN:

...you -- thank you very much. To the amendment: I believe that there are three things on this specific amendment that should give us great concern. First of all, rushing the budget at this late hour is another contortion of fiscal irresponsibility. Number one was covered by Senator Murphy, that not only has the conscientious sponsor of this bill, but conscientious Members of this Senate have not read the bill. There's not a single person in this Chamber who has read this bill. This is the quality of the work that we are handing to 12.9 million people in Illinois, saying we are going to pass about thirty billion dollars of spending and not a single Senator has read this bill. So that's number one. Number two, each of us swears an oath to uphold our Constitution, and a

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provision in the Constitution is that each year we have to have a balanced budget. Now, there was some question about what the definition of a balanced budget was, so one of our staff members went to BusinessDictionary.com. The definition of balanced budget is, quote, "Government budget where current expenditures equal current revenues." During the testimony, we were told that in 2011, spending will be 33.9 billion dollars. Revenue will be approximately thirty-one billion dollars. Obviously, spending is more than revenue. It's out of budget. It doesn't fulfill our oath to uphold the Constitution. And then finally, number three, I don't think that there's anyone in this Chamber who hasn't been just hectoring by our constituents back home for raiding the pension funds. And yet that stack of papers, all twenty-three hundred pages, doesn't include an appropriation for the pensions. We have the worst unfunded liability of any pension plan in the United States of America and yet here we go again. So for those three reasons, I think it's another contortion of fiscal irresponsibility. I recommend a No vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Further discussion? Senator Bivins, you seeking recognition on this amendment, sir - on Floor Amendment No. 3, sir?

SENATOR BIVINS:

Yes, Mr. President, to the amendment.

PRESIDING OFFICER: (SENATOR DeLEO)

To the amendment, sir.

SENATOR BIVINS:

Thank you. I guess the problem I have is, when I first came down here in -- in -- two -- two springs ago, everybody

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asked me, "Well, you know, what was the biggest surprise to you?" Well, the biggest surprise was when we got handed a budget two hours before we were supposed to vote on it. I was - - I was quite stunned. My point of reference was my career - over thirty-two years in law enforcement in city and county government. And I was used to a process whereby we would have an open and transparent -- and everybody's invited to sit down, start in August, finish in November. Budget would be laid over for thirty days. I'm even more stunned tonight that we get handed this document that's sitting over there one hour before we're supposed to vote on it. You know, I -- and I know what a lot will say, "Well, gee, the Republicans did it in the past." I wasn't around here. I don't know if they did or they didn't. If they did, shame on them. Don't let tonight be shame on you. You know, I handled a budget and many of you in this room, I'm sure, did too. I handled one for twenty years. I did it successfully. The last three months before I retired that budget was heading for a deficit and the one thing I did was I slammed on the brakes. We froze spending. We froze hiring. We froze everything. And when I left office, we were under budget - not by much, couple thousand dollars. But instead I see the exact opposite going on in Springfield and it's frustrating to me. I know it's frustrating to everybody out -- out there in -- in Illinois. And what I see is hiring, State jobs being filled, positions being created, people being moved into the unions - and I'm not blaming the unions. But this is the wrong time for that and -- and some of these positions that are being created, like kayak czar - I know that was rescinded - chief recruiting officer in the State Police, when we're not recruiting anybody

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for two years, and other positions. It's the wrong time. And when some of those -- those positions get raises of twenty-four to fifty-seven percent and get up to nineteen thousand dollars in increases, this is the wrong time for this. We need good management. We need fiscal restraint. And I'd urge you all to vote No on this. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Seeking -- further people seeking recognition? Senator Syverson, for what purpose do you rise, sir?

SENATOR SYVERSON:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR SYVERSON:

Thank you. Senator, first, from a -- from a history standpoint, many Members in the -- in the Chamber today weren't here back nine years ago when the Republicans controlled that final budget. But if you remember, Senator Rauschenberger, at the time, who had the similar position to yours, he demanded that that -- that that budget have sunshine and he opened up and had hearings, if you remember, opened it up for all Members to come and walk through the budget before that budget was taken. So, when we hear things about, "Oh, you know, they did that that way", I hope we don't rewrite history, because the process was certainly more open. As was mentioned, we're asked to vote for a budget now that -- that is -- has more pages than the health care bill, and the -- and the public was pretty outraged, even

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those who supported the health care bill...

PRESIDING OFFICER: (SENATOR DeLEO)

Is -- is -- Senator -- Senator, is there a question coming? Is there a question? You said -- you asked a question of the sponsor, sir. Is there -- Senator Syverson, please.

SENATOR SYVERSON:

Thank you, Mr. President. I hope on a -- on a budget this size that we're not so limited by time that we have to be...

PRESIDING OFFICER: (SENATOR DeLEO)

We have all the time in the world, sir. I was just curious if there was a question in the editorial that you were making. Is -- if you would like to go to the amendment, sir, you would say to the Chair, "I'd like to speak to the amendment." You got up and rose for the point of -- to ask -- you said, "Would the sponsor yield for a question?" I'm politely asking, is there a question in that editorial? Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. In this -- in the budget, there are a number of different agencies, and I'll -- I'll pull out just one as an example, Department of {sic} (on) Aging, that I happen to have in front of me. In the proposed cuts that are being made, one of the lines, it says here, "proposed cuts of sixty million dollars", but the line item, it says, "the -- the liability is being paid in 2012". So, when you're calling -- are we calling cuts in the budget those expenses that we're incurring, but we're just pushing off till the next year? Are we -- those are being called cuts in this -- in this budget? I guess that's a question.

PRESIDING OFFICER: (SENATOR DeLEO)

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Thank you. Senator Trotter.

SENATOR TROTTER:

No. Certainly, you're expecting me to elaborate. That may be one of those exceptions and it may be a misprint. As is already pointed out, I have not read it, but the reductions that are being made in this budget, with the management tool we're giving the Governor to do so, he'll be able to, in some instances, not grow those programs, but pay for 'em because one of the tools that he'll be looking at in the Emergency Budget Act is he'll have transferability from our small, special funds that are -- are there accruing dollars while -- while the rain is pouring down on our heads. So he will use some of these tools that we give him to certainly correct some of these problems that are in our budget.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Syverson.

SENATOR SYVERSON:

So what we're saying is, in this budget, we don't have numbers that we're calling cuts or reductions in there, but the line item is actually pushing those expenses off until 2012. They're still being incurred, but in the budget, you're saying that those are typos and those aren't expenses that are being pushed off till the 2012 budget?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

Leader Syverson, I guess I'll have to read it, not that you would certainly tell me something that's out of context, but I would have to see exactly what you're looking at before I can

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comment further on that. What the -- we intend to do with giving this Governor flexibility, as I say with the fund transfers, hopefully other dollars coming in, being able to create reserves, that he will do the line-item cuts. And if you go through the budget, I don't believe there's any line-item cuts or reductions or even growth to any program that's there. We are giving him that flexibility, after we keep the lights on, after we ensure that those raises that was brought up by one of the speakers is paid for, which is due, which is owed as a consequence of contractual -- binding contractual agreements. We have no choice but to pay those payments. So -- but they've been characterized that they're raises in here and we're taking care of our friends. They may be our friends, but they negotiated for that payment. So, I mean, there's many things like that. So if we continue to take things out of context, we certainly could be here all night.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Syverson.

SENATOR SYVERSON:

Thank you. Well -- well, I guess what I'm trying to make sure we get to is what the real number is, because this last year, of course, we spent significantly more than what came in, and so we're just trying to get a handle on what the real liability is for this year. The question was brought up in -- in committee that the -- the decision is that in January we were going to make the pension payment, the 3.7 billion, and that the Governor would make cuts in the budget between now and January to come up with the 3.7 billion to make that pension payment in January. Do you have any idea where or has there been any

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discussions on where 3.7 billion will be -- will be cut out of this budget, which is already pretty -- a pretty tight budget from your own comments? Do we know where that's going to be cut in?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

Thank you. I'm -- I'm glad you acknowledge this budget is tight. This budget is tight and we are looking at these various options because many people in this Body and in the other Chamber did not have the fortitude nor the will to do the right thing, and that is find us new revenues. We know we have a spending problem, but we have a revenue problem as well. So since we have not been able to work in partnership to -- to better and to -- to find the resources so there wouldn't be cuts, reductions, there are some other options on the table. There was one option that we borrow so we can pay that payment, that pension obligation, which we are mandated to pay on day one. But as a money management tool, we are going to suspend that payment, not forgo it, as someone said in -- in committee, not pay it, we're just going to suspend it until -- and -- and - - and I guess, since no one wanted to vote for any new revenues, hope like heck that something great happens here in the State of Illinois. And as -- if that doesn't happen, again, the Governor will have the capability of finding ways to -- to pay that mandated pension liability bill which will be due after we suspend it to January 31st. It's -- it's a hard decision. But just to end that point with, the Governor's had to make that decision. What we've asked, many of us, and you said we've had

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meetings and you -- you continually throw reports on -- on the table and say, well, these are the plans that the Lewin Report and these people's report, this is what the Tribune said. But when we ask you on that side of the aisle to give us cuts to meet -- so we can cut out or reduce programs by a billion dollars, there has not been the will nor the guts to do that.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Syverson.

SENATOR SYVERSON:

Thank you. And I'll -- I'll wrap it up with this. I would beg to differ that we have offered cuts. In fact, we've offered amendments that are still in Assignments Committee that offered up cuts and I think, through the Deficit Reduction Commission that we served on together, there were some specific cuts that were ultimately rejected. My concern is that in the best year ever in Illinois' history, the best economic year, which was early 2000, we had around two billion dollars of growth in a -- in our best year ever. I -- I guess I -- it's hard for me to go home and tell people that somehow we're either going to make 3.7 billion dollars of cuts to -- or we're going to have economic growth in six months of 3.7 billion dollars to make the pension payment. So if that doesn't happen, what that means is that we would be skipping the entire pension payment which -- and it doesn't go away. That liability is going to be there and that's the concern that this budget is not balanced and either we raise revenues or we cut spending. But in this one, we increase spending and we do not raise revenue and all we do is add more debt. And that's the -- the fear that we've been -- and that's what we've been doing year after year and that compounding is

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putting Illinois in the kind of financial shape it's in. So I urge like the others. We have weeks before this Session's over. I think we ought to take two weeks and just concentrate on fixing this budget and doing the job that the people who sent us down here to do would do. And I think that the public would appreciate the fact that we put sunshine on this budget. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Further discussion? Senator Jacobs, are you seeking recognition on Amendment 3, sir?

SENATOR JACOBS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR JACOBS:

Senator, you know, I voted for this capital budget. I kept my word. And now I'm being asked to reappropriate my capital assistant {sic} projects. Why do I have to do this when -- and not -- some people don't want to do it. Why do I have to do it?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

Senator, we did not spend the dollars during the Fiscal Year 2010 and we need to give the reappropriation authority back to the Governor and to those agencies so they can spend the dollars.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs.

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SENATOR JACOBS:

...the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield, sir. Senator Jacobs.

SENATOR JACOBS:

Senator, are -- are you aware that Senator Mike Frerichs passed a bipartisan bill through the Illinois Legislature to -- to put a four-day waiting period on -- before you could vote on a budget, and that bill passed through the Illinois Senate and then it was stopped in the House? Are you aware of that?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

I do remember the substance of that particular bill. I do not know where it stopped progressing.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs.

SENATOR JACOBS:

And, finally, to the bill: You know, we've heard a lot of talk about solutions in this building, but, you know, I -- I don't think I've seen any. In fiscal year 2011, I haven't seen a single amendment from that side of the aisle, not a single one - 2010, yes; 2011, no. All is -- I have seen is campaign talking points. And I remember when Senator -- Senate President John Cullerton, who's been a gentleman here, called on the Republican candidates, all the Republican candidates in Illinois, to talk and come before this Body and talk about your budget solutions. And, Governor, did you show up? Fact is the only bill that I've even seen the Governor carry is one that he

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transferred the sponsorship to. My twelve-year-old son has a favorite saying - you folks got nothing.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Further discussion? Senator Righter, are you seeking recognition? Senator Righter, for what purpose do you rise, sir?

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Senator Trotter, I'll try to be...(microphone cutoff)... Thank you. Senator Trotter, I want to actually follow up on what Senator Jacobs was talking to you about. The bill that he referred to was Senate Bill 3622. It was voted on less than two months ago in this Chamber and it said that in the house of origin the budget needs to sit and be viewed by the public for four days. Fifty-six people in this Chamber voted for that bill, including you. So, I ask you first, Senator Trotter, do you believe a budget should sit and wait in the house of origin for four days so the public can examine it?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

Four days, why not five days, why not two months? The

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bottom line is, we do not have the revenues to really -- at this juncture to move forward. We -- each of you speak in these hypotheticals that the world is going to fall by January. Those of us who are a little more optimistic, who looks on the bright side of things, anything can happen in January. Talking about the pension. In January, we could possibly even pass a budget, a real budget with a real funding stream, with a income tax. So there's many positive things which will make these -- this whole conversation we're having now and what you're alluding to and -- and directly talking to moot issues. So the thing is, is that we have the means or the way to do things. We just need to have to get the will to do things, sir. And it's -- sitting four more days isn't going to make this a better place to be.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Actually, Senator Trotter, I'm going to respectfully disagree with you, because I think that if we waited for four days -- I'm not suggesting or certainly don't know that the product that you've rolled out that sits on Senator Murphy's desk there would be improved. I kind of doubt it would. But the nice thing - not just for Members of this side of the aisle - but I think the nice thing for Members of your side of the aisle and the people in the gallery and the press and everyone else in the State who pays the bills, the nice thing about it would be they'd know what was in it. They'd know what was in it, which you don't, because you said yourself in committee you hadn't read it. Now, Senator Trotter, wouldn't you like to take the four days of sunshine that you said you

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were for on March 17th and put that into practice now? Let's do that now. Will you?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

No.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

To the amendment, if I might, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the amendment, sir.

SENATOR RIGHTER:

Thank you, Mr. President. You know, I'm disappointed, but not surprised in that answer. And what's so ironic about this, Mr. President, is that it was a Member of your side of the aisle who sponsored Senate Bill 3622. You have ten Members on your side of the aisle who are cosponsors, which makes me wonder if this isn't just an exercise in futility. Because assuming all those Members who not only voted for it, but cosponsored it - they felt so strongly that the Taxpayer Transparency Act should become law and we should have four days to sit and wait that they put their name on the bill - that surely, surely, they're not going to say now, "Eh, you know what? Whatever, that was two months ago. This train is rolling and I couldn't care less how I voted before." Actually, Mr. President, I don't expect that to happen, because that's not the way it works in this Chamber. Get up, you say you're for things, you vote for things, you put your names on things, you send press releases

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out about those things, and then when push comes to shove, this is what we have. This is a poor, poor product, Mr. President, and I don't mean just the budget that sits just beside me here - the process, the process. And you know it's bad as well and you said so on March 17th. I urge a No vote. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Further discussion? Senator Hendon, are you seeking recognition on Amendment No. 3, sir?

SENATOR HENDON:

Without a doubt, Mr. President. You know...

PRESIDING OFFICER: (SENATOR DeLEO)

For what purpose do you rise, sir?

SENATOR HENDON:

To the...

PRESIDING OFFICER: (SENATOR DeLEO)

To the amendment, sir.

SENATOR HENDON:

I sat here and I listened and I heard so much hypocrisy dripping through this Chamber - hypocrisy. There's a Chairman - he was Chairman of Revenue, I believe. I won't call his name 'cause that'll give him a chance to blow some more hot air. Chairman of Revenue. Pate Philips {sic} (Philip) was the President. I know you all want to forget that it existed. Most arrogant, pompous Chairman you ever saw in your life. We got the budget set right here. We had that big stack, like you got, right here. Pate Philips gave it to us ten seconds and said vote for it. You all didn't -- you all didn't say he was wrong -- it was wrong. You shoved it up our gluteus maximus. That's

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what you did. You didn't care. You -- now you're all -- oh, this is terrible. Sunshine, where's the sunshine? Ten years - and I made the same sort of speech and I warned, I said, one day, we're going to be in the majority and it can happen and -- and -- and this is wrong. And none of you -- there's the other Chairman - I'm looking at him right there - pompous, arrogant. You know who you are. You were terrible. There was a day when Leader Jones had to get up and storm the Podium because you wouldn't even recognize him. The Leader. President Cullerton doesn't do Leader Radogno like that - total gentleman, total respect, seeks bipartisan cooperation all the time. Now, here's Amendment No. 3. You're all against it. Amendment No. 7 is going to come up in a minute and our President, being the kind gentle person he is, is saying for us to vote to give you your money. Money that you're probably going to vote not to get, but you're going to take and spend it. You're going to be right at the ATM machine, spending that money, baby, soon as you can get your hands on it. But you want to stand here in this Chamber and say we need to cut, we knew not to do this, it's wrong. But you want to vote against us, but then have us on -- on a few amendments later vote for your money. You like pork when you're eating it. Let's be for real here. I will vote with President Cullerton when Amendment No. 7 comes up to give you your worthy projects, but you won't vote to do the right thing tonight. I would love to vote against you when Amendment 7 comes up. It's going to be interesting to see what you're going to say then. Are you going to call it pork? Are you going to call for a roll call? Your candidate for Lieutenant -- for Governor is sitting over there. What are you going to do if you get to be Governor

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and -- and we're still in this mess? What are you going to do? Continue to be the party of No? You're the party of No in Washington. You're the party of No in Springfield. This is a good bill. You need to stop trying to berate that intelligent young man right there that's explaining this bill and trying the patience of the Presiding Officer, who's let you talk forever, and get it over with. We know how it's going to go. We're Democrats, they're Republicans, that's how the vote's going to go. Let's do it.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Trotter, to close on Amendment No. 3, sir.

SENATOR TROTTER:

Thank you very much, Mr. President. Thank you very much, Leader Hendon, for really pulling the cover off something that has really been no secret. You know, they talk about that they've -- they've given us cuts in -- in the various committees that we had. You did, but you know they weren't realistic. Because when we brought in the agencies that you wanted to cut, like the Illinois State Police, and when they said that they would not have enough manpower to patrol your streets and your roads - 'cause we had the Chicago Police Department - when they said that they could not have any response time because there would not be -- have the manpower, they would not be able to deal with attrition because they couldn't get cadet schools, you said, well, we can't cut that. But you proposed it. So, you're right - you proposed it. The same thing when they said -- IDOC came in and said, you know something? If we take a ten percent cut - which you proposed - if we take a ten percent cut, we're

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going to have to close some prisons. And doggone it, Leader Hendon, those prisons were in their neighborhood, in their district. We can't do that. Oh, you made a lot of proposals, but when it came for you to make a sacrifice, you said, "You know something? We can't do that." So as long as your constituents aren't looking, you can cut anything. So, again, there's been a -- a little bit of hypocrisy. We know there's always a lot of rhetoric in these instances. But this is a way with the dollars that we have available that we're going to make people somewhat whole until others can believe like we believe that we must do better. We can do better, but right now this is what's on the table and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

We thank you, Senator. There's been a request by Senator Dillard for a roll call. So, Ladies and Gentlemen, the question is, shall Floor Amendment No. 3 be adopted. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 32 Ayes, 25 Nays, 0 voting Present. Floor Amendment No. 3 is adopted. Madam Secretary, has there been any further Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 6, offered by Senator Trotter.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Trotter, to Amendment No. 6.

SENATOR TROTTER:

If I could, Mr. President, Amendment No. 7 essentially is a technical amendment and it moves the -- for the immediate

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effective date for the funding that is here. That's 8? Oh! Excuse me. Amendment No. 7, you're absolutely correct. I guess we oversaw it. 6 and 7. Amendment No. 7 actually...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator -- Senator -- Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President. President Cullerton has asked that we actually, if we could, vote on Amendment No. - - Floor Amendment No. 6 and Floor Amendment No. 7.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

Things always change pretty fast around here. Floor Amendment No. 6 retains the provisions of Floor Amendment -- Amendment No. 3, but it provides for a five percent reduction to personal services and operation lump sums to executive agencies to provide an overall decrease of 356.7 million dollars to GRF appropriations.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. Is there discussion on Floor Amendment No. 6? Senator Murphy, for what purpose do you rise, sir?

SENATOR MURPHY:

I request a roll call on Senate Amendment No. 6 and a question of the sponsor, please, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, the gentleman has requested a -- a roll call on Floor Amendment No. 6. That order is always -- that request is always in order. And the gentleman will yield for a question, sir.

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SENATOR MURPHY:

Thank you, Mr. President. This amounts to about a -- a one percent reduction in GRF. Do you think that is -- and -- and the one percent is -- is really -- do you feel this one percent is an adequate cut in spending? Is this good enough? Does this go far enough for you?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

No.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Murphy.

SENATOR MURPHY:

As the chief budget person for the supermajority Democrats in this Chamber, where are the rest of the cuts?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

Actually, my legislation, Amendment No. 6, asks for a five percent reduction to personal services and operations. If you're asking for cuts overall through the budget, we're going to be presenting the Governor, as I mentioned earlier, a lump-sum budget. We're going to give him the tools to make those reductions where he feels comfortable with and as -- what we all -- the rest of us can live with as well. So there will be more reductions forthcoming.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Murphy.

SENATOR MURPHY:

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In this amendment right here, we have about one percent of the approximately thirty-four-billion-dollar GRF appropriation. So this cut is about one percent of overall GRF. And -- and it's my understanding -- I haven't seen any other proposed reductions. So can you define a little more clearly for me what the other reductions are?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

Yes, sir, it's -- in part I can. As you know, there are many parts. This is a -- a -- a moving piece of work. There are many parts to the budget. We're still waiting for bills to come over from the House, which will not only have revenues in 'em, but also will reflect some other kind of reductions. But in this particular case, the -- the reduction and maybe the discrepancy in -- in what I'm calling five percent and you're saying one percent is that we do allow for meeting our maintenance of effort with the federal government and the ARRA dollars that we'll have by bumping up the Medicaid dollars, which in your case, because we are trying to get that match, doesn't meet the cut at the level that you see it.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Murphy.

SENATOR MURPHY:

Okay, but I -- I think you made reference to some other cuts that are out there. Are -- were those the -- the cuts the Governor is going to have to make within the broad authority we're giving him with these lump sums, just as we did last year when he didn't cut anything?

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PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

That is, yes, a very large part of that. We are also taking into consideration that when we look at dollars that are -- are coming in, we cannot make the assumption that after January we'll be getting dollars from the feds, ARRA dollars or the enhanced Medicaid match. So there may well have to be other reductions at that time to the overall budget.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Murphy.

SENATOR MURPHY:

Are there any reductions in this amendment from our Senate Deficit Reduction Committee Report, Governor Quinn's Taxpayer Action Board Report, the Civic Committee of the Commercial Club Report, the Civic Federation Report, or the Illinois Policy Institute Report? Any of those recommendations? Are any of those in Senate Amendment No. 6?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

There are not, but there were no intentions to be. And I know it probably sounds a little redundant on my end, but we said that we are lump summing this budget to the Governor and we are not line iteming the bill at all. He will make those reductions and there will -- and you will -- when he has to. Because of the revenue streams that we have given him, he has no choice but to do so. So the answer is, no, and that's -- think that's about the third time you've asked the same question. The

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answer is no.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Murphy.

SENATOR MURPHY:

To the amendment, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the amendment, sir.

SENATOR MURPHY:

This is not even a deck chair off the Titanic in terms of cuts. I mean, this doesn't even come close to being a real effort at trying to get the fiscal house of this State in order. This entire budget, this entire process is so insincere that I don't know how in good conscience anybody can participate in it. I strongly urge a No vote on this until the -- until people on this side of the aisle get real. This is nowhere near a sincere effort at trying to be fiscally responsible.

PRESIDING OFFICER: (SENATOR DeLEO)

Further discussion? My friend, Senator Lauzen, for what purpose do you rise, sir?

SENATOR LAUZEN:

Thank you very much, Mr. President. To the bill -- or to the amendment.

PRESIDING OFFICER: (SENATOR DeLEO)

To the amendment, sir.

SENATOR LAUZEN:

Okay. To Amendment No. 6 that has to do with spending cuts. In the committee hearing, we heard that the cuts are 356.7 million dollars and that the spending for next year's appropriation is 33.9 billion. So that's where that 1.05

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percent -- very inadequate for the problems that we face today. But what really is happening in this budget - and I think this is important, both for the Republicans and for the Democrats - is that people back home are struggling to pay the bills, to hold on to a job. We've lost two hundred and twenty-five thousand jobs last year - 12.4 percent unemployment. But guess what's going to happen to spending in the Illinois budget? Guess what's going to happen to the size of Illinois government? It's going from spending of 32.1 billion from - again, testimony in the committee - 32.1 billion in 2010 to, in 2011, 33.9 billion dollars. That is an increase in spending of 1.8 billion. I mean, I can't imagine that anybody wants to increase spending when everybody else has to cut back, either in their -- in their families or in their businesses. So we have an increase. We don't have spending reduction. We have spending increase. And then finally, you know, it is amazing that -- that the Majority Party keeps dredging up, you know, in harder times, the ghost of Pate Philip. Pate Philip hasn't been here for nine years. And pompous and arrogance. I tell you what the difference was between when we were in charge and when you're in charge, is that at least we paid the bills on time.

PRESIDING OFFICER: (SENATOR DeLEO)

Could you give the speakers your respect, please? Senator Lauzen, are you -- are done, sir? Further discussion? Senator Kotowski, are you seeking recognition on the amendment, sir?

SENATOR KOTOWSKI:

Yes, sir. Thank you, Mr. President. I want to thank the sponsor for all his work on this bill and appreciate his leadership on this. Just want to speak to something as someone

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who, in the past, voted for revenue to balance the budget that included cuts and property tax relief last year. You know, one of the reasons why I voted for {sic} the previous amendment was because I don't think we have a significant and straightforward enough plan to balance it. I don't think it's -- I'm concerned about stabilizing the budget. But I want to address something because it's continued to be raised, this whole idea of our insincerity. It drives me crazy, when we took leadership last year to fund this budget. We included cuts. We included property tax relief. We did what was responsible. And sometimes people from the other side, the vast majority of 'em, don't necessarily say -- sometimes people talk about this and they say we didn't do anything, we didn't propose anything. Well, we moved the ball down the field. And while I didn't support the amendment, so concept of reductions - at least we're putting forward reductions. At least we're saying we have to take bold necessary steps to do what we can to balance the budget, given the amount of limited resources we have. So what is insincere here is the fact that the gentleman who spoke before has offered no solutions when it comes to revenue, no solutions to fund and stabilize the budget, no solutions when it comes to making sure we take care of the two hundred thousand people who will lose their jobs if we do not fund the budget - not one solution. We've heard it for months, and now you run for office and you put yourself out there - and I respect and admire him as a person; he's a family man - but come up with a solution. Talk about how you're going to address the budget, fund the budget, put people to work, take care of services. Thank you.

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PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Further discussion? Senator Hendon, are you seeking recognition on Amendment No. 6, sir?

SENATOR HENDON:

Briefly. I just had to respond to the ghost of Pate Philip's past. The last I seen, Pate was still big, burly, good friend of mine, strong, cocky guy. He was still alive. If you mean he's not here, you're still here and you were there then. You were there. Not once did you criticize what you did. Not once did you say anything about the -- us getting the budget at the last second - nothing. It was all peachy keen, because you were in charge. These are cuts and you want to be -- when it comes to raising revenue, you say no. Now this amendment is for cuts. You say no. When we try to make reforms, you say no - party of no. And we may as well be frank about it. There's an election coming up. You always want to talk about supermajority. How did we get supermajority? The people of Illinois voted Democratic. Excuse me, but that's what happened. This is a good bill. You don't want to vote for the cuts. You don't want to vote for the increases. But No. 7 is coming up next - let's see what you do. This is a good bill. These are cuts. They're real and you should be for 'em if you're fiscally conservative and being fiscally responsible.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Trotter, to close on Amendment No. 6, sir.

SENATOR TROTTER:

Thank you very much, Mr. President. Thank you, everyone, for your comments. I know there's a lot of hyperbole that gets

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thrown around and -- and a -- a lot of things that we don't want to say sometimes, but we get aggravated. And I'm not talking about anyone over here, I'm talking about on your side as well. We are aggravated, because I -- I believe, truly believe, each and every one of us came down here to do the right thing. Sometimes we have to make the best out of a bad situation. This bill is a bad situation and we're trying to make it a little bit better. There's going to be some other parts of this puzzle that's going to be coming over. Are we going to be spending more money? Yes. We're going to be spending more money for education. We're going to ensure that K to 12 is fully funded, because we think that's important. But if we did nothing, we will be laying off teachers. We will be ensuring that our classrooms are -- are -- has -- is overcrowded. We'll make sure that we do not have any kind of afterschool programs. But we want to make sure that doesn't happen. Because if we're going to be viable, if not tomorrow but further in the future, we're going to have to educate our youth, and we're going to make those kinds of sacrifices right now, even if it means if -- we have to borrow. And I -- I know, as you, as many as parents, if we have to steal something, we're going to do it. What we would like to have is -- is for you to help us steal some positive ideas to make this situation even better than we -- what we're attempting to do on this side. It's -- I just ask for a Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Murphy has made a request for a roll call. So the question is, shall Floor Amendment No. 6 be adopted. All those in favor will vote Aye. All those opposed

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will vote Nay. The -- the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 35 Ayes, 22 Nays, 0 -- 0 voting Present. Floor Amendment No. 6 is adopted. Madam Secretary, has there been any further Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 7, offered by Senator Trotter.

PRESIDING OFFICER: (SENATOR DeLEO)

...you, Madam Secretary. Senator Trotter, to Floor Amendment No. 7, sir.

SENATOR TROTTER:

Thank you very much, Mr. President. Floor Amendment No. 7 retains the provisions of Floor Amendment No. 3 and of Floor Amendment No. 6, and it additionally reappropriates the Senate Republican capital assistant {sic} (assistance) grants.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? President Cullerton, for what purpose do you rise? President Cullerton.

SENATOR CULLERTON:

Yes, thank you, Mr. President. I rise in support of the amendment. I had an opportunity to talk to Senator Radogno a couple times tonight, who was not able to be here because of a family matter, and she expressed her displeasure with the way in which we would be voting on this budget. She told me that it was her understanding that we had an agreement with regard to the capital bill, that we had worked together to bring that bill about through revenue increases and that we had appropriated the money in a fair way across all four caucuses, and that she felt

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that this method by which we were to be voting on this was a breach of that agreement. I told her that I disagreed, that I indeed have had a very good working relationship with Senator Radogno, which remains, that we did, in fact, come together. In fact, in my office, we were able to get the Republican Leaders and the Democratic Leaders together - do something which was very difficult last year and that is to, in the face of a terrible recession, vote for fees to help pay for the bonds for these capital projects. And indeed, a majority of the Republicans voted for that money. But -- and we continue to have meetings this year on the capital bill in that fashion with that agreement. But the agreement didn't cover the method by which we vote for the projects. We never had an agreement that said we can't vote separately for the Member initiatives of the Republicans. And what we've shown here -- what we've shown here by isolating this vote is your priorities. So I -- the reason why we're doing this is because I asked Senator Radogno if she could help us at all this year with the budget. She said, "I don't have a lot of appetite in my caucus for help with the budget. I don't have any appetite for borrowing. I don't have anybody in the caucus that wants to help out and vote for the budget." So, there's no agreement on the budget. So, I find it interesting that the priorities -- the priorities that the -- the concern about maybe the process, but more likely the actual potential loss of the Member initiatives, has caused so much passion. And yet all of the pain that comes with the actual budget, the potential layoffs of teachers, underfunding programs for the disabled and seniors, that part we're not going to cooperate on. So it's been a very interesting exercise. Now,

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what we should be doing, and what I could be looking forward to actually, is a debate on a different budget - on a different budget. All of those programs that were referred to, all those reports, we could take all those reports down to the first floor of this building. There's a Legislative Reference Bureau there and we could give 'em the reports and give 'em the websites for all the think tanks that tell us how to solve our problems and we could have a bill. And here's the bill. Here's the number. It's Senate Bill 1525, introduced on February 18th, 2009, by Senator Brady, an appropriation bill. And this is the bill that I thought we would be debating tonight, the alternative budget to this budget. And we even assigned this appropriation bill to the committee -- on the Appropriations Committee on -- this year on March 11th. On March 11th, we assigned this bill, Senate Bill 1525. And then the chief sponsor was changed on the same day to Senator Bradley Burzynski and we no longer have an appropriation bill sponsored by Senator Brady, and therefore we can't find out what's going to happen. We don't know the alternative, 'cause those reports that we got over there, nobody ever brought 'em down to the LRB. So we don't have an alternative budget. The only budget we have is this budget. And is it -- is it a nice budget? Of course not. It's not nice because we don't have enough money to pay for our basic services. But you have established one thing for sure. You clearly did not vote for revenues last year. You clearly have indicated you don't want to borrow. There's been no cuts in fiscal year '11 in the Committee on Assignments. There's no budget that's been proposed, and you can't even vote to appropriate the money that we have, 'cause that's what this

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budget is. We're simply doing what we did last year. We're appropriating the money we have. And the reason why you know what's in it is because that's all it does. You do know what's in it. It's not a line-item budget like we'd like to do, where we can set our priorities. We are so broke that all we can do is appropriate the money that we have. So it's been, as -- as has been stated before, a strategy, a political strategy. You guys are in the majority - you figure it out. And we're doing the best we can. We're struggling. It's the worst economic crisis in my lifetime, and it never happened before where the State had a drop in revenues, and that's why we're left with this tough, tough position with no help from you guys, none. So I think we should restore the initiatives. I think they're community assistance projects, is what the Governor's Office calls them. They should be here. Some of you voted for 'em in the past; some of you voted against 'em. I would encourage you to vote for 'em now. We'll add it to the budget, which will be a capital appropriations as well as the appropriations for State government, and we'll try to struggle and do the best we can for the people in the State of Illinois. So I would urge you to vote Aye. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RUTHERFORD:

Mr. President, I want to make some remarks about the President's comments. And with all respect, Senator Cullerton, Senator Radogno is not here. She is not able to defend what you

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said she said. I have had the chance to work with Senator Radogno on her leadership team now for the past two years and we've had a good deal of discussions about the type of position that our caucus and our Leader would take and perhaps even give her some advice and suggestions on her discussions with you. There are definitely two competing philosophies of the Capital City today. You have one position and thought process, and that's totally respected and what you have the majority to do. The Minority Party today has a different philosophy and a different approach to that. But to suggest that there is no way in regards to working on a budget is inaccurate. You believe it needs to go one way. We believe it needs to go another. I respect what Senator Radogno has said to you over that period of time. You may not agree, but she is definitely a strong person, strong leader, and has her position on that. And to suggest that perhaps the words you said she said without her being here, I think actually, Mr. President, is an inappropriate time to make those comments.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR JACOBS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR JACOBS:

Now, did I just hear the Senate President, the Senate Democrat President, say that he wanted me to vote for the Senate Republican projects that they won't even vote for in committee?

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Is -- is that -- is that what I understand?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

That is what I heard as well, sir.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs.

SENATOR JACOBS:

I want to try this one more time, Senator. You're telling me that the Republican Members won't vote for their own capital projects, but I'm being asked to vote for mine and now they want me to vote for theirs?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

As I believe the last speaker said on the other side, we have two different philosophies. Seemingly, our kind and gentle Leader believes that some of the projects have merit that they've asked for. And so they would not suffer, so that those nursing homes and developmental disabled centers that are in their districts, so they would not suffer, he would like for us to take the vote for 'em, as we have on -- on many hard issues.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs.

SENATOR JACOBS:

Just in closing, sir: You know, my forty-six-year-old best friend, who I've known since I was a little boy, passed away early this evening, and I want to tell you, nobody wanted to be here -- not be here more than me, but I'm here. We all have a

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duty and a responsibility to be here. Sometimes we're called away and understand those things. But, you know, if you're a leader, as my Leader is, he's here. For thirty years, the man's been here. He's done his job. Senate President Cullerton is a good man, a fair man, and I applaud him for having the courage to tell his Members to vote for what may be pork. But I don't think it's pork. I think your projects are deserved projects. I'm going to vote for 'em because it's the right thing to do.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Thank you very much. Further discussion? Further -- Senator Murphy, for what purpose do you rise?

SENATOR MURPHY:

To the amendment, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. To the amendment, sir.

SENATOR MURPHY:

You know, we voted against this amendment in committee and the reason we did it is what has been covered out here. There was an agreement. There was an agreement, and to suggest in parse words now about how that would be upheld is not honorable. The fact that we were put in the position, specifically singled out to come back and grovel for our projects is not consistent with the agreement. Again, the agreement - let's go back - there's a capital bill. Everybody said if you want to vote for the projects, you need to have votes on the revenue stream. Eleven votes, half this caucus, on the revenue stream. This is a reappropriation of those projects. It was expressly admitted in committee that we were broken out from the rest of the

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appropriation bill because of the tone of remarks during the Session. That's not consistent with the agreement. It's not consistent with the way this Chamber is supposed to work. Reference was made to commitment to being here tonight. I think everybody knows Leader Radogno had a family commitment. First speaker, I thought rather commendably, pointed that out. Thought it was pretty well unspoken here that family commitments and family weren't challenged in that way. So, on behalf of Leader Radogno, I'd request an apology for questioning why she's not here. We've got a chance to put this whole thing to bed and move forward and hopefully begin to work together again, like we did on pension reform, like we did on Section 25 budget reform, like we have done on some meaningful things this year. It's been a productive year in some ways. Some things happened here on a bipartisan basis that a lot of people thought they wouldn't see. And that's to your credit as much as it is to ours - maybe more, you run the show. We've been there when we're in agreement that it was in the best interests of the people of this State. We don't think the way this issue has been handled is. We don't think this budget is. I respect the fact that you disagree. I think you should respect the fact that we disagree. That being said, we feel compelled out of principle to vote against this amendment.

PRESIDING OFFICER: (SENATOR DeLEO)

Further discussion? Senator Raoul, for what purpose do you rise, my friend?

SENATOR RAOUL:

First of all, Mr. President, I would request a roll call vote on this, so we can have a demonstration of the hypocrisy.

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You know, Mr. President, Ladies and Gentlemen of the Senate - and I truly don't use those words lightly; I believe every Member in here is either a lady or a gentleman - I'm confused. I'm -- I'm -- I'm upset, to be honest with you, with people on both sides of the aisle tonight. I won't go into all of those details, but I'm truly upset because there is some bit of hypocrisy on both sides of the aisle. But I'm -- I'm hearing about eleven of twenty-two Members voting for a funding stream, and the last time I put -- did my math and I put eleven over twenty-two, that equaled fifty percent. So if only fifty percent of you vote for the money, then perhaps only fifty percent of your projects should be funded. When I pick up and read one of my local newspapers, and I'll be specific, the Chicago Tribune, that's basically a Republican campaign brochure, it suggested once that perhaps one of the things we should do is not fund -- capital projects and convert that money to operations. Well, there's a hundred million dollars I can think of. If you all agree with that, perhaps you should vote No to Amendment No. 7. But what we like to do in here is we like to pretend, and we do it too often, and I'm not isolating anybody on any side of the aisle. We do too much pretending. We do this. I want this because this is for my district. There's a lot of that going on and I'm sick of it. You know, I respect the fact that Leader Radogno has a family commitment and she's not here. And I had two dear friends on the other side of the aisle who told me I shouldn't let this stuff get to me, but it does, it truly does. Last week, I spent a night in a Springfield hospital, but I came here. I'm here today. I probably shouldn't be here today, 'cause this stuff really gets

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to me, this hypocrisy gets to me. I'm part -- I'm -- I -- I'm tired of the "no" politics, just saying no to everything. Certainly I'd love more time to talk about the budget, but Senator Trotter does an honorable job and he's open. He's very patient in answering your questions year after year, after year, after year. The word insincerity was thrown over here like a ticking time bomb. I'd like to place mirrors on every one of you-all's desks, so when you speak those words insincerity, you could look at your own face.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

To the amendment, if I might, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the -- to the amendment, Senator.

SENATOR RIGHTER:

It's remarkable that the Republican Leader's absence, because she's attending her daughter's college graduation, has become a topic of discussion here. It really is, Mr. President. I think shamefully so. The notion that Republicans have not stood and said, this is what we're for in terms of trimming the budget, whether it's short-term or long-term expenditures, is not credible and it's untrue. I hold in my hand over fifteen -- a record of fifteen bills, all sponsored by Republicans that have to do with that very issue. Every one of these bills, Mr. President, is spread across the graveyard that is the subcommittee system in the Senate when it comes to reforming and cutting the budget. They are there for everyone to see. I'm

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not concerned about claims from your side of the aisle, Mr. President, that that hasn't happened, because our Members will stand up and say, these are our ideas and this is what we choose to say we are for. Senator Raoul, I appreciate what you had to say. I think many in this Chamber are upset by what has happened and the insidious game that has been played here with regards to the hours that were poured into a first in a decade capital bill. Mr. President, I just want to close by saying one of your previous speakers was over here on this side of the aisle, shortly after we came out of Appropriations Committee, lambasting the Democrat ploy with regards to the capital projects and telling us that he was concerned that his Leadership was out of control and that this Chamber was becoming more and more like the House. Now, Mr. President, it's one thing for someone to come over and talk to us like that and we'll listen to that. It's another thing for that Member to get up and defend the conduct on the record in this Chamber. I'm not going to mention that Member's name, Mr. President. I just hope that we don't have to have that again. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Our last person seeking recognition on Floor Amendment No. 7, my dear friend and colleague from the City of Chicago, Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. Well, I guess that should tell Democrats to don't go over there and talk to Republicans, 'cause whatever you say to them in confidence is going to be blasted out across the entire Senate Floor. There's a lesson there. Take the lesson. Senator Raoul, please just calm down, because,

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brother, I'm going to tell you something. You could cry till your eyes fall out. You could slit your wrists. It wouldn't make them -- any difference. Trust me. Senior citizens are -- can't -- they don't want 'em to ride free on the public transportation. They can hardly pay for their medication. Children are being shot down on the City streets, like ninety going north. Got so bad they want to call in the National Guard. Here's a hundred million dollars that if you want to not have pork, and that's what some people call it, I call it Member initiatives. I call it good projects. But -- well, first, let me start with an inquiry of the Chair. Mr. -- Mr. -- Mr. President, inquiry of the Chair. Was there any Republican who got up and asked for a roll call on their hundred million dollars on Amendment No. 7?

PRESIDING OFFICER: (SENATOR DeLEO)

Not on -- not -- not on this amendment. Senate... Senator Dillard made a request, Senator Hendon, at the top of this order that he'd like a roll call on all the amendments. The Chair said to his request we will address that on each individual amendment. Senator Dillard made a request on the first amendment that we heard this evening and we had a roll call. The second amendment, Senator Hendon, it was a request by Senator Murphy for a roll call. On this amendment, Senator Raoul made a request for a roll call on this amendment. Senator Hendon.

SENATOR HENDON:

And I've done my screaming and hollering for tonight, but I think we needed to really point that out for the conservative media so that they would at -- maybe report the truth that when

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it comes to their one hundred million, they don't even want a roll call. They don't want a record. They -- it would be a voice vote, just so people know how it works. It would be a voice vote. All in favor, say Aye. Opposed, Nay. President say, the Ayes have it. They get their hundred million. There's no record that they voted for it. They go back, like Senator Raoul said, do their press releases and do the fliers, and look what I brought back to my district. And it's a wonderful thing. I'm not -- it's -- it's okay. But at least if you're going order up the lunch, be ready to pay for it. If me and you went out to Subway and -- and you got that big, long turkey sub, you know, the -- the -- the one foot -- foot, pay for it. But, no, you want to sit there and grub it down and wash it down with a Coca-Cola and even get the -- the chips that come with it when you get the value meal, but you don't want to pay for it. So at least admit it. I'm willing to vote with President Cullerton, but I didn't have a deal with Leader Radogno. I love Christine. She's a wonderful person. If she was here, we probably wouldn't be doing this, because her logic would work on some of you. But she left a couple characters in charge that have a different agenda. So I'm willing to vote with President Cullerton, even though I shouldn't. And if there are a bunch of red lights up there on the Republican side, it's not John changing his word. It's you-all saying you don't want projects for your constituents. And there are some wonderful Republicans over there, some I truly love - Millner and Bomke. And Pam Althoff passes every bill that comes before the Democrats. I love voting for her legislation, because there are some moderates in this Chamber. So if we give you your money and allow you not --

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and you don't even have to vote for it, at least take that under consideration.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, thank you, Senator. Senator Trotter, to close on Floor Amendment No. 7, sir.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. I think we've all heard enough. We have a lot of work to do as we go forward. There's a lot of work that hasn't been done on - - on both sides. There's a lot of insincere things that have been said on both sides. But we're not here for ourselves. We got to get past that we didn't come down here to get a pension. We didn't come down here to get reelected. We came down here to be the voice for the people that we serve. Let's be the voice of the people who we serve and let's -- and also work together. Let's be the State that we can be. And I ask for an Aye vote on this next amendment.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, all those in favor will say Aye. All those opposed will say Nay. Oh, there was a request for a roll... I'm sorry, I -- I was confused. You're -- you're acting like... Okay, Ladies and Gentlemen, the question is, shall Floor Amendment No. 7 be adopted. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 32 Ayes, 22 Nays, 0 voting Present. Floor Amendment No. 7 is adopted. Madam Secretary, has there been any further Floor amendments approved for consideration?

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SECRETARY ROCK:

Floor Amendment 8, offered by Senator Trotter.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Hendon, for what purpose you seek recognition, sir?

SENATOR HENDON:

Mr. President, I -- I'd like a verification or something. I need a valium, something. We -- can we get a verification on that? Can we... That's okay, Mr. President. But something needed to happen.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Dillard, are you seeking recognition, sir?

SENATOR DILLARD:

Sure, but a parliamentary inquiry first. We're on Amendment...

PRESIDING OFFICER: (SENATOR DeLEO)

State your inquiry, sir.

SENATOR DILLARD:

We're on Amendment No. 8 now, right?

PRESIDING OFFICER: (SENATOR DeLEO)

We -- we have not gone to Amendment No. 8. We're in between No. 7 and No. 8, sir.

SENATOR DILLARD:

When we get to 8, Mr. President, I'd like to request, like I did at the beginning of the debate, that we have a roll call on this amendment too, so we're consistent.

PRESIDING OFFICER: (SENATOR DeLEO)

That request is in order, sir.

SENATOR DILLARD:

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Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Hendon, do you withdraw your request for a verification, sir? Okay. The gentleman removes his request for a verification. Thank you, Senator Hendon. Now on the -- we're back on the Order of 2nd Reading, Floor Amendment No. 8 to House Bill 859. Senator Trotter, to the -- to the amendment, sir.

SENATOR TROTTER:

Thank you, Mr. President and Members of the Senate. Amendment No. 8 rescinds Amendment No. 7.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Senator Dillard has a request for a roll call. So, Ladies and Gentlemen, the question is, shall Floor Amendment No. 8 be adopted. Excuse me. Does -- the sponsor's seeking recognition. Senator Trotter.

SENATOR TROTTER:

I guess I was trying to see if anyone was listening. Anyway, no. Amendment -- Amendment No. 8 is a technical amendment which in fact just brings -- makes it an effective -- immediate effective date for the appropriation authority for FY'10. And for the FY'11 date, it would be July 1st for its effective date.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, thank you, Senator. Once again, Senator Dillard made a request for a roll call. So, Ladies and Gentlemen, the question is, shall -- shall Floor Amendment No. 8 be adopted. All those in favor will vote Aye. All those opposed will vote

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Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 35 Ayes, 20 voting Nay, 0 voting Present. Floor Amendment No. 8 is adopted. Madam Secretary, has there been any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Now on the Order is 3rd Reading is House Bill 859. Senator Trotter, do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 859.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. I believe we've had enough debate on this bill. We have gone through each piece of it. I think everyone here knows what they should be doing in their heart and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR DILLARD:

I rise in opposition to the bill, Mr. President. You know, our State's facing its worst fiscal crisis in our history. We

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got a thirteen-billion-dollar deficit threatening the ability of schools and nursing homes and hospitals and social service agencies to survive, let alone move our State forward to improve the quality of life. And it looks like we're going to leave here again without a constitutionally required balanced budget. And, quite frankly, with all due respect, your budget over there - a -- a sham and -- and a shame. Just in terms of history, I remember sitting here one summer for seven hours on this Floor and we cut Governor Ryan's budget. We, meaning the Senate Republicans, over a seven-hour period by half a billion dollars. And everybody on our side of the aisle, the Republican side, voted Yes for those budget cuts and every Democrat voted No. I also remember that Governor Edgar was called Governor Scissorhands. And with all due respect and I'm not on his payroll, our nominee for Governor, our colleague and friend, Senator Brady, has made it pretty clear where he stands with his vision with respect to the State budget. He wants to cut the State budget ten percent across the board. You don't need a hearing. You don't need an abacus. You don't need an adding machine to know that Bill Brady wants to cut the Stat budget ten percent. So I think on our side of the aisle, we show up and we put up very, very well. We back up our words with our proven actions. So how low has our State sunk? You know, as I walked around this capitol building the last forty-eight hours, I saw the lobbyist for the largest utility company in the State, trying to make the State a deal to give us a billion dollars. In return, they wanted to raise the rates of residential electric users throughout northeastern Illinois. And today, I saw gambling lobbyists all over this building, trying to balance

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this budget or help the State by expanding the scourge of gambling on the people of Illinois. It's pathetic. It's sick. You know, you want to borrow and you want to Band-Aid approach to the State budget. We need a tourniquet. We need to amputate. But, most importantly, we need to grow our economy. You know, the State's budget process is broken. It's -- it's terrible. And, Senator Trotter, there is no more honorable man and you have a great temperament, sir, and -- and a great -- you're -- you're the right person for your side of the aisle to carry this budget. I don't know how you do it. You got a great temperament and I admire that. But we have to get to work and have a responsible constitutionally balanced budget. We've got to put Illinois back to work again. And everyone on the Republican side of the aisle is willing to stay here, willing to roll up our sleeves, stay here the next few weeks to get a constitutionally balanced budget done. That's what we should do. No more unconstitutionally unbalanced budgets, no more shams, no more shames, no more borrowing, no more Band-Aids. And I'd urge a No vote on this very bad budget. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Further discussion? Further discussion? Senator Koehler, for what purpose you seek recognition, sir?

SENATOR KOEHLER:

Thank you, Mr. President, Members of the Senate. Just a question of the sponsor and a comment as well.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question, Senator. Senator -- Senator Koehler.

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SENATOR KOEHLER:

Yeah, thank you. Senator Trotter, in this past several weeks, I have received really hundreds of postcards, of e-mails, of phone calls from teachers, from social service agencies, from -- I've -- I've met with school superintendents. Everybody is so concerned that they are going to have to have teachers walk out the door, that their classrooms are going to be overcrowded. The one thing that I heard you state, and I want you to state it again, is what this budget does to restore funding for education so that we don't have those wholesale cuts, because people are scared in my community as they are in all of our communities. And I think that this is not certainly the answer that any of us would -- would want, but it does seem like it's the best we can do. Could you restate that about the teachers?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Senator Koehler. Yes. We want to ensure that our -- our children get a proper education. We want to make sure that there's dollars for early childhood education, as well as K to 12. And what we're doing is, is we are doing something creative. We're going to have -- put another fifty cent on cigarettes and we're going to use that two hundred million dollars, parlay it to the feds, for Medicaid spending for those programs that are Medicaid eligible - almost double that money to three hundred and twenty million dollars to ensure that we can pay for -- for childhood education for K to 12 and to mandate categoricals. But to couple with that, because we know that they said it may be about a billion dollars short,

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we've also given the Governor the authority to make transfers from our special funds to make up the difference as we go forward. So we -- we are being -- again, trying to do the best with the bad hand that we've been dealt. And it's to the credit of all of us here that is happening, especially on this side.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Koehler.

SENATOR KOEHLER:

Thank you, Mr. President. Just one more comment. So that -- that -- if I understand this, then all the teachers that have already gotten their pink slips, they may have a chance to stay. And if we were to go the other way and cut another ten percent, that would be another ten percent of teachers that we're giving pink slips to. I -- I want to have this vote. I'm going to vote for this budget because I want to assure the teachers that have gotten the pink slips that they may, in fact, be able to be back in the classroom this fall.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Trotter.

SENATOR TROTTER:

Well, I don't want to give you false hopes. That is our plan, but as I -- I mentioned earlier, there -- there are many parts to this budget process, not only to the appropriation, but to the spending. That's contingent -- we can do that, but that's contingent if we can actually pass a cigarette tax. So there's still some heavy lifting to do. We're not going to just walk out of here tonight - I don't care if it's 1 o'clock, can make it 4 o'clock - we have other plans that -- that we have to sift through to make this work. There was a simple solution.

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There was HB 174. There was a simple solution, but in the absence of that, we're going to piecemeal whatever it is. As -- as you know when you've ministered to people who are hungry, sometimes all you have is a piece of bread, one piece of bread, or maybe it's a cracker and a bowl of soup. You make do. You make that a meal. So we're going to try to do the right thing for our children by doing a multitude of things so we can at least ensure that they're taken care of. So, again, I didn't want to mislead you that the passage of this bill and it's all over. Still some -- a lot of heavy lifting to do.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR SCHOENBERG:

To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR SCHOENBERG:

Mr. President and Ladies and Gentlemen of the Senate, I remember very vividly when my distinguished colleague on the other side of the aisle from DuPage County served so ably as the Chief of Staff to former Governor Jim Edgar. My first term in office in the Illinois House coincided with when Jim Edgar became the Governor. We had an unprecedented budget deficit, unprecedented budget deficit of 1.2 billion dollars. How did the Edgar Administration confront that? And it was all in Medicaid. The Edgar Administration inherited 1.2 billion dollars' worth of Medicaid debt from its predecessor

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administration, the Thompson Administration. It was all in Medicaid. What was done? Spending levels were reduced. Eligibility was restrictive. People who were at their most vulnerable point were turned away. It's now 2010. We see the worst economic conditions in our generation, certainly mine. We've heard comments, earlier this evening, about how the Democrats have increased the spending levels, the spending authorization. Conveniently, what's been omitted from that argument is that the federal government, in response to unprecedented economic conditions, has provided us with an infusion of money so that people would not be turned aside for health care and essential services. We now get reimbursed at close to -- sixty-two percent for Medicaid reimbursable expenses for health care and human services, instead of fifty percent. We have to expand our eligibility to do -- we have to expand our authorization to do that. We had to expand our authorization when we all overwhelmingly voted in October to be able to access 1.15 billion dollars over a fourteen-month period from the federal government as a result of what we did with the hospital assessment and with the quarterly payments for hospitals and with creating the distressed hospital -- the distressed provider fund in order to run our family -- our past due FamilyCare bills through that mechanism in order to get the additional federal money. We've received ARRA funding from the stimulus. Without that ARRA funding from the stimulus, our educational system would even be more distressed. And even with all this unprecedented help that we're getting from the federal government - not out of irresponsibility, but because the federal government has stepped up to the challenge and

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acknowledged that virtually every state in the country is suffering from severe unemployment - every state in the country is suffering from severe pressures on their budget. Whether it's run by a Democratic Governor or run by a Republican Governor, nearly every state in the country - maybe with the exception of North Dakota, because nobody lives there, so they don't have any services, 'cause they don't have any people to provide 'em for - every state in the country is experiencing this problem. Senator Dillard, unlike prior times, our hospitals are not as distressed as they were. Our nursing homes are not as distressed as they were and our medical practitioners are not. There's certainly room for improvement there. But one of the reasons why we suffer from such severe cash flow problems is because every dollar that comes through the door has to go to keep us on a thirty-day payment cycle to hospitals, to nursing homes, to medical practitioners, so that we can get the hundreds of millions of dollars more as a result of the federal stimulus. They're the ones who are getting paid, and as a result of that, it puts a lot of other things on the back burner. I want to make one final point. It's suggested that a ten-percent across-the-board cut is a responsible course of action. You can't do that to Department of Employment Security. It's all federal money. You can't cut it. I don't know anybody, Democrat or Republican, who wants to give federal money back. Anybody, liberal or conservative, who wants to give federal money back. My experience is, people will take it even if they want to pretend they didn't have to vote for it. So finally, Mr. President and Ladies and Gentlemen of the Senate, we need a scalpel. We need to make additional cuts. I acknowledge that.

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We can't use a hatchet. We can't replicate the experiences that we saw in the early 1990s, where the most vulnerable people in communities throughout the State were put at risk because of a hatchet, not a scalpel. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much, Senator. Okay, Ladies and Gentlemen, that completes our Members seeking discussion on this matter. The Chair would ask Senator Trotter to close, sir.

SENATOR TROTTER:

Thank you very much, Mr. President, Members, Leader Schoenberg, for that history. And I, too, know Jim Edgar. And, no, we didn't call him scissorhands or anything. I called him Crossbones Edgar. I mean, he was -- he was the man on the bottle who was really going to get rid of us. We were really trying to balance the budget on poor people's backs. However, somewhere along the way, he got religion, because the -- the first and the last income tax we got was with Jim Edgar. He realized that we, in fact, did need more revenues to take care of the people of the State of Illinois. And that same Jim Edgar on April 9th, 2010, of this year, former Republican Governor Jim Edgar is giving a boost to Democratic Pat Quinn's proposed -- proposal to raise the State income tax. Edgar says the State cannot fix its budget mess without a tax increase. The State faces a thirteen-billion-dollar deficit. The Republican candidate for Governor, State Senator Bill Brady of Bloomington, is campaigning on a pledge not to raise taxes. Edgar has stated that Brady's plan to make a sweeping ten-percent budget cut is naïve, and on Thursday, he said Brady needs to flush out his budget policies. Like I said, I like Jim Edgar. We need -- we

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need more Jim Edgars on that side of the aisle and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, the question is, shall House Bill 859 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 31 Ayes, 26 Nays, 0 voting Present. House Bill 859, having received the required constitutional majority, is declared passed. Okay, Ladies and Gentlemen, if I could have your attention, please. We'd ask the Senate to stand at ease for a few moments. We're going to ask the -- allow the Committee on Assignments to meet. The members on the Committee on Assignments will please come to the President's Anteroom immediately. And the Senate will stand at ease for just a few moments. Senate will stand at ease.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

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

SECRETARY ROCK:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to the Energy Committee - Floor Amendment 3 to House Bill 6202; refer to the Executive Committee - House Joint Resolution 121, Motion to Concur with Floor {sic}

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Amendment 3 to Senate Bill 43, Motion to Concur with House Amendment 1, House Amendment 2 and House Amendment 3 to Senate Bill 326, Motion to Concur with House Amendment 1 to Senate Bill 1332, Motion to Concur with House Amendment 2 to Senate Bill 3576, Motion to Concur with House Amendment 1 to Senate Bill 3619; re-referred from the Local Government Committee to the Executive Committee - Floor Amendment 2 to House Bill 4815; and Be Approved for Consideration - Senate Resolution 801 and Motion to Concur with House Amendment 1 to Senate Bill 380.

Signed by Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, I need your attention, please. We have some committee announcements for tomorrow morning. Tomorrow morning, at the hour of 9 a.m., Education will meet in Room 409. Senator Viverito, would you join me, please? Education, at 9 a.m., in Room 409. Criminal Law will meet in Room 212 at the hour of 9:15. At the hour of 9:15, Criminal Law will meet. And Energy, in Room 212, will meet at the hour of 9:45 - will meet at the hour of 9:45. And the final business -- order of business for today, there being no further business to come before the Senate, the... Senator Haine, are you seeking recognition, sir? I'm so sorry. For what purpose do you rise, Senator?

SENATOR HAINE:

A question of the Chair, Mr. President. Lawyers meeting at 9 a.m.?

PRESIDING OFFICER: (SENATOR DeLEO)

No, it wasn't Judiciary, sir. It was Criminal Law. The real lawyers meet. There being no further business to come

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before the Senate, the Senate will stand adjourned until the hour of 10 a.m. on the 7th day of May, the year 2010. The Senate stands adjourned.