

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

HB0543	Recalled	98
HB0543	Third Reading	98
HB0859	Vote Intention	30
HB0991	Recalled	110
HB0991	Third Reading	111
HB2428	Recalled	81
HB2428	Third Reading	82
HB4182	Third Reading	74
HB4182	Vote Intention	80
HB4711	Recalled	148
HB4711	Third Reading	149
HB6195	Out Of Record	150
HB6195	Recalled	151
HB6195	Third Reading	150
HB6195	Third Reading	152
HB6202	Recalled	144
HB6202	Third Reading	145
SB0028	Concurrence	5
SB0043	Concurrence	116
SB0326	Concurrence	121
SB0326	Vote Intention	134
SB0380	Concurrence	34
SB0380	Vote Intention	41
SB1332	Concurrence	134
SB1526	Concurrence	135
SB2612	Concurrence	137
SB2843	Recalled	153
SB2843	Third Reading	154
SB2843	Vote Intention	155
SB3084	Concurrence	45
SB3129	Concurrence	138
SB3180	Concurrence	46
SB3576	Concurrence	139
SB3619	Concurrence	140
SB3681	Concurrence	49
SB3683	Concurrence	42
SB3702	Concurrence	43
SB3721	Concurrence	141
SR0801	Adopted	4
SR0826	Resolution Offered	156
HJR0121	Adopted	115

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

HJR0121	Motion	41
SJR0072	Concurrence	33
SJR0128	Adopted	178
SJR0128	Resolution Offered	177
Senate to Order-Senator DeLeo		1
Prayer-Pastor Randall Gordon		1
Pledge of Allegiance		1
Journal-Postponed		1
Committee Reports		2
Messages from the House		2
Senate Stands at Ease/Reconvenes		40
Committee Reports		40
Executive Session		52
Committee Reports		53
Committee Reports		65
Committee Reports		66
Committee Reports		67
Committee Reports		68
Committee Reports		69
Committee Reports		70
Committee Reports		71
Executive Session arises		73
Senate Stands in Recess/Reconvenes		75
Committee Reports		76
Messages from the House		77
Senate Stands in Recess/Reconvenes		78
Senate Stands at Ease		79
Senate Reconvenes		80
Committee Reports		80
Messages from the House		156
Resolutions Consent Calendar-Adopted		157
Remarks Concerning Senator DeLeo		157
Adjournment		178

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

PRESIDING OFFICER: (SENATOR DeLEO)

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 galleries please rise? The invocation today will be given by Pastor Randall Gordon of the Greeter {sic} (Greater) Christ Temple in Bradley, Illinois. Pastor.

PASTOR RANDALL GORDON:

(Prayer by Pastor Randall Gordon)

PRESIDING OFFICER: (SENATOR DeLEO)

Please remain standing for the Pledge of Allegiance. Senator Maloney, to lead in the Pledge, sir.

SENATOR MALONEY:

(Pledge of Allegiance, led by Senator Maloney)

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, Reading and Approval of the Journal, please.

SECRETARY ROCK:

Senate Journal of Thursday, May 6, 2010.

PRESIDING OFFICER: (SENATOR DeLEO)

A very good morning to you, Senator Hunter. Senator Hunter.

SENATOR HUNTER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Hunter moves to postpone the reading and approval of the Journals, pending the arrival of the printed

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

transcripts. There being no objection, so ordered. Senator Viverito, for what purpose do you seek recognition? Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Meeks, Chairperson of the Committee on Education, reports Senate Amendment 1 to Senate Bill 2843, Senate Amendment 1 to House Bill 4711, Motion to Concur with House Amendments 1 and 2 to Senate Bill 3681, all recommended Do Adopt.

Senator Noland, Chairperson of the Committee on Criminal Law, reports Motion to Concur with House Amendment 1 to Senate Bill 3084 and Motion to Concur with House Amendments 1 and 2 to Senate Bill 3180 recommended Do Adopt.

Senator Jacobs, Chairperson of the Committee on Energy, reports Senate Amendment 3 to House Bill 6202 recommended Do Adopt.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, Messages from the House, please.

SECRETARY ROCK:

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

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

Senate Bill 2612.

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 2.

Passed the House, as amended, May 7th, 2010. Mark Mahoney, Clerk of the House.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, within -- all Members within the sound of my voice, we're about to go to Secretary's Desk, Concurrence. Final passage. Substantive. Final passage. I ask all Members please report to the Senate Floor immediately. Senator Garrett. Good morning, Senator Garrett. Are you seeking recognition, ma'am?

SENATOR GARRETT:

Yeah. Yes, Mr. President. After that long day's journey into night, I'm here ready to go with my Page for the Day.

PRESIDING OFFICER: (SENATOR DeLEO)

Please give the lady your attention, please. Senator Garrett.

SENATOR GARRETT:

Yes, I am honored to have Sydney Burdick from Northbrook, a fifth grader from Greenbriar School, spend the day and help me vote on this interesting budget that we are faced with. So, if we could give Sydney a warm welcome, that would be in order.

PRESIDING OFFICER: (SENATOR DeLEO)

Be welcomed to Springfield. Welcome to the Illinois Senate.

SENATOR GARRETT:

Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Cindy {sic} - Cindy {sic} - do you know who Justin Bieber is? He's -- he'll be here later. He'll be here later. He -- he'll be -- he's fly -- he's flying in with Taylor Swift. Okay, Ladies and Gentlemen, I'd ask you to turn -- go to the printed Calendar, page 36. On the top of page 36 is Secretary's Desk,

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

Concurrence on Senate Bills, comes Senate Bill 28. Senate Bill 28. We have a request for permission to videotape the proceedings from Illinois Statehouse News. Seeing no objection, leave is granted. Okay, Senate Bill 28, out of the record. Ladies and Gentlemen, I'd ask you to turn your printed Calendars to page 35 - page 35 of the printed Calendar. On the bottom of page 35 is Secretary's Desk, Resolutions. Senate Resolution 801. Senator Silverstein, do you wish to proceed, sir? He indicates he does. Madam Secretary, read the gentlemen's resolution.

SECRETARY ROCK:

Senate Resolution 801, offered by Senator Silverstein.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Senator Silverstein, to the resolution, sir.

SENATOR SILVERSTEIN:

Thank you, Mr. President. We'll -- we'll turn gears here to foreign policy. On April 25th of -- since 2006, in Israel, a soldier by the name of Sergeant Shalit has -- was captured and has been held a prisoner of war by Hamas militants. On April 25th, Hamas released a animated film bearing a -- a grisly message for Israel - that if Israel does not meet their demands, the Sergeant will return in a coffin. And it was a horrible cartoon. It was produced by Hamas. The resolution just condemns the video and asks that the United States, as well as other citizens, condemn the film released by Hamas. Interesting enough, just two days after the release of the video, Israel allowed the daughter of a Hamas top security official in Gaza to pass through Israel on her way to -- for medical treatment in

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

Jordan. So, Israel is acting in a humane way. Unfortunately, the others are not acting in a humane way. I ask for adoption.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall Senate Resolution 801 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 53 Ayes, 0 voting Nay, 0 voting Present. Senate Resolution 801, having received the required constitutional majority, is declared passed. Okay. Okay, Ladies and Gentlemen, we'll go -- continuing on the printed Calendar, on page 36, on the top of page 36, is Senate -- Secretary's Desk, Concurrence on Senate Bills. Senate Bills {sic} 28, on the Order of Concurrence. Senator Cullerton, do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary. Ladies and Gentlemen, can we take our conferences off the Floor, please? Will the Members please be at their desk? Senator Millner, will you join us? Senator Martinez, how are you this morning? Madam Secretary, read the gentleman's motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1, 2 and 4 to Senate Bill 28.

Filed by President Cullerton.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton, to the motion, sir.

SENATOR CULLERTON:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

Yes, thank you, Mr. Speaker {sic}, Members of the Senate. Good morning, everybody. Hope everybody had a nice sleep last night. This is the McCormick Place bill. And procedurally, we would wish to concur with the three amendments that were passed in the House. We had heard this bill in Executive last night as House Bill 4976, and that bill is identical to the bill that the House passed. So that's why we -- we wish to procedurally call this bill, which has already passed the other Chamber. So this contains the reforms of the Metropolitan Pier and Exposition Authority. Creates a new governance structure for McPier. There's a number of ethics and audit provisions. Also offers some incentives for McPier, as well as the Stephens Convention Center in Rosemont. It does establish, by statute, new rights and rules for exhibitors and labor to make McPier more efficient and friendlier towards shows and -- and conventions. It also sets up a -- something which had been done years ago - that is, to create a trustee. In the past, there was a need for this and former Governor Ogilvie was named as a trustee. In this bill, we name Jim Reilly a trustee, who would serve and have the powers and duties of the -- of the Board and the CEO and run the day-to-day operations for a year and a half. We set up an interim board. The appointments are shared by the Governor and the -- the Mayor. And then after that period, we have a nine-member Board. Chicago Convention and Tourism Bureau would be - which is a not-for-profit organization - would be reconstituted. We'd have the -- make sure we have conflict of interest and -- provisions apply to them as well, and have a chairman select an Executive Committee. This board is currently funded in part by a -- a -- a tax or fee on transportation to the airports. And

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

that would be doubled and that money would be shared both by McCormick Place as well as Rosemont. Strong ethics provisions are put in -- in this bill - apply to the trustee, the interim board members, and employees, and the spouses. And the Governmental Ethics Acts, of course, would apply as well. And revolving door prohibition for the trustee and board members would be included. The exhibitor rights is a key part of the bill. We want to send a message to the exhibitors and to the show managers - they should not cancel their shows at McCormick Place, but rather come to McCormick Place. We do -- we do this by putting kind of house rules in the bill that would apply to exhibitors and labor. We allow folks that come to set up their own booths, under certain limitations as to what they can use to set their own booths up. But we let them do that and then, of course, if anything's more involved or complicated, then, of course, they would use the -- the union labor that is available. The cost, as a result of this, will come down. And we're also saying, though, to the contractors and the show managers, that the savings that we get from these work rule changes must be passed on to the exhibitor. We limit certain hours that people can be paid a certain amount of money. We make sure that the electrical contractor, the in-house contractor, would not be -- after they provide their services, not have McCormick Place overcharge the exhibitors, which has been the case. It's also been the case with regard to the food services. They -- the exhibitors have been overcharged. So we end that practice, and as a result, there's no markups. We provide a way in which -- if there's fights about labor jurisdiction, we have a -- an advisory council that would help mediate those tasks. We do

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

also call for an audit, semiannually, to make sure that these reforms, again, are passed on to the exhibitors. The incentive grant, which is an excellent bill that we passed a few years ago that would allow for McPier to entice trade shows to come to Chicago or, in this case, also Rosemont, is -- is doubled, so that we can use this money to help encourage conventions to come here. And then after they come here, this fund would be used to reimburse the convention centers. With -- with this, also there's a -- there's a bonding restructuring. We're doing that because, as it turns out, the funds that are used to pay off the bonds now are -- are failing to -- to provide enough money and, as a result, the State is on the hook. So what we're doing is we're kind of refinancing these bonds, stretching out the payment and -- and, as a result, we're able to actually help the State and not having to have as much of a drain. We also say that the Authority can, if they want to - this is permissive - they can actually enter into a licensing agreement for naming rights for the building and the facilities in an effort to raise more money. So, it's an excellent bill. We've been told by everybody involved that this is really going to be a game changer. This is really going to send the message to not lose any more conventions from McCormick Place, but rather really be an attraction for more shows. And I'm very happy to answer any questions. Would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR DILLARD:

Thank you. Thank you, Mr. President. Good morning. It's

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

a new day around here from last night. And this is an example - and I rise in support, strong support, of Senate Bill 28 - of how things ought to work around the Illinois General Assembly. McCormick Place, next to O'Hare Airport, is probably the most important economic engine in northeastern Illinois that we have any control of -- over, as a government. And a strong McCormick Place leads to a strong business reputation for all of Illinois and the City of Chicago. I want to thank Senator Cullerton. I want to thank Speaker Madigan. A lot of times we over here sometimes goad the Speaker and we -- we are envious of his power. But, Speaker Madigan, along with Senate President Cullerton, put an immense amount of time into this legislation. And I want to say thank you to my Leader, Senator Christine Radogno, who also put an immense amount of time and thought into this process, cooperated with Senator Cullerton. And I want to thank -- and while the Democrat staff does great work, I particularly want to thank Kim Fowler and -- and Staci Wilson. I know they were both here into the wee hours, like we were here. You know, our staff is here regularly until 1 o'clock in the morning. Staci's got young children and Kim Fowler has been one of the -- the State's bonding experts through a number of governors. And I thank Speaker Madigan and Senator Cullerton for taking the input, especially on the bonding side and the finance side, our recommendations from the Senate Republicans on how to make this a -- a better package. This is an example of how, when the process works, Republicans cooperate. So, when we're at the table, we cooperate and we say yes. And we will vote for this legislation. So, I want to, again, thank the Speaker, thank the Senate President. I want to thank

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

Representative Skip Saviano. You know, one of the criticisms around here, and it's one of the reasons that the budget is in trouble, is we are a four-leader, top-down process. And I think human nature -- I think human nature is such that if we had more input from Senator Sullivan and Senator Trotter and Senator Lauzen and Senator Murphy and Senator Althoff, rank-and-file Members of the General Assembly, on the budget, it would be a lot easier to pass. That's the way it worked under Senator Rauschenberger and others, and the top-down process does not work. But, in the McCormick Place bill, there was input from regular rank-and-file Members, including Representative Saviano over in the House. Mayor Brad Stephens, I know has been running around here from the Village of Rosemont. And Mayor Stephens, who operates -- I'll tell you, Rosemont, like McCormick Place, is a crown jewel of the entertainment and convention business in America. And, when people think of Chicago, it's just not only McCormick Place, but people from all over the world rave about Rosemont and the great convention center, and it is a model, a model of convention centers throughout the United States. And last, but not least, my old friend Jim Reilly. You know, I kidded Jim the other day that he's back here putting out brush fires. But Mr. Reilly is going to have a daunting task. The labor unions, our friends in organized labor, are not necessarily happy with this particular bill. But, the working people -- and there are hundreds of thousands of families who get their income from Mayor Stephens' Rosemont Convention Center and McCormick Place. And I say to our friends in organized labor, you know, it's like our children - we love you; this is tough love. We're trying to preserve your jobs. We are trying

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

to preserve a future for working men and women. And they work hard at McCormick Place. They're our ambassadors to literally all of the world. And to our friends in organized labor -- and, again, I -- I can't thank Speaker Madigan and -- and Senator Cullerton enough for their leadership, because it wasn't easy to get the organized labor members - and some are very distraught over this bill still - to the table. But -- last night we had a very contentious debate here, but this just shows when the process works. And we had multiple hearings over spring break, conducted and led -- it was kind of neat to see Senator Cullerton and Speaker Madigan co-chair these hearings on McCormick Place. But when we do it right, folks, we come up with a solution. And whether it was the telecom bill the other day or this one, when the General Assembly cooperates, Illinois works. And I urge an Aye vote. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RUTHERFORD:

Mr. President, thank you. A question of the sponsor, if I may. President Cullerton...

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question. Senator Cullerton. He indicates he'll yield for a question. Senator Rutherford.

SENATOR RUTHERFORD:

Thank you -- thank you, Mr. President. Mr. President, there was a -- one of the drafts had a provision, which was 5.5,

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

a part of it, which dealt with service contractor, which would've -- provide for an exclusive show contractor. My understanding, that that provision, within the bill we're dealing with today, is taken out. Is that correct?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton.

SENATOR CULLERTON:

Yes.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Rutherford.

SENATOR RUTHERFORD:

Thank you, Mr. President. President Cullerton, do you envision, with that provision taken out, that a -- the trustee, the new Board or the interim board would have the authority to provide for exclusive service show contractors on their own volition with that Section taken out?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton.

SENATOR CULLERTON:

Senator, this particular issue I think was grossly misunderstood when it was first discussed. What -- right now, there's two major contractors that are used. The show managers contract with them and they put the shows on. We noticed that out in Rosemont, they have a different model. They actually have established their own contractor. So, the idea was, why don't we give the option, the option, to McCormick Place; if they wanted to create their own in-house contractor, that they would be allowed to do that. And people were very upset about that, for some reason. So, we just took it out. So, I don't

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

know that there's anything that precludes the -- McCormick Place, in the absence of any statute, to throw that option out there. I -- I don't know. But, in either case, at their request - the show managers, the exhibitors, the people we're trying to attract - they wanted it out; we took it out.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Rutherford.

SENATOR RUTHERFORD:

Thank you, Mr. President. Just -- just for clarity, Mr. President. So, we understand it's not in the bill today. But do you envision, or do you see, that the trustee, the interim board, or the new Board could, if they so chose to, provide for an exclusive service contract for the shows? There's nothing to preclude it, I understand. Do you see it, then, being an option they could have available to them, if they desired?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton.

SENATOR CULLERTON:

Well, I don't know if I have an answer for the technical legal question that you're asking. I would say as a practical matter, as -- as we saw all of the concern of the show managers, that not to have any -- they like their contractors that they're using now; they want to stay with them. I would think the trustee, knowing that, would not entertain the need for any new contractor.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Rutherford, anything further? Nothing further? Further discussion? Further discussion? Senator Pankau, for what purpose do you seek recognition, ma'am?

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

SENATOR PANKAU:

A question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question, ma'am.

SENATOR PANKAU:

Senator, yesterday in committee, the staff told us that the version we were looking at in committee was 99.5 percent of what was actually coming over from the House, because the -- the bill in committee was not the -- the bill in committee was not the one that we were talking about here. But you said, no, it was virtually the same and we were going to be bringing it out. My -- I was able to talk to the staff later on and ask them what that difference was and they said it was something about Rosemont, where one bill said five thousand dollars -- or, five thousand -- what -- something and the other one was five to ten. And I was wondering if that difference has been ironed out?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton.

SENATOR CULLERTON:

Yes, Amendment No. 4 that the House added makes the bill identical to the one that we debated in the committee yesterday.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Pankau.

SENATOR PANKAU:

So, then, what is the number of attendees? Is it the five thousand, or five to ten?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton.

SENATOR CULLERTON:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

It's five thousand and above, which is what our intention was all along.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Pankau.

SENATOR PANKAU:

Thank you very much. I too urge an Aye vote on this.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Further discussion? Further discussion? Senator Raoul, are you seeking recognition on this motion, sir?

SENATOR RAOUL:

I am, sir. To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the -- to the motion, sir.

SENATOR RAOUL:

To the motion rather. I too want to echo the words of Senator Dillard. I think this is a demonstration of what we can do down here on a bipartisan basis. I was part of the committee that met over the spring break, and it just so happens that Navy Pier and McCormick Place lie within my district, but this is not a parochial issue by any means. McCormick Place and Navy Pier impact way beyond the -- the lines of my district. For the past couple of General Assemblies, I've brought before this Chamber bills to restructure McCormick Place's debt to keep their nose above water so we can keep the visitor industry and the convention industry in the City of Chicago, State of Illinois, thriving on behalf of not just the residents of my district, not just the City of Chicago, but because it has tremendous economic impact on the entire State. I must say, coming up to this point, there was an awful lot of -- of finger-pointing going on

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

and it's -- it's -- and it was said, during the process, that everybody needs to put a little bit of skin in the game, and I think this final result has that to a great extent. It's often mentioned that we're competing with Orlando and Vegas and Toronto, the major convention cities. But what we learned in the hearings is, due to the economy, we're not only competing with the major convention cities, we are also competing with some second-tier cities, because some of these conventions have been getting smaller. We also learned that -- that our labor force, here in Chicago, is one to be valued. A lot of finger-pointing was singularly directed towards labor, but we learned that in some of the other convention cities, they import our Chicago labor to work in Orlando or in Vegas, because we have the best labor here in the City -- in -- in the State of Illinois. They know how to do this work better than anywhere else. The incentive grant that's within here, that expands upon an incentive grant that had passed out before, is something else to be applauded within here. The jobs that we preserve are critical, the economic growth. The notion that the savings ought to be passed on should be highlighted and exclamationed. Highlighted and exclamationed in avoiding unnecessary markups. One of the things that is not in here that we have been talking, in particular Members of the Legislative Black Caucus, Latino Caucus, as we talk about labor and as we talk about how this -- McCormick Place impacts not just my district and not -- it impacts the entire State of Illinois. I'd like to reiterate that Illinois is a very diverse state. And as we look at reforming, we need to look at reforming in a manner that the diversity as reflected in the communities that immediately

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

surround McCormick Place can partake in the economy of McCormick Place. No matter what labor force we are talking about, it should -- it should not be overly concentrated in just the service industry jobs. There should be access for people of all backgrounds from our diverse State to all of the jobs. I applaud you, President Cullerton, and I applaud Leader Radogno, Representative Saviano, the Speaker, Representative Harris, who had specific knowledge of the industry. I think we should have all green lights on -- on -- on this bill and we should all smile on this after a night -- or, early morning that we had last night, with contentious debate. This is something that should be celebrated and hopefully can also be reported as good news and reflective of how we can work on a bipartisan basis. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Further discussion? Further discussion? Senator Murphy, are you seeking recognition on this motion, sir?

SENATOR MURPHY:

To the bill, Mr. President. I mean, we don't want to let an opportunity like this pass. After last night, in particular, when I had commented that we were seeing some of the worst of what this place is, it's nice to come back this morning and see some of the best of what this place can be - where there's thoughtful work product and a real solution to unshackle one of the economic engines of this State and create an opportunity for the Chicagoland area and, therefore, the entire State to thrive. So I commend President Cullerton, Speaker Madigan, and all the Leaders who were involved in bringing this to the point of

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

really reforming this, because this is a significant piece of legislation for our future. And we stand on this side of the aisle -- you know, we are ready, willing and able to vote No, as some have pointed out, when we feel it's in the best interest of the State. But, the truth is, we'd rather vote for things. This is an opportunity, yet again, to vote for something, like we did with pension reform, like we did with Section 25 budget reform, like we did with telecom write -- rewrite, like we did last year with the capital bill - major pieces of bipartisan legislation that we felt moved the State forward, where we were engaged and worked together, and we reached across the aisle -- and you reached across the aisle. And I thank you for giving us yet another opportunity to work with you for the betterment of the people of this entire State. I strongly urge an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Our last person seeking recognition on this matter, Senator Delgado, and then President Cullerton to close. Senator Delgado, for what purpose do you arise, sir?

SENATOR DELGADO:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

The sponsor indicates he'll yield for a question, sir. Senator Delgado.

SENATOR DELGADO:

President Cullerton, and -- and I do understand the need to address the concern at McCormick Place and Navy Pier. And I have brought you my concerns. So -- but you have to -- I need to ask some questions. And -- and help me understand, when we talk about the economic side - and I put that in perspective as

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

to not losing shows and making sure that we're solvent - but help me understand, if -- the carpenters, for example, how will we deal with that workforce? Who will these workers be and what process will be set up at -- if this and when it becomes law? Can you help me understand just a little bit as to how that will be? Who will set up these shows?

PRESIDING OFFICER: (SENATOR DeLEO)

President Cullerton.

SENATOR CULLERTON:

Thank you very much. First of all, we should keep in mind that this bill, and these conventions that we're going to attract because of this bill, generate money throughout, really, the whole State. It's not just the people working in the house. It helps -- it fills the hotels. It provides work for people who supply food to the hotels and people who drive the taxicabs. So it helps everybody - the entire economy, I would -- I would argue. Specifically, we have individual unions that are hired by the contractors. And in the case of the electricians, they're hired by the -- by the house. In the case of the food contract, they put it out for bid and the winning bidder goes out and hires those -- those union people. So they are union people. And we have -- the diversity of the workplace varies based on -- on those individual unions. They involve riggers, decorators, teamsters, electricians, -- people from the hotel restaurant union. So, they have their own diversity. We have a provision in here that allows for what's called "call by name". So an exhibitor can specifically ask for specific types of workers who they've worked with in the past. And -- and in that regard, we make sure that there's no discrimination. We put

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

that in the bill to make sure that they don't discriminate any particular race or ethnic group. So, that's how it works. I think generally speaking, because of the totality of the bill, because of the money that it will continue to bring in, the entire economy works and everyone benefits.

PRESIDING OFFICER: (SENATOR DeLEO)

Further discussion? Senator Delgado.

SENATOR DELGADO:

And -- and I -- and I appreciate your -- your answer, Mr. President, and that leads me to -- and I'll be brief; I'm not going too far. However, when we talk about those populations, as I had in my experience with Soldier Field, when I had my experiences in the Deep Tunnel - I have experiences even with amusements in this State - and I find many folks who -- come from out of the State. What -- do you know -- and -- and for the fact that I haven't had the experience with labor -- I should say with McCormick Place or others having a real -- seen any kind of substantive population of minorities. And the fastest-growing population in our City and State are Latinos, and my concern is now, that everyone continues to say how expensive this is. Well, my community wasn't at the table. They were on the menu. And, being on the menu, I'm really concerned because this could be a slippery slope. And I did reside in another state once upon a time and it was a right-to-work state. And I'm getting very concerned that in the next twenty years, when there's people like -- maybe someone who looks like me in those positions, and in your position, what kind of state are you -- we going to have left for us? Because they -- we didn't come out of those wards that made a lot of

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

money and those three pensions. We didn't share in any of that, nor would we have wanted to, because we were the ones out there trying to get in. And at the end of the day, Mr. President, I'm concerned in the long term, and I'm concerned where we'll be as -- as a population in 2020 and what's going to be there. Because it seems like everyone's finished at the trough, and I'm getting a little concerned because these are real workers that make thirty to thirty-five thousand dollars. And -- so I guess the last question is, in this legislation, is there any amount of -- any addressing the -- as to not throwing the baby out with the bathwater? And I've heard comments of, you know, it'll take a carpenter just to move a ladder, or -- or a plug into a wall and the high-paid electricians. Have we renegotiated any of that with them at all? Can you help me understand that, because I really don't know the answer?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Cullerton.

SENATOR CULLERTON:

Senator, if you're talking about -- I think what you're talking about is the exhibitor bill of rights - exhibitor bill of rights. And we -- we give -- and this is a very important part of the -- in the bill. I just want to give you some examples. We say that in order to control costs and increase competitiveness, there are certain rules that apply to this house. And what we say, for example, is an exhibitor can use a -- a ladder or hand tools and they can set up their own booth. If it gets more complicated and they need -- they can't do it with just a ladder and some hand tools, then obviously they bring in the union people that -- that provide those services.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

To the extent that we also limit the ability of how much money the collective bargaining agreement can allow people to be -- to be paid. We limit that as well. We put that in there in order to save money to pass on to the exhibitors. The broader picture - you asked about earlier - if you want to talk about the diversity in the -- in the hiring, that's obviously a problem we've addressed -- or, are -- are concerned with in the General Assembly in a lot of areas, whether it be road building, whether it be the hiring of the General Assembly personnel. So, I would say, in this particular bill, we don't have any specific language that changes that. These are still private contractors hiring their own people. But now we have a -- a trustee who has powers that can, quite frankly, lean on -- on people and try to have more input into making sure that the workforce is -- is -- that reflects the diversity of the community.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Delgado.

SENATOR DELGADO:

Thank you, Mr. President. Thank -- thank you for your answers. And, Mr. President, well, I just wanted to point out that I am just concerned as to making sure we don't throw the baby out with the bathwater. I understand the nature and the importance of us making a -- a restructuring and a modification. However, I want to make sure that we take in the demographics and the socio-economic realities of the communities that live and work. And that any loss of Illinois workers, local workers, I'm sure the President and -- and -- and Speaker Madigan have taken that into account, because I know how concerned and -- and how dedicated they are to our State and in their own right. So,

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

I needed to ask these questions for legislative intent and, at the same time, because of my personal concern and as a legislator. And so, thank you, Mr. President, for allowing me to ask these questions. And I just want folks to understand, as we move down this path, to please be -- keep that in perspective and create a framework that will work for all Illinoisans. And I do put my confidence in my President, who has been nothing but straight up with us and straightforward with this legislator, and I thank you for the time and answers.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Okay, that's -- no further people seeking recognition on this matter, President Cullerton, to close, sir.

SENATOR CULLERTON:

Yes, well, thank you, Mr. President, Members of the Senate. As you see from the board, we have a Cullerton-Radogno bill. That's symbolic of the fact that this is a bipartisan effort. And I appreciate the -- the -- the references to the fact that this was done in a bipartisan effort. And, of course, I -- I hear the analogies that are being made to the -- the lack of bipartisanship with regard to the budget. So let me just say that what happened with this bill was we had a joint committee, where we had Republicans and Democrats from both Chambers, who took testimony. And we had the benefit of Mr. Reilly, a former Member of the General Assembly, to help us draft legislation. And when we -- we came up with a draft, the Speaker and I spent a lot of time with, as you can imagine, real tough negotiations with some labor organizations. We then presented those proposals to the Republicans and they -- and we had interaction.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

They said, "Can you change this", "Can you change that". They did not say, "Absolutely not, I'm against everything." They did not say that, in this particular case. They said, "Let's take your language, we'll look at it." They didn't say, "I'm sorry, I can't help you with any of this. We're against it." They said, "Let's see if we can have interaction." And that's what we did. So that's how we got a product. Bipartisanship requires give-and-take. You can't start with "No, we're against everything" and then say "How come you're not being bipartisan". So, in this particular case, I also want to mention that the goal of this bill is to create jobs. I would say to our union friends, this is -- bill is a pro-union bill, because this bill will keep us from losing shows which have just come right out and said, "If you don't pass a bill like this, we're out of here." So, a hundred percent of nothing is nothing. And that's where I think, I would hope, that our friends would realize we're really trying to help 'em. I know it's painful, because there's givebacks here. There's -- there's -- on the face of it, there's going to be, when the shows are here, a little less work; a little less salary is going to the union members. But if they're not here at all, then you lose the whole thing. So, with that, I appreciate an Aye vote and I'd be appreciative that we have as many votes as possible to send the message to the -- the show managers that we want 'em to come to McCormick Place and Rosemont, and let's help revive our economy and create some more jobs. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, President Cullerton. Okay, Ladies and Gentlemen, the question is, shall the Senate concur in House

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

Amendment No. 1, 2 and 4 to Senate Bill 28. 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 51 Ayes, 6 voting Nay, 1 voting Present. Having received the required constitutional majority, the Senate does concur in Amendment No. 1, 2 and 4 to Senate Bill 28. And the bill is declared passed. Senator Risinger, for what purpose do you rise, sir?

SENATOR RISINGER:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

State your point, sir.

SENATOR RISINGER:

Thank you, Mr. President and Members of the Body. We have a special group in the gallery on -- on our side. They are the Peoria Richwoods High School Basketball Varsity Team. They had a very special year this year. They were 26 and 3. They finished second in the State in Class 3A basketball. And we would like for the -- for the Body to give them a warm welcome, to their coach, Mike Ellis, and his assistant coaches and the team.

PRESIDING OFFICER: (SENATOR DeLEO)

Will our guests in the galleries please rise and be recognized? Welcome to the Illinois State Capitol. Welcome to the Senate. Congratulations. Thank you. Senator Righter, are you seeking recognition, sir?

SENATOR RIGHTER:

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

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

privilege, if I might.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR RIGHTER:

Thank you, Mr. President, Ladies and Gentlemen of the Chamber. It is my pleasure to have a young man, a seven-year-old first grader, from Paris, in Edgar County in my district, Jude Sullivan, to be here to Page with me here today. I want to thank the Members who have taken the time to sign the Blue Book that we've gotten for him. I would also, if I might, Mr. President, like to introduce his father, Matt Sullivan, who is in the gallery right above us here. Matt is the State's Attorney in Edgar County and in July will become the newest judge in the Fifth Judicial Circuit. And the gentleman, also who's responsible for both of these guys, really, and that is Jude's grandfather, Jim, is also joining with us. I would ask those two to rise and give 'em a warm Senate welcome...

PRESIDING OFFICER: (SENATOR DeLEO)

Judge, and our guest in the gallery, please rise and be recognized, and young Mr. Sullivan. Judge, let your son grow up to be an accountant, please. Leader Hendon, are you seeking recognition, sir?

SENATOR HENDON:

Yes, Mr. President. Thank you, Mr. President. I just wanted to point out to the Body that we spent forty-five minutes on that last bill and it had 51 Aye votes. If -- at this pace, we will make it to June 1st, which is the -- wish of the Republicans. And I don't blame 'em, 'cause if I was Republican, I'd want us to go in overtime too. At this pace, we will get

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

there.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you for that reminder, Senator. Senator Lauzen.
Good morning, sir. Nice to see you.

SENATOR LAUZEN:

Good morning, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

What -- and what purpose do you rise, sir?

SENATOR LAUZEN:

We -- we are going to miss you...

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much, sir.

SENATOR LAUZEN:

...in that Chair. A point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR LAUZEN:

Like to make an introduction. I'd like to welcome Sean Price back to the Illinois State Senate. Sean Price - if you would stand up - Sean Price is a second-year law student at the University of Chicago. Sean has just been accepted into the United States Marine Corps Officer Training Program. He will be spending this summer -- while we're serving our constituents, Sean is going to be serving our country at Quantico, Virginia, going through the training program, crawling through the mud, climbing up the trees - whatever the Marine Corps does to test peoples character, that's what Sean is going to be doing. He's up to fifteen pull-ups, by the way. So he's getting ready. So I'd like you welcome him back to the Senate.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

PRESIDING OFFICER: (SENATOR DeLEO)

Welcome. Welcome to the Illinois State Senate. It's very important going to law school, and coming from Hyde Park, you never know what you can grow up to be someday. Senator Schoenberg, for what purpose do you rise, sir?

SENATOR SCHOENBERG:

Mr. President, I have an inquiry of the Chair. Mr. President, I was going through my things this morning, preparing for adjournment, and I found a Senator James A. DeLeo pen that when you use -- when I used to click it, the light went on. The light doesn't go on anymore, Mr. President. What should I do?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator, I've been looking for that pen. Senator Sullivan, are you seeking recognition, sir?

SENATOR SULLIVAN:

Yes, I am. Good morning, Mr. President. I have a -- like a point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir, and very good morning to you.

SENATOR SULLIVAN:

Thank you very much. Ladies and Gentlemen, I have two guests with me here this morning. They are interns in my Macomb district office. To my right is Caitlin Rydinsky. She's a senior at Western Illinois University in Macomb, majoring in journalism, a minor in art. She is from Washington, Illinois, which I believe is Senator Rutherford's district. And I'd like you to welcome her. And then also to my left is Chris Zimmerman. He's a senior, also at WIU, majoring in philosophy, a minor in political science. He's from Avon, Illinois. And

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

after college, he'd like to -- he's going to go after a master's degree in public administration. I'd like the Illinois Senate to welcome my two guests here this morning.

PRESIDING OFFICER: (SENATOR DeLEO)

Will our guests please rise and be recognized? Welcome. Welcome to Springfield. Senator Bivins, you've been standing there patiently, sir. For what purpose do you rise?

SENATOR BIVINS:

Thank you, Mr. President. Good morning, again. Point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR BIVINS:

Mr. President and Members, in the gallery on the Democratic side, I have two guests I want to introduce. One is from my hometown, the Chief of Police, -- Dan Langloss, and another individual, Erin Merryn. They both testified this morning in Education Committee on Senate Bill 2843, which I hope that we'll hear later today. Erin is an advocate for those who have been victims as children. She's written two books. She has been listed on Oprah Winfrey's show, "Superwomen". She has appeared on Good Morning America. On June the 8th, she will be the keynote speaker at the National Children's Alliance. And I'd like the Senate to please give them a warm welcome.

PRESIDING OFFICER: (SENATOR DeLEO)

Guests please rise and be recognized. Welcome. Welcome to the Illinois State Senate and thank you for taking your time out and coming down and testifying. Thank you so much. Senator Luechtefeld, good morning, sir.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

SENATOR LUECHTEFELD:

Morning.

PRESIDING OFFICER: (SENATOR DeLEO)

...purpose do you rise, sir?

SENATOR LUECHTEFELD:

I would -- in the -- as hectic as last night's voting was, I'd like to record a -- a record to reflect that on Senate Floor Amendment No. 6 to House Bill 859, I can assure you that I meant to vote No.

PRESIDING OFFICER: (SENATOR DeLEO)

Record will so reflect your intentions, Senator. Senator Bomke, are you seeking recognition, sir?

SENATOR BOMKE:

I -- I am, Mr. President. Point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR BOMKE:

With me today is Marcus {sic} (DeMarcus) Hamilton. Marcus is an intern, a graduate intern, with WTAX Radio. He's following a Senator around for the day; get an idea of what we do. It's unfortunate, I told him, he wasn't with us early this morning. But, nonetheless, he's with me today from about 11 to 4, and I would ask that you help me welcome him to the Illinois State Senate.

PRESIDING OFFICER: (SENATOR DeLEO)

Welcome. Please rise and be recognized. Thank you so much. Senator Dahl, how are you, sir?

SENATOR DAHL:

I'm well. Thank you, Mr. President. Moment of...

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

PRESIDING OFFICER: (SENATOR DeLEO)

What purpose do you rise, sir?

SENATOR DAHL:

...personal privilege. I have with me today a Page also, from Northbrook School in Mendota, Austen Burnett. He's an eighth grader and -- and is very, very interested in -- in politics. And I -- I wish he could've been here with us last night to -- to be involved with that. His parents, Duane and Denise, and grandmother, Mary, are up here in the gallery behind you. And give them a warm welcome.

PRESIDING OFFICER: (SENATOR DeLEO)

Would our guests in the galleries please rise and be recognized? And, son, would you please rise? Welcome. Senator Hultgren, are you seeking recognition, sir?

SENATOR HULTGREN:

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

PRESIDING OFFICER: (SENATOR DeLEO)

State your point, sir.

SENATOR HULTGREN:

This has been a busy week in Springfield. It's also been a busy week back in the Hultgren home, back up north. Two of my kids have had birthdays. My son, Kole, turned six on May 5th, Cinco de Mayo, and my daughter, Kylie, turned fourteen today. Kole is my blond-haired Swede, who loves spicy food and loves asking questions, and Kylie is a beautiful fourteen-year-old that I'm proud of so -- both of them so much. But I would ask the indulgence of the Body to do a first ever. I've searched in the history of the Senate. We've never done a cyberspace

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

serenade here in the Senate. And so I'm going to ask if you can join me. They're watching on the Internet right now. I'd ask if I'd have people up in the gallery and my fellow Senators to sing Happy Birthday to Kole and Kylie. Join me, if you would.

PRESIDING OFFICER: (SENATOR DeLEO)

...all the -- would all the Members please rise? Could all the Members please rise?

SENATOR HULTGREN:

It's Kole and Kylie.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Hultgren, to lead.

SENATOR HULTGREN:

Happy birthday to you! Happy birthday to you! Happy birthday, Kole and Kylie! Happy birthday to you! Thank you very much. Happy birthday, you guys. Thank you so much.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Millner, top that. Senator Millner...

SENATOR MILLNER:

Thank you. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

...for what purpose do you rise, sir?

SENATOR MILLNER:

A point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR MILLNER:

With me today -- I'd like to introduce Gary Pilafas, who's the Deputy Mayor of Hoffman Estates. Welcome to Springfield.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

Gary, welcome to Springfield. It's not your birthday, is it? Okay, Ladies and Gentlemen, we will turn to your printed Calendars, to page 36. Secretary's Desk, Concurrence, Senate Bills, comes Senate Bill 380. Senator Jacobs. Senator Jacobs, do you wish to proceed? Out of the record. We'll come back to it. Okay, I'd ask you to go to page 38 of your printed Calendars. On the top of page 38 is Senate {sic} Desk, Concurrence, Resolutions. Senate Joint Resolution 72. Senator Collins, do you wish to proceed, ma'am? She indicates she does. Madam Secretary, please read the lady's motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Joint Resolution 72.

Filed by Senator Collins.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Collins, to your motion, ma'am.

SENATOR COLLINS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Basically what the motion does is it -- it amends -- it -- it presents -- Senate Joint Resolution 72, as amended, commends the Illinois Food Marketing Task Force for its efforts to create an Illinois Fresh Food Fund and directs the Illinois Food, Farms and Jobs Council to assist the Department of Commerce and Economic Opportunity in distributing the fund to stimulate supermarket development and promotion of self-sustaining businesses for small grocers across Illinois.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Collins. Is there any discussion on the lady's motion? Seeing none, Ladies and Gentlemen, the question

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

is, shall the Senate concur in House Amendment No. 1 to Senate Joint Resolution 72. 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 53 Ayes, 0 voting Nay, 0 voting Present. Senate Joint Resolution 72, having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Joint Resolution 72, and the resolution is adopted. Okay, Madam... Okay, with leave of the Body, we will return back to page 36, Secretary's Desk, Concurrence, Senate Bills. In the middle of page 36 is Senate Bill 380 on a motion to concur. Senator Jacobs, do you wish to proceed? He indicates he does. 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 380.

Filed by Senator Jacobs.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs, on your motion, sir.

SENATOR JACOBS:

Thank you, Mr. Chairman {sic}. This is a bill that we ran a couple days ago. It failed. I wanted to bring it back because it's important to that community. And I wanted to present two pieces of information before I ask you to make a positive vote for this today. First, I have a letter from the Village of Ford Heights, the Mayor. And the Mayor says, "I strongly support Senate Bill 380. This bill means a great deal to my community. It will help fund essential services and help

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

fund our schools." And that's signed by Charles Griffin and I appreciate your consideration. I also have a letter from the Illinois Environmental Protection Agency. And the Illinois Protection Agency {sic} says: We recognize the Geneva Energy, LLC facility is an important component in the State's used tire market. And we will -- we -- then -- we believe they can work for...(inaudible)...recovery of energy, provided the facilities operate in a safe and secure manner in compliance with all applicable requirements. The Bureau of Land will continue to closely monitor Geneva and ensure the facility used tires are managed properly in compliance with the self above standards and references. I appreciate your affirmative vote.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR McCARTER:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question.

SENATOR McCARTER:

Senator, I understand that you're -- you're basically reclassifying -- you're reclassifying a resource from a renewable to a reusable, or one way or the other. But does this -- would this apply to people in my district that now burn tires for energy?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs, did you hear the gentleman's question?

SENATOR JACOBS:

I didn't -- I didn't quite...

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

PRESIDING OFFICER: (SENATOR DeLEO)

Senator McCarter, I'm -- I'm sorry. It's -- it's a little -- it's a little... The gentleman did not hear your question. Could you be so kind to repeat your question, sir?

SENATOR McCARTER:

Senator, would this new classification -- would this benefit apply to someone in -- in my district that burns tires for energy?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Jacobs.

SENATOR JACOBS:

Yes, sir. If you were properly permitted and the EPA oversaw your operations and permitted your facility, yes -- yes they could. Because what -- what in effect this does, this doesn't say that they have to purchase the energy; it says they may purchase the energy. And I'd like to show you this graph here. As you can see, this is the portfolio standards. Seventy-five percent of it is wind energy, which I have no problem with. Six percent of it is solar energy, which came to us yesterday and said they can't produce six percent. They can only produce a half a percent. The other nineteen percent could be used by any renewable or reusable energy. And this line here -- this line here, this small red line you can barely see, that's what we're talking about. That's what we're talking about.

PRESIDING OFFICER: (SENATOR DeLEO)

Further discussion? Senator Harmon, are you seeking recognition, sir? Senator Harmon.

SENATOR HARMON:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I -- I rise, again, in reluctant opposition to the Senator's motion. Not much has changed in the last couple of days. And I still very much appreciate his desire to try to help the -- the community here. My objection is -- is not and has never been to trying to help the community, it's simply as to the method. By reclassifying tire burning as renewable energy just doesn't make sense. We, in the General Assembly, are all too rarely the beneficiaries of editorial praise, but there was one editorial in the Southtown that I want to call your attention to. It was published this week and I'm just going to read a couple of provisions: A move to redefine green energy in Illinois died a quick death this week in Springfield, and we're thankful that lawmakers' frenzied push for job creation did not trump common sense. Legislators were correct to keep power created by incinerating rubber tires in a separate and less-desirable category than wind and solar power. Harnessing the elements to produce electricity differs greatly from burning tires for power, and we're thankful it only took two days for Springfield lawmakers to figure that out. Redefining the word "reusable" simply does not make tire burning "green". We find it troubling that local legislators prefer to manipulate word definitions than actively pursue truly renewable and reusable projects. Illinois cannot trade the long-term health and well-being of its citizens in favor of a few dozen jobs. Lawmakers were right to avoid the awkward job of trying to explain how flaming rubber tires fit into some kind of progressive green movement. The editorial had it right. We had it right the first time when we voted on this. Again, reluctant to -- to

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

oppose job creation, but this is just not the right method to do it. So, if you voted No or Present the last time, I urge you to do so again.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Further discussion? Senator Meeks, are you...(microphone cutoff)...recognition on this matter, sir?

SENATOR MEEKS:

Yes -- yes, sir. Thank you. To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR MEEKS:

This is not about tire burning. This is about money. The locals are trying to define this tire burning that already goes on now as renewable so that they can capture federal dollars. The people who are capturing all of those dollars now don't want to share. That's what it's all about. If you vote No on this legislation, it's not going to change what's happening in Ford Heights, because they're doing the same thing now. They've been doing the same thing for the last four years. The -- the -- the plant won't close. You're not saving anybody from environmental dangers. This changes a definition so that they can get in on the green initiative. It's all about money. Now I've been here for eight years and one thing I don't understand, I hear the word all the time, local control - local control. Don't interfere with the locals. Well, the Mayor of Ford Heights has sent a letter saying we want this. The village officials, the people, we want it. I'm their Senator. I represent the area. I say we want it. Don't interfere with local control. Give us what we need in Ford Heights so that we can provide the hundred

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

thousand dollars a year more for our struggling poor community. Don't take away local control just because we're trying to change a definition. We need this vote and I urge all of you in the Chambers to go along with me on this one because we need it for our community. It's about local control.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Meeks. Seeing no further discussion on this issue, Senator Jacobs, to close, sir.

SENATOR JACOBS:

Thank you, Mr. Chairman {sic}. I would like to address one point that the -- the -- the wind lobby continues to raise. And the wind lobby doesn't want to mention that we consider renewable in Illinois methane gas, switchgrass, pinewood. More -- more carcinogenics are produced by a -- a fireplace in a home, according to the EPA, than from -- from this high-tech facility. Now, I don't have any problem with the wind lobby saying that, you know, no one else should have what they have because they have something special. But this is an ever-changing field. And, you know, they may find a way to cap this and to turn it into like what there doing with coal - with the gasification of coal. And I would point out that, you know, there's a lot of green things that happen with this energy that's produced. Not only does it produce electricity, which is certainly renewable, it also -- reproduces fly ash that is used to recycle zinc in fertilizer. It's also used in -- the bottom ash is used to make steel and the gypsum that comes from the scrubber is used as soil stabilizer. And I find it highly disingenuous for the -- for the wind lobby to say that rubber is not a recyclable material. I ask for your affirmative vote.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, the question is, shall Senate Bill 380 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 20 voting Aye, 27 voting Nay, 4 voting Present, and failed to receive the required constitutional majority, is declared failed. Okay, Ladies and Gentlemen, the Senate will stand at ease for a few moments to allow the Committee on Assignments to meet. The members on Committee of Assignments will please come to the President's Anteroom immediately. The Senate will stand at ease. Will all members report to the President's Anteroom immediately? Thank you so much. Senate will stand at ease.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

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: Refer to the Executive Committee - Motion to Concur with House Amendment 2 to Senate Bill 2612, Motion to Concur with House Amendment 1 and House Amendment 2 to Senate Bill 3129, Motion to Concur with House Amendment 1 and House Amendment 2 to Senate Bill 3658, Motion to Concur with House Amendment 1 to Senate Bill 3721, Floor Amendment 1 to House Bill

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

543 and Floor Amendment 2 to House Bill 2428.

Signed by Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Demuzio. Senator Demuzio, for what purpose do you rise, ma'am?

SENATOR DEMUZIO:

Yes, thank you, Mr. President. I would like to be recorded as a No vote on Senate Bill 380. My Yes vote was -- was -- my -- button was inadvertently pushed.

PRESIDING OFFICER: (SENATOR DeLEO)

The record will so reflect your intentions, ma'am. Thank you. Okay, Ladies and Gentlemen - can I have your attention, please? - for the purposes of an announcement. The Executive Committee will meet in Room -- 212 at the hour of 12:50 - the hour of 12:50, the Executive Committee will meet in Room 212. Okay, Ladies and Gentlemen, we go -- turn your printed Calendars back to page 37, on Secretary's Desk, Concurrence, Senate Bills. In the... Ladies and Gentlemen, with leave of the Body, we'll come back to page 37 in just a moment. Senator Noland, for what purpose do you rise, sir?

SENATOR NOLAND:

Thank you, Mr. President. I move that -- move to waive all notice and posting requirements so that House Joint Resolution 121 can be heard today in the Senate Executive Committee.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, Senator Noland moves to waive all notice and posting requirements so Senate -- House Joint Resolution 121 can be heard today in the Senate Executive Committee. All those in favor will say Aye. All those opposed

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

will say Nay. It's the opinion of the Chair, the Ayes have it, and the notice and posting requirements will be waived. Okay, Ladies and Gentlemen, if I can direct your attention to page 37 of your printed Calendars. Near the bottom of page 37 is Senate Bill 3683. Senator Holmes, on the Order of Concurrence, do you wish to proceed, ma'am? She indicates she does. Madam Secretary, read the lady's motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 3683.

Filed by Senator Holmes.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Good morning to you, Senator Holmes. Would -- to the motion, ma'am.

SENATOR HOLMES:

...you so much, Mr. President. Amendment 2 is just a technical wording change. Amendment 1 basically becomes the bill and it actually allows utilities to partner with local governments to engage in smart growth activities that assist in the renewal of urban cores in four economically disadvantaged Illinois communities, which are River Edge Zone communities - Aurora, East St. Louis, Elgin and Rockford. Basically, what this bill does is it allows for a cost-sharing process with a facility relocation paid by the land developer, the municipality and the utility. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Senator Lauzen. It's still morning. Good morning, sir.

SENATOR LAUZEN:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

...Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

For what -- what purpose do you rise?

SENATOR LAUZEN:

To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir. To the lady's motion.

SENATOR LAUZEN:

I appreciate Senator Holmes' work on this bill. It passed out of Revenue Committee unanimously. I recommend an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, the question is, shall the Senate concur in House Amendment No. 1 and No. 2 to Senate Bill 3683. 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 Nay, 0 voting Present. Senate Bill 3683, having received the required constitutional majority, the Senate does concur in House Amendment No. 1 and No. 2 to Senate Bill 3683, and the bill is declared passed. Continuing on the same order of business, we will now move to Senate Bill 3702. Senator Noland. Do you wish to proceed on your motion, sir? He indicates he does. Madam Secretary, read the gentleman's motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment 1 to Senate Bill 3702.

Filed by Senator Noland.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

Thank you, Madam Secretary. Senator Noland, to the motion, sir.

SENATOR NOLAND:

Thank you, Mr. President. Senate Bill 3702 was shelled over in the House. Simply what this -- this bill does is it creates four different checkoffs - one for Route 66 to improve and maintain the historic value of Route 66; it also makes checkoff contributions to Habitat for Humanity, to provide property tax to disabled Veterans, and to contribute to our State's Parks Fund. I urge an Aye vote. Happy to take any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR BURZYNSKI:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR BURZYNSKI:

Thank you. Just very briefly, I -- I was not in Executive Committee yet when this was called yesterday. But it's my understanding that these funds could be swept, and in fact, one of them already has been. So I just wanted to make my -- make the Members aware of that. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Seeing no discussion, Ladies and Gentlemen, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 3702. All those in favor will

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

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 51 Ayes, 5 voting Nay, 0 voting Present. The House {sic} does concur in Amendment No. 1 to Senate Bill 3702. Having received the required -- constitutional majority to Senate Bill 3702, the bill is declared passed. Okay, Ladies and Gentlemen, the Chair earlier stated that Supplemental Calendar has been printed and distributed. We'll now move to the Supplemental Calendar - Supplemental Calendar No. 1. On the top of Supplemental Calendar No. 1 comes Senate Bill 3084. Senator Martinez, do you wish to proceed, ma'am, on the Order of Concurrence? She indicates she does. Read the lady's motion, please.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 3084.

Filed by Senator Martinez.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Martinez. Good morning. You look very nice today.

SENATOR MARTINEZ:

Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To your motion, ma'am.

SENATOR MARTINEZ:

Thank you very much, and Members of the Senate. House Amendment No. 1 retains Senate Bill 3084 and clarifies that the notion -- the notice of the duty to register is been -- is to be given to sex offenders, irrespective of the date of the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

commission of the crime for which they are required to register. It also offers to address technical concerns raised by State Police, who are in charge of the sex notification -- offenders. I just want to say that, just yesterday -- I was very happy to see that this bill is going to do some great things, 'cause yesterday there was a news about a person, who committed a crime, was just arrested, on of -- of a ten-year-old, and this person was actually someone who committed a sex crime before the law was enacted, back in 1994. And this -- this legislation is going to take care of those people who committed those crimes who never had to register as a sex offender, ever. So, again, this person that was -- that was actually arrested yesterday would have been caught under this legislation. So I think it's very important that we enact this as soon as possible and I ask for favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Thank you, Senator. Seeing no discussion on this matter, Ladies and Gentlemen, the question is, shall Senate Bill 3084 -- should the House -- should -- should the Senate concur in House Amendment No. 1 to Senate Bill 3084. 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 Nay, 0 voting Present. Senate Bill 3084, having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 3084, and the bill is declared passed. Continuing on the same order of business on Supplemental Calendar No. 1 is Senate Bill 3180. Senator

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

Wilhelmi, you wish to proceed? Read the gentleman's motion, Madam Secretary.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 2 to Senate Bill 3180.

Filed by Senator Wilhelmi.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Wilhelmi, at the hour, exactly, of 12 noon, good afternoon.

SENATOR WILHELMI:

Good -- good afternoon, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Could you hold on one second, please?

SENATOR WILHELMI:

Yes.

PRESIDING OFFICER: (SENATOR DeLEO)

We have to check with the Secretary. Might be a technical. Okay, for the purposes of clarification, I'd ask the Secretary redirect and -- and -- Madam Secretary, please 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 3180.

Filed by Senator Wilhelmi.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Wilhelmi, to the motion, sir. I'm sorry about the confusion.

SENATOR WILHELMI:

No. Thank you, Mr. President. It's great to see you this

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

afternoon now, I believe. You look wonderful in the Chair, as always, sir. I'd like to move to concur with House Amendments No. 1 and 2 to Senate Bill 3180. I worked with many stakeholders on this issue and I want to thank them all, especially our staff person, Louie Mossos. Representative Cross was involved - the Realtors, the mortgage brokers, the Illinois State Bar Association, the bankers, the title industry. We had a very collaborative effort, bipartisan, bicameral, to create the Common Interest Community Association Act, which will give protection that is in the Condo Act to unit owners in townhome and single-family home owners' associations. This bill, as amended, will give that protection and we want to make sure that -- I want to make sure that the Body understands we're going to continue discussing Section 18.5 of the Condo Act, which refers to non-condo units. There's an important mechanism in 18.5 that triggers the Code of Civil Procedure and allows for eviction proceedings when assessments have been -- have gone unpaid. I'll be happy to answer any questions on this. I ask for your support and I -- I know of no opposition to the bill, as amended.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall the Senate concur in House Amendment No. 1 and No. 2 to Senate Bill 3180. 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 Nay, 0 voting Present. Senate Bill 3180, having

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

received the required constitutional majority, the Senate does concur in House Amendment No. 1 and No. 2 to Senate Bill 3180. This -- and Senate Bill 3180 is declared passed. Senate Bill -- on the same Order of Concurrence is Senate Bill 3681. Senator Lightford, do you wish to proceed, ma'am? Very nice to see you today, Senator Lightford. The lady indicates she wishes to proceed. Madam Secretary, please read the lady's motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 3681.

Filed by Senator Lightford.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford, to the motion, ma'am.

SENATOR LIGHTFORD:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, House Amendments No. 1 and 2 to the motion specifically did a couple of great things. It was cleanup language for our Race to the Top legislation that we submitted to the federal government. It identifies in the enrolling process and some additional updates. There's changes reporting of dropouts consistent with federal guidelines. We're trying to capture some dollars to assist us with our high school dropout. And there's also cleanup of language addressing transitional bilingual education. It also certifies that a district be in financial -- that if a school district is in financial difficulty and unable to make payroll or a bond payment on time, that ISBE -- the school -- would take over -- and that the school district reporting requirements and make technical corrections to the School Code. And, finally, there -- there

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

was a problem that came about that pretty much identified homeschools and private schools, separated them in the School Code. So, there is, for the purposes of legislative intent establish {sic}, that -- that in the statement regarding homeschools, it is not the intent of this legislation to separate a homeschool from other private schools, since, in the Illinois Supreme Court decision, in People versus Levisen, the Court has declared that a private homeschool is not different from any other private school. So there was no intention on -- from House Amendment 1, page 35, under the paragraph describing the definition of a dropout, lines 22 and 23, for a separation to take place. I will be presenting a trailer bill in Veto Session to address that specific concern. I'd be happy to answer any questions you may have.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion on the lady's motion? Senator Cronin, are you seeking recognition, sir?

SENATOR CRONIN:

Yes. Thank you, Mr. President, Ladies and Gentlemen of the Senate. I have an enormous amount of respect for Senator Lightford, and she just stated the case moments ago, but because of that situation - and I know we're -- have practical problems here and we're at the end of Session - I rise reluctantly in opposition. I -- and I respect and I'm -- appreciate and I'm pleased that there's going to be a trailer bill and that we will be able to address this issue in the fall Veto Session. And I have no doubt that that will happen, and you say, "Well, geez, well maybe you ought to just vote Yes." You know, right now, with this language in the bill, it really jeopardizes the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

homeschool legal status, and so it's a serious drafting error. It's -- it's not the Senator's responsibility. I really have to question the Illinois State Board of Education, either their competence or maybe they were up late last night. But anybody who's been in the business of public education for any period of time knows that when you use the words "home school" in a statute or a draft of a bill, you have to be very careful. You have to be very knowledgeable about what it is. And -- and I just am disappointed that -- that it got to this stage. So, in any event, I'm going to rise reluctantly in opposition and I know it will be cleaned up in the fall and I think Senator Lightford's the greatest, but I'm going to vote No. Thanks.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Seeing no further discussion, Senator Lightford, to close, ma'am.

SENATOR LIGHTFORD:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, I think it's important that we don't lose sight of what this -- this bill actually do. I know the concern that Senator brought up. We're going to address it in Veto Session with a trailer bill. It will be fixed in November. So I don't know if we want to penalize the rest of what this legislation do for a technical error that was drafted by ISBE. I've already stated for you the legislative intent. It's not to harm the homeschooling industry, the homeschooling community. But I want to share with you that if you vote No, you'd be voting No to allow us to draw down federal dollars that will help us with high school dropouts. You'll be voting against Race to the Top legislation. We're -- we're in pretty good standing. We're

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

trying to secure five hundred million dollars from the federal government. There was some changes we needed to tweak there. And you'd also be voting against transitional bilingual education support at ISBE. So, in lieu of that issue that will be resolved, I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much, Senator. Ladies and Gentlemen, the question is, shall the Senate concur in Amendment No. 1 and No. 2 to Senate Bill 3681. 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 38 Ayes, 17 Nays, 0 voting Present. The Senate does concur in House Amendment No. 1 and No. 2 to Senate Bill 3681. Having received the required constitutional majority, the bill is declared passed. Okay, Ladies and Gentlemen, to fulfill our responsibilities under Article V, Section 9 of the Constitution, we will now proceed to the Order of Advise and Consent. Senator Muñoz.

SENATOR MUÑOZ:

...President. I move that the Senate resolve itself into Executive Session for the purpose of acting on appointments set forth in the Messages from the Governor dated November 4th and December 8th, 2009, and March 22nd, March 26th, April 16th and April 26th, 2010.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Thank you, Senator Muñoz. Okay, Ladies and Gentlemen, the gentleman has moved that the Senate resolve itself into Executive Session for the purposes of acting on the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

appointments set forth in the Messages from the Governor dated November 4th and December 8th, 2009, March 22nd, March 26th, April 16th and April 26th, the year 2010. Madam Secretary, Committee Reports, please.

SECRETARY ROCK:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, with respect to the Governor's Corrected Message of November 4th, 2009, I will read the salaried appointments of which the Committee on Executive Appointments recommends that the Senate do advise and consent:

To be a Member of the Liquor Control Commission, for a term commencing November 3rd, 2009, and ending February 1, 2010: Martin Mulcahey.

To be a Member of the Pollution Control Board, for a term commencing November 16th, 2009, and ending July 1, 2012: Carrie Zalewski.

Mr. President, having read the salaried appointments from the Governor's Corrected Message of November 4th, 2009, I now seek leave to consider the appointments on a roll call. Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Ladies and Gentlemen, is there any

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

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

SENATOR DUFFY:

To the motion, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the motion, sir.

SENATOR DUFFY:

...would anyone in the General Assembly like an extra hundred thousand dollars this year? How about another full paid pension? These boards are ethically and financially challenged. There are two spouses of General Assembly Members that are -- being appointed to a hundred thousand-plus appointments. This smells of typical pay-to-play politics in Illinois. It is inappropriate and unethical, whether it is currently legal or not, for powerful politician's spouses and family members to be receiving high-priced, six-figure appointments on State boards and commissions. Since comprehensive ethics reform legislation was never presented or passed in Illinois, as leaders, we should take the bull by the horns and incorporate our own commonsense ethics guidelines, starting with these high-priced boards and starting with these family members of legislators. There have been three hundred and five new boards and commissions created in the last seven years. We have a total of five hundred and eight-five boards and commissions in this State right now. Due to the lack of funding, we are laying off teachers, police officers, firemen, and not funding services for people with disabilities. We need to cut the low-hanging fruit, eliminate these high-priced boards and spend the money wisely. We should put this money back into education, human services, and other

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

areas that desperately need this money. Please vote No to family members and spouses that are receiving these appointments. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR MEEKS:

Thank you, Mr. Chairman. Let me simply say that..

PRESIDING OFFICER: (SENATOR DeLEO)

Mr. President, to you.

SENATOR MEEKS:

Mr. President - to me, yes. Thank you, Mr. President. Chairman of the Board, Mr. President - I mean, you know, any title of leadership, it all fits you. Let me simply say that here in the General Assembly, we have to work awfully hard at not being offensive to other people. And we have to take into consideration that everything is not pay-to-play. And every family member who is qualified to work on a board or on a -- in a position should not be disqualified just because they have a Member who serves on the General Assembly. I have great respect for Senator Duffy, unlike some Members on our side of the aisle. But, if a family member has been serving for ten years on a particular board and the family member has been serving well before we got to this point of toxicity -- now I realize now that things are toxic around here and everything smells to the high heaven and every thing appears as if -- it's something happening that's real wrong. But some of these family members were put into place a long time before we started hearing the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

word "pay-to-play" and I don't really know if it's quite fair to say one size fit -- fits all families. And I would like to believe that this is a place of integrity and we should be very careful about going after each other's families, especially qualified family members. And I'd ask for an Aye vote for this piece of legislation and would just really like to warn us about each other's feelings and respecting each other as people. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Reverend Meeks. Further discussion? Senator Viverito, are you seeking recognition on this matter, sir?

SENATOR VIVERITO:

Thank you very much, Mr. President. I -- I was a little bit reluctant, basically, to say anything, but I do feel compelled to say something. I did speak to Senator Duffy about the sensitivity of what he was doing in the committee. And I did it quietly and I tried to do it effectively with him. But, obviously, when you looked at the character and you looked at the people that were running, each and every one of them that were being appointed were eminently qualified for their particular position. He attacked one individual person, I thought -- really and truly not one, but two or three. And usually it was a woman that he seemed to go against. I don't know if he was a little bit anti-women, but, obviously, it appeared to me that every time a woman appeared, he was the first one to talk about her character. One particular woman he went after had a degree in engineering and a law degree as well. And he attacked the fact that she was going to make a hundred

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

and some thousand dollars in the field of pollution control. Obviously, that woman was eminently qualified, served on the Transportation, did a lot of litigation with EPA and did an outstanding job. She is a new mother, an outstanding woman that had lost a baby about a year and a half ago, and honestly and truly, it was so personally -- attack, I felt embarrassed. He did the same thing with Senator Schoenberg's wife, who has an international degree, obviously completely, eminently qualified. Senator Duffy, and I only use his name and I say this with all compassion to you, you're on the wrong track when you personally attack somebody because they're related to someone. That is totally, completely -- incorrigible to me to be able to do that and to be perhaps a bright young man as you are. And if you're going to go anywhere, that's not the way to do it. And I told you that personally. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, let's hold our applause. I'd just like to -- we'll go back to Senator Duffy. I see your light's lit. Your name was used in debate and we'll go back to you in one second. But I just -- may I see the Rule book? I'd like to remind the Members, and as the Presiding Officer of this Chamber, I frequently -- would like to -- and it's -- it's -- it's -- it's very unfortunate that I frequently have to turn to the Rule book because of -- I feel very strongly about decorum and debate in this Chamber. And let me refer to -- you to Senate Rule 7-3, on page 36 of our rules. It says, when a Senator is about to speak and deliver any matter to the Senate, he or she shall rise and address the Presiding Officer... Senator Meeks, are you listening to this, sir? It says, the person speaking, the Senator

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

speaking, will address the Presiding Officer as "Mister President" or "Madam President", as the case may be. Upon being recognized by the Chair, the latter will address the Senator by name and thereupon, ...not until then, the engineer in charge of the -- operating the microphones in the Senate will give the use of the microphone to the Senator who has been so recognized. The Senator in speaking shall confine himself or herself to the subject matter under discussion and avoid personalities. Let me repeat that last line again. The Senator is subject -- "the Senator in speaking shall confine himself or herself to the subject matter under discussion and avoid personalities." That's in the rules, Ladies and Gentlemen. Let's keep the decorum and the dignity of the Senate and avoid personalities and avoid pointing fingers and saying irresponsible things on the Floor of the Senate. Senator Duffy, you're recognized, sir.

SENATOR DUFFY:

Thank you, Mr. President. Just to clarify for those that weren't in the committee meeting. I made general comments in that committee meeting, just as I did here earlier today. It's not about the individuals - and I never made it about an individual. So I'm not sure what the Senator was talking about. What it's about is the -- being inappropriate, whether it was my spouse or my family members or other people's spouses and other people's family members, whether it's on the Republican side or the Democratic side. I'm saying that I believe that it's unethical for that process to continue, where we're allowed to give a hundred-thousand-dollar appointments to family members. That's simply all I said in committee. That's what I'm saying now, and I've never made it personal.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Further discussion on this issue? Senator Kotowski, are you seeking recognition, sir?

SENATOR KOTOWSKI:

Yes, sir, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Kotowski.

SENATOR KOTOWSKI:

How are you today?

PRESIDING OFFICER: (SENATOR DeLEO)

Good afternoon, sir.

SENATOR KOTOWSKI:

Good afternoon to you. I just...

PRESIDING OFFICER: (SENATOR DeLEO)

For what purpose do you rise?

SENATOR KOTOWSKI:

To a previous comment that was raised. There's a -- just wanted to say, there's one thing to talk about, looking at boards and commissions as a possibility of saving taxpayers money, and I think that's a good policy discussion to have, given our current financial crisis that we're in. I think it's a healthy discussion to have and I think it's a -- a fair point to raise from one of the previous speakers. But I just want to alert us all, I mean -- and -- and to talk about the fact that, you know, we need to embrace any of these concepts for a way in which we can restore faith and integrity and credibility in our government. That's important too, isn't it? Looking at reforms and ways to address that, showing that we have integrity. But it's another thing to send a letter out, from the previous

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

speaker, with the State seal on it - State seal, the State of Illinois - which talks about this issue. State seal - which essentially says -- which talks about the savings of this, and then it says I can continue to speak out because I have supporters like you who will help me. I am working to elect others who will join me in the fight. If you could make a small donation to my campaign - a small donation to my campaign - twenty dollars, fifty dollars, a hundred dollars, five hundred dollars, it would make a big difference. I've enclosed a donor card and return envelope for use. I'm grateful for your continued support. This is a letter issued, has a State of Illinois seal on it. This is a clear use of taxpayers - the taxpayers seal - the State of Illinois - to raise money. A lot of the -- times, we use the word "hypocrisy" around here. This is hypocritical. I think this is something that we should potentially have looked into as a clear violation of State ethics. You can't use the State seal to raise money. You can't use the State seal to raise money. I didn't do it. I would never have it on my website - on my political website - using the State of Illinois seal in order to ask people for money. It's one thing to raise a political concern. We respect that. It's another thing to raise a policy concern, to have a suggestion. It's another thing to boldly and to brashly and to brazenly -- to use this issue to go after somebody personally and then say, "You know what? I'm the ethical one, but write me a check. Help out my campaign. I'm the reformer. I need money. Help me with your money." That's a clear violation. It needs to be looked into. Please look into this. Please have it investigated. Thank you very much.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

PRESIDING OFFICER: (SENATOR DeLEO)

Senator -- Senator Raoul. Senator Raoul. Ladies and Gentlemen, can I have some order in this Chamber, please? Senator Righter, are you seeking recognition, my friend?

SENATOR RIGHTER:

I am, Mr. President. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

I hope it's a voice of reason.

SENATOR RIGHTER:

I hope so too, Mr. President. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter.

SENATOR RIGHTER:

Thank you. First, I appreciate the lecture we were given just a moment ago by the previous speaker on what's right and what's wrong with regards to fundraising and whatnot. And I'm sure we've all listened very closely to his words. What I want to point out, Mr. President, is that the document from which he was reading, which was passed out on the Senate Floor, was actually done so in violation of your Senate rules. The Senate rules require the person distributing it have their name on it, which was not done in this instance. So, next time we want to make a point on the Floor, I hope it's done in compliance with the Senate rules, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

And -- and you're absolutely right. And our rules do require that a Member's name is put on that document. And I requested that document to be printed and distributed, and it should have been my name on there. Should have been Senator

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

DeLeo's name on there, sir, 'cause my name appears in the document, and I was just notified by the Sergeant-at-Arms that was an oversight. It was printed and not -- not marked. And so there -- we've asked the -- Sergeant-of-Arms to pick up the literature, put the name on it, and then redistribute it. And we apologize for that. It was just an oversight during the Xeroxing. Senator Lauzen, are you seeking recognition, sir?

SENATOR LAUZEN:

Yes. Yes, thank you, Mr. President. I -- you know, some of the statements that are made on this Floor are absolutely divorced from the reality that we exist in when we go back home. I understand that -- that, you know, life under the dome is perhaps in a bubble. But I really think that there is no question that Chicago, Cook County, the State of Illinois now, has the worse reputation for inappropriate action and self-serving of any state in the country. So, I would ask the -- I would ask the -- the sponsor of the legislation, who's asking us to confirm these, what safeguards are put in... I guess I should ask first, Mr. President, would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR LAUZEN:

Thank you so much. What safeguards have been put into place in the process? I don't serve on the committee that you so ably, you know, chair. What safeguards are put in so that these kinds of concerns are respected? If a Member of this Body, who goes through the same process that we all go through, is moved to take what we all know is a very dramatic step to

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

speak up against the general practice - certainly, the intention is not to injure anyone's feelings individually - but what safeguards are put in place so that we're beyond reproach of not only our fellow Members, but, more importantly, the people who we serve.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Muñoz.

SENATOR MUÑOZ:

Thank you, Mr. President. Senator, the only thing I can tell you, by the time it gets to advise and consent, to the committee, the Governor already had appointed an individual. I'm sure they go through a process of their -- if they're qualified for the position. I'm sure we can get someone from the Governor's Office to get you that information. I can only tell you this, after we receive the information, our staff works with the Governor's Office. I'm sure it's sent to the State Police, making sure no one is a convicted felon or is on the run from the law. Other than that, I can't honestly tell you that. I know one of the qualified persons that we're speaking about has been in the system for ten years and we're just reappointing. Does that answer any of your questions?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lauzen. Further discussion?

SENATOR LAUZEN:

Unfortunately, Senator -- Mr. Chairman, it does not. I'm asking the person who is the Chairman of the committee and he's saying that I have to go and ask the Governor. It reminds me of asking last night a sponsor of a twenty-seven -- actually, a thirty-four-billion-dollar spending plan, "Sir, have you read

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

the budget? Have any of us read the budget?" I ask you, what is the process of putting safeguards in just so that we don't have -- general, I'm not talking about any individual. I'm looking for -- from the -- our expert. We entrust -- all of us entrust authority into your hands. We have a previous Governor, who's going to be going on trial next month, who would've made a lot, a lot of appointments. The idea that you're saying, well, you go and ask the Executive Branch. We're here talking about the legislative constitutional oversight function. I am just asking you, sir, what are the safeguards that are put in place so that the Legislature does its job right, so that our -- our constituents don't think that we are submerged in a very bad set of practices?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Muñoz.

SENATOR MUÑOZ:

Senator, there is a vetting process that all the candidates go through. Now, you've been here a lot longer than I have, Senator, and you know the system. Currently, now, I am the Chairman of Executive Appointments, but, clearly, everyone in this Chamber knows there is a vetting process that goes on. And there's nothing further. If you want to draft some legislation that we can look at to even try to make it stricter than what it already is, I'll be more than happy to sit with you and we can go forward from there.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, thank you. Ladies and Gentlemen, after this very spirited debate, the question is, does the Senate advise and consent to the corrected terms of the appointments just read by

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

the Governor's Corrected Message of November 4th. 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? Take the record. On that question, there are 44 Ayes, 5 voting Nay, 1 voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the appointments just read. Madam Secretary, continuing on Committee Reports, please.

SECRETARY ROCK:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Muñoz.

SENATOR MUÑOZ:

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

To be a Member of the State (Toll) Highway Authority, for a term commencing December 5th, 2009, and ending May 1, 2011:
Maria Saldana.

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

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

Thank you, Chairman Muñoz. Seeing no discussion, Ladies and Gentlemen, the question is, does the Senate advise and consent to the appointment just read from the Governor's Message of December 8th. 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, please take the record. On that question, there are 49 Ayes, 0 voting Nay, 1 voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the appointment just read. Madam Secretary, continuing on Committee Reports, please.

SECRETARY ROCK:

Senator Muñoz, Chairman of the Committee on Executive Appointments, to which was referred the Governor's Message of March 22nd, 2010, reported the same back with the recommendation that the Senate do advise and consent to the following appointment.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, with respect to the Governor's Message of March 22nd, 2010, I will read the salaried appointment of which the Committee on Executive Appointments recommends that the Senate do advise and consent:

To be a Member and Chair of the Worker's Compensation Commission, for a term commencing March 22nd, 2010, and ending January 21, 2013: Mitchell Weisz.

Mr. President, having read the salaried appointment from the Governor's Message of March 22nd, 2010, I now seek leave to

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

consider the appointment on a roll call. Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, does the Senate advise and consent to the appointment just read from the Governor's Message of March 22nd. 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 52 Ayes, 0 voting Nay, 0 voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the appointment just read. Madam Secretary, -- continuing on Committee Reports, please.

SECRETARY ROCK:

Senator Muñoz, Chairman of the Committee on Executive Appointments, to which was referred the Governor's Message of April 16th, 2010, reported the same back with the recommendation that the Senate do advise and consent to the following appointment.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, with respect to the Governor's Message of April 16th, 2010, I will read the salaried appointment of which the Committee on Executive Appointments recommends that the Senate do advise and consent:

To be the Director of the Department of Healthcare and Family Services, for a term commencing April 20 -- April 16th,

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

2010, and ending January 17th, 2011: Julie Hamos.

Mr. President, having read the salaried appointment from the Governor's Message of April 16th, 2010, I now seek leave to consider the appointment on a roll call. Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Chairman. Once again, seeing no discussion, the question is, does the Senate advise and consent to the appointment just read from the Governor's Message of April 16th. 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 51 Ayes, 0 voting Nay, 2 voting Present. A majority of Senators elected by -- concurring by record vote, the Senate does advise and consent to the appointment just read. Madam Secretary, Committee Reports, please.

SECRETARY ROCK:

Senator Muñoz, Chairman of the Committee on Executive Appointments, to which was referred the Governor's Message of April 26, 2010, reported the same back with the recommendation that the Senate do advise and consent to the following appointment.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, with respect to the Governor's Message of April 26th, 2010, I will read the salaried appointment of which the Committee on Executive Appointments recommends that the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

Senate do advise and consent:

To be a Member and Chair of the Educational Labor Relations Board, for a term commencing June 1, 2010, and ending June 1, 2016: Lynne Sered.

Mr. President, having read the salaried appointment from the Governor's Message of April 26th, 2010, I now seek leave to consider the appointment on a roll call. Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Any discussion? Okay, Ladies and Gentlemen, once again, the question is, does the Senate advise and consent to the appointment just read by {sic} the Governor's Message of April 26. 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, please take the record. On that question, there are 45 Ayes, 1 voting Nay, 6 voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the appointment just read. Madam Secretary, continue on Committee Reports, please.

SECRETARY ROCK:

Senator Muñoz, Chairman of the Committee on Executive Appointments, to which was referred the Governor's Message of April 26, 2010, reported the same back with the recommendation that the Senate do advise and consent to the following appointment.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Senator Muñoz.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

SENATOR MUÑOZ:

Mr. President, with respect to the Governor's Message of April 26, 2010, I will read the salaried appointment of which the Committee on Executive Appointments recommends that the Senate do advise and consent:

To be a member of the Department of Employment Security Board of Review, for a term commencing April 26, 2010, and ending January 17th, 2011: David Bonoma.

Mr. President, having read the salaried appointment from the Governor's Message of April 26, 2010, I now seek leave to consider the appointment on a roll call. Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Muñoz. Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, does the Senate advise and consent to the appointment just read from the Governor's Message of April 26. 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, please take the record. On that question, there 51 voting Aye, 0 voting Nay, 1 voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the appointment just read. Madam Secretary, continuing on Committee Reports, please.

SECRETARY ROCK:

Senator Muñoz, Chairman of the Committee on Executive Appointments, to which was referred the Governor's Message of April 26, 2010, reported the same back with the recommendation that the Senate do advise and consent to the following

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

appointment.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, with respect to the Governor's Message of April 26, 2010, I will read the salaried appointment of which the Committee on Executive Appointments recommends that the Senate do advise and consent:

To be a Member of the Illinois Liquor Control Commission, for a term commencing April 26, 2010, and ending February 1, 2016: Amy Kurson.

Mr. President, having read the salaried appointment from the Governor's Message of April 26, 2010, I now seek leave to consider the appointment on a roll call. Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, does the Senate advise and consent to the appointment just read from the Governor's Message of April 26. 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, please take the record. On that question, there are 48 Ayes, 0 voting Nay, 3 voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the appointment just read. Madam Secretary, continuing on Committee Reports, please.

SECRETARY ROCK:

Senator Muñoz, Chairman of the Committee on Executive

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

Appointments, to which was referred the Governor's Message of March 26, 2010, reported the same back with the recommendation that the Senate do advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Senator Muñoz.

SENATOR MUÑOZ:

Mr. President, with respect to the Governor's Message of March 26, 2010, I will read the non-salaried appointments of which the Committee on Executive Appointments recommends that the Senate do advise and consent:

To be Members of the Illinois Finance Authority, for terms commencing March 26, 2010, and ending July 16th, 2010: Ronald DeNard, Roger Herrin.

To be Members of the Illinois Finance Authority, for terms commencing July 16, 2010, and ending July 16, 2013: Ronald DeNard and Ronald -- Roger Herrin.

To be a Member of the Illinois Finance Authority, for a term commencing March 26, 2010, and ending July 21st, 2011: Terrence O'Brien.

To be Members of the Illinois Finance Authority, for terms commencing March 26, 2010, and ending July 17th, 2012: Edward Leonard and Bradley Zeller.

Mr. President, having read the non-salaried appointments from the Governor's Message of March 26, 2010, I now seek leave to consider the appointments on a roll call. Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion on the non-

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

salaried appointments? Seeing none, Ladies and Gentlemen, the question is, does the Senate advise and consent to the appointments just read from the Governor's Message of March 26. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 47 Ayes, 0 voting Nay, 3 voting Present. A majority of Senators elected by -- concurring by record vote, the Senate does advise and consent to the appointments just read. Senator Muñoz.

SENATOR MUÑOZ:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Ladies and Gentlemen, Senator Muñoz moves that the Senate arise from Executive Session. All those in favor will say Aye. All those opposed will say Nay. Opinion of the Chair, the Ayes have it, and the motion carries. The Senate has arisen from Executive Session. I'd ask you to go back to your printed Calendars, Ladies and Gentlemen. Senator Holmes, are you seeking recognition, ma'am?

SENATOR HOLMES:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, ma'am.

SENATOR HOLMES:

Thank you so much. I am very honored to introduce to you a talented group of students from my district. Today we are joined by the Troy Middle School Cadet and Concert Bands, along

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

with their directors, Mr. William Goetz and Miss -- Mrs. Jennifer Rosario. They were recently awarded the number one ratings in their district and State contests, as well as taking first place in the 2010 State of Illinois Invitational Junior High School Concert Band Contest. They were performing today in the Rotunda at noon. Unfortunately, we missed them, but I'm very pleased to honor them and I would ask that you all welcome them to the Illinois Senate.

PRESIDING OFFICER: (SENATOR DeLEO)

Would our guests in the galleries please rise and be recognized? Welcome. Welcome to Springfield. Welcome to the Illinois State Senate. Thank you for coming here today. Thank you very much. Okay, Ladies and Gentlemen, I'd ask you to turn your attention to the printed Calendar. On page 33 of the printed Calendar, on House Bills 3rd Reading, is House Bill 4182. House Bill 4182. I believe Senator Link is seeking leave of the Body to return... I'm sorry. I believe the -- we're being told by the Secretary of the Senate the amendments have been adopted. Senator Link, do you wish to proceed then, sir? He indicates he would like to proceed. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

House Bill 4182.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Link, one moment, sir. WAND-TV requests permission to videotape the proceedings. Seeing no objection, leave is granted. Senator Link, to the bill, sir.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

SENATOR LINK:

Thank you, Mr. President. This is another follow-up on video -- a cleanup bill. It allows that bars that lease space on off-track betting parlors conduct video gaming as long as the OTB and the race track owners do not benefit from the proceeds of the video gaming. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall House Bill 4182 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 33 Ayes, 15 Nays, 0 voting Present. House Bill 4182, having received the required constitutional majority, is declared passed. Okay, Ladies and Gentlemen, we previously announced the committee schedules. Committees will meet immediately. The Executive Committee will meet immediately and we will be coming back to the Floor for substantial final action. So, at this moment, the Senate will stand in recess to call of the Chair. After the committee meetings, the Senate will reconvene to receive Committee Reports and for further Floor action. The Senate will stand in recess to call of the Chair. Thank you.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR HENDON)

The Senate will come to order. Senator Dillard, for what

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

purpose do you seek recognition, sir?

SENATOR DILLARD:

Thank you, Mr. President. Senator Syverson's not here, but our top staff has asked me to announce and request, sir, a Senate Republican Caucus in Leader Radogno's Office immediately.

PRESIDING OFFICER: (SENATOR HENDON)

That is always in order.

SENATOR DILLARD:

About -- about twenty minutes.

PRESIDING OFFICER: (SENATOR HENDON)

We'll give you twenty minutes. We're back on the Floor at 3:45. Senator Muñoz, for what purpose do you seek recognition, sir?

SENATOR MUÑOZ:

Purpose of an announcement, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Muñoz, go right ahead, sir.

SENATOR MUÑOZ:

Senate's requesting a caucus immediately in the President's Office upon recess. Caucus would last approximately twenty minutes.

PRESIDING OFFICER: (SENATOR HENDON)

Be a Democratic Caucus until 3:45. At the hour of... The caucus is right now, until 3:45. Republican Caucus until 3:45. Ten minutes to 4. Both caucuses are meeting right now - the Republican Caucus in Leader Radogno's Office, Democratic Caucus in President Cullerton's Office. Madam Secretary, Committee Reports.

SECRETARY ROCK:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

Senator Silverstein, Chairperson of the Committee on Executive, reports House Joint Resolution 121 Be Adopted; Senate Amendment 1 to House Bill 543, Senate Amendment 2 to House Bill 2428, Senate Amendment 2 to House Bill 4815, Motion to Concur with House Amendment 3 to Senate Bill 43, Motion to Concur with House Amendments 1, 2 and 3 to Senate Bill 326, Motion to Concur with House Amendment 1 to Senate Bill 1332, Motion to Concur with House Amendments 1 and 3 to Senate Bill 1526, Motion to Concur with House Amendment 2 to Senate Bill 2612, Motion to Concur with House Amendments 1 and 2 to Senate Bill 3129, Motion to Concur with House Amendment 2 to Senate Bill 3576, Motion to Concur with House Amendment 1 to Senate Bill 3619, Motion to Concur with House Amendments 1 and 2 to Senate Bill 3658 and Motion to Concur with House Amendment 1 to Senate Bill 3721, all recommended Do Adopt.

PRESIDING OFFICER: (SENATOR HENDON)

Madam Secretary, Messages.

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 3464.

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 3 and House Amendment 4.

We have received a like Message on Senate Bill 3739, with House Amendment 1.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

They passed the House, as amended, May 7, 2010. Mark -- Mark Mahoney, Clerk of the House.

PRESIDING OFFICER: (SENATOR HENDON)

There will be a Democratic Caucus immediately in President Cullerton's Office. Senator Hunter. And a Republican Caucus immediately in Leader Radogno's Office until the hour of 3:45. Senator Hunter, for what purpose do you seek recognition, ma'am?

SENATOR HUNTER:

For a point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Mattie Hunter is recognized for a point of personal privilege. So we will now go to Senator Mattie Hunter for a point of personal privilege. State your point.

SENATOR HUNTER:

Thank you, Mr. President. We have young people from the Hyde Park Elementary School from Waukegan, Illinois. They are in Senator Link's district; however, my grandnephew is a member of that class. And I just wanted to welcome them to the Senate.

PRESIDING OFFICER: (SENATOR HENDON)

Will our guests please rise? Welcome to the Illinois Senate. Welcome. From Waukegan. The Senate stands in recess until the hour of 3:45. Senate stands in recess.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

Senate will come to order. This will be final action. This will be final action. Senator Haine, for what purpose do you rise, sir?

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

SENATOR HAINE:

Mr. President, a point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR HAINE:

Mr. President, this is your last day presiding over this Chamber, perhaps, in a regular Session. And I'm thinking of another great Italian-American, saying this was a very good year. It's been many very good years with you in this Chamber. That's what I want to say. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. Senate will come to order. Sit down. This is final action. ...you. Thank you. Thank you. Thank you. Thank you. Senator Duffy, you can applaud. It's okay. It's okay. We'll be friends forever. Okay, Ladies and Gentlemen, for purpose of an announcement. We'll ask the Members just to stand at ease for a few moments to allow the Committee on Assignments to meet. So I'd ask all the members, please report to the President's Anteroom for a -- for a few moments. I ask all members of the Committee on Assignments to please report to the President's Anteroom for a few minutes. And the Senate will just stand at ease while the committee meets.

(SENATE STANDS AT EASE)

PRESIDING OFFICER: (SENATOR HENDON)

Senator Hendon in the Chair. Senator DeLeo, chairing the Assignments Committee, formerly Rules.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR HENDON)

The Senate will come to order. Will all Members under the sound of my voice please come to the Senate Floor? Will all Members under the sound of my voice please come to the Senate Floor? We are back in Session. I'm in the Chair. We intend to move Senate business at a brisk but intelligent pace. Senator Hultgren, for what purpose do you seek recognition, sir?

SENATOR HULTGREN:

Point of personal privilege, please.

PRESIDING OFFICER: (SENATOR HENDON)

State your point.

SENATOR HULTGREN:

Thank you, Mr. President. A little earlier we had a vote on House Bill 4182. I would like the record to reflect that I would -- intended to be a No on that bill, but had gotten voted Yes. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

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

SECRETARY ROCK:

Senator DeLeo, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Be Approved for Consideration - Floor Amendment 1 to House Joint Resolution 121 and Floor Amendment 2 to House Bill 991.

Signed by Senator James A. DeLeo, Chairman.

PRESIDING OFFICER: (SENATOR HENDON)

All right, Ladies and Gentlemen of the Senate, we're about

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

to go to substantial Senate action. The Chair would appreciate if -- if you're under the sound of my voice, you come to the Senate Floor posthaste. All administrative assistants please find your Senator. If they're not on the Senate Floor, bring 'em to the Senate Floor. We're going to substantial Senate action immediately. This is the heavy lifting, so let's get it on. Page 32 of your printed Calendar. Senate Bill 2428. 2428. That's going to be Senator Trotter. Page 32. 2428. Adam Theilken from WIES {sic} (WICS) seeks leave to video. Leave is granted? Leave is granted. Senator Trotter seeks leave of the Body to return Senate Bill -- House Bill -- 2428 to the Order of... Oh, this has been changed to President Cullerton. President Cullerton seeks leave of the Body to return House Bill 2428 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 2428. Madam Secretary, are there any amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 2, offered by President Cullerton.

PRESIDING OFFICER: (SENATOR HENDON)

President Cullerton.

SENATOR CULLERTON:

Yes, thank you. Amendment No. 2 becomes the bill. I would ask that we adopt the amendment and then we'd debate the bill on 3rd Reading.

PRESIDING OFFICER: (SENATOR HENDON)

Any discussion on the amendment? 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

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

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 2428. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 2428.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

President Cullerton.

SENATOR CULLERTON:

Yes, thank you, Mr. President, Members of the Senate. This is the Emergency Budget Act of Fiscal Year 2011. It's meant to change State -- State programs to implement the budget. And first thing it does is to extend the lapse period spending from August 31st to December 31st, so as to avoid people we owe money to having to go to the small claims court. Also it requires the Members of the General Assembly to take twelve furlough days. Bill also requires State officers, including Constitutional Officers, agency directors, assistant directors, to also take twelve furlough days. And they also -- the bill also allows for the transfer from our special funds of the State into the General Revenue Fund as directed by the Governor. This -- in the past, we've actually swept those funds. This is a different concept. This would allow for the -- the governor to take those funds and -- on a case-by-case basis. There's a number of different funds. And at the same time that he -- that he --

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

we've given him that authority, which you might -- which you might call interfund borrowing, we're -- we're protecting the fact that the balance cannot exceed the total debt service payable during the last 12 months. It cannot reduce the balance in the funds below the appropriations. And there will be a repayment with interest and we get quarterly reports. The bill also sets up a Tobacco Settlement Authority. The State would sell half of the State's rights to the Master Settlement Agreement to the -- this Authority for 1.2 billion dollars. So we will in effect get 1.2 - could even be a little bit more - money right now. The three hundred million dollars that we've been getting now, we would use about a hundred and thirty million of that to pay off this bond. It would have the immediate effect of -- therefore, of providing us with 1.2 billion dollars. There's also the ability for emergency rulemaking. But, at the same time, that still has to go through JCAR. Be happy to answer any questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

There any discussion? And the Chair would like to inform you that we are on a timer, unfortunately. Senator Murphy.

SENATOR MURPHY:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will yield. Senator Murphy.

SENATOR MURPHY:

President Cullerton, the -- the interfund transfers - it's my understanding from committee the other night, where we touched on this a little bit, that it's expected to be about a billion dollars that would be repaid to funds over a period of

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

eighteen months under this legislation, with interest. Is that correct?

PRESIDING OFFICER: (SENATOR HENDON)

President Cullerton.

SENATOR CULLERTON:

Yes. The interest, of course, would be only the interest that the money would -- would earn if it had stayed in the funds. And there's a whole bunch of these different funds. And so, we don't know exactly how much they'll be able to take. Each fund would have to be on a case-by-case basis. But we believe it could be a billion, perhaps even more, according to David Vaught.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Murphy.

SENATOR MURPHY:

And there's nothing in this legislation that prevents us next calendar year, maybe next January or February, from going back and saying, you know what, we wanted to pay you guys back, we wanted to pay those funds back, but we've decided we don't have the money, so we're going to pass a new law with a simple majority that says we don't have to pay you back. There's nothing in this legislation that would prevent that from happening, is there?

PRESIDING OFFICER: (SENATOR HENDON)

President Cullerton.

SENATOR CULLERTON:

This law says you have to pay it back. Your question was, could we come back here and pass a different law? Of course we can. We can always do that. But that's not in this law. This

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

says you have to pay it back.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Murphy.

SENATOR MURPHY:

And what's also not in this law is the fact that we could change this later. And, I guess, you know, we've got a bit of a track record down here of not being real good about paying our bills and raiding these funds. And I know we don't want to call it a fund sweep today, but it -- it just kind of looks like a fund sweep that's being dressed up as a loan. Would that be a fair characterization of this?

PRESIDING OFFICER: (SENATOR HENDON)

President Cullerton.

SENATOR CULLERTON:

Senator, really, I think we should be -- be fair on this one. This is -- there's a lot of money in these funds. I don't know, six, seven, eight billion dollars has been in here. We, in the past, have taken the money without any promise to repay it. It's called a sweep. This is a different concept. These funds are available now for any bondholders out -- that -- that -- as a -- as kind of a rainy-day fund for bondholders. And so the concept is that we have these funds, it has -- some of these funds are -- you might want to characterize them as surplus, and so we recognize the obligation to say, hey, we got to return this money, with interest, which happens to be very low now. And it's really borrowing from ourselves. It's something which is easy to do, you know, in terms of you don't have to go out and -- and -- and go to a bank. And I -- it's very straightforward. It's unfortunate we have to do it. Be nice if

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

we had more -- more money. But this is what -- where we find ourselves so this is why we have this proposal.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Murphy, if you could, sir. Senator Murphy.

SENATOR MURPHY:

Thank you, Mr. President. I appreciate that gesture at -- at attempting to pay this back and we look forward to seeing that actually happen. With regard to the tobacco fund's revenue stream, which is in this bill, what do we spend that money on now, and when we're no longer spending it on that, how are we going to make that up?

PRESIDING OFFICER: (SENATOR HENDON)

President Cullerton.

SENATOR CULLERTON:

We -- we have about three hundred million a year. It's various agency programs. It's general spending. What we're in effect doing here, is we're -- first of all, there's a risk in the future for this -- these funds to diminish, because of tobacco not being used as much, raises of taxes and the like. So we're getting a hard amount right now, about -- we -- we estimate it to be 1.2 billion. And in effect, in order to pay off those bonds, we have to spend about a hundred and thirty million a year. So there'd be a hundred and thirty million less than we now currently have to spend. But we'd have the -- availability of the 1.2 billion. That's basically what the -- what the deal is.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Murphy, before I recognize you, I want you to recognize that your time has expired, but we're giving you a

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

little extended time. Senator Murphy.

SENATOR MURPHY:

Thank you, Mr. President. So, if I understood that correctly, we've got a revenue stream now that we have at least some level of concern may dry up, but we're going to borrow against it now and potentially be on the hook for all of the repayment later?

PRESIDING OFFICER: (SENATOR HENDON)

President Cullerton.

SENATOR CULLERTON:

First of all, I -- I want to just say, personally I'm going to talk to Senator Radogno and ask that -- if she could add you to the Executive Committee, because I think if you were on the committee, it'd be very helpful 'cause we could have a lot of these things played out in the committee. I don't know who you'd replace, but that would be up to her. This -- these are nonrecourse. This is not an obligation to the State of Illinois. We actually set up a separate Tobacco Settlement Authority. So it's nonrecourse at all.

PRESIDING OFFICER: (SENATOR HENDON)

Senator -- to the bill, sir. Senator Murphy, to the bill.

SENATOR MURPHY:

Yeah. Couple more questions. Thank you, Mr. President. And I guess...

PRESIDING OFFICER: (SENATOR HENDON)

Senator Murphy, I did not recognize you for a couple more questions. Your time expired. I gave you another two minutes - two minutes. Senator Murphy, one more question and then to the bill, if you would, my friend. Senator Murphy.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

SENATOR MURPHY:

I appreciate the indulgence, as we, you know, borrow -- borrow about 1.7 billion dollars. I thought maybe we'd go over it with -- with a couple of questions. With regard to this separate Authority, there are some -- some potential issues on transparency. There's no competitive bidding on the investment banks, is there?

PRESIDING OFFICER: (SENATOR HENDON)

Senator -- President Cullerton.

SENATOR CULLERTON:

Boy, I wish you would get on that committee, because we had the Governor's witnesses there. Senator Righter asked some very good questions. They gave great answers. The answer is, yes, they are competitively bid. That's what I'm told.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Murphy, to the bill, sir.

SENATOR MURPHY:

What about...

PRESIDING OFFICER: (SENATOR HENDON)

Senator Murphy.

SENATOR MURPHY:

What about on-line disclosure of bond funds -- bond fees?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Murphy. Senator Murphy. Please, sir. I've been quite indulgent. You've gone beyond the timer. To the bill, sir. There are other lights lit. Senator Murphy, to the bill.

SENATOR MURPHY:

So I'm not going to be able to ask any more questions?

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

Senator Murphy, the -- we put it on a timer. You -- I've given you a lot of time. You're one of my dearest friends. There are other lights lit. Your time has expired. I gave you two extra minutes. If you were in the House, you would be three minutes over. Senator Murphy, to the bill, my friend.

SENATOR MURPHY:

I'll go to the bill. Thank you, Mr. President. This is two more credit cards. We've got a hundred and forty billion dollars that we're already in debt - highest per capita debt in the country. We have maxed out a hundred and forty billion dollars' worth of credit cards down here already - and this is two more of 'em. And the pension borrowing and the pension raid that's coming up next is another one. They all add up. We get 6.3 billion dollars this year. Guess what it costs us on the back end? Forty billion dollars. No more credit cards. No more borrowing. Face up to what the people of the State can afford and only spend that. Strongly urge a No vote.

PRESIDING OFFICER: (SENATOR HENDON)

Thank you, Senator Murphy. The -- the Presiding Officer tonight will accept no outbursts like he made while he was on the Floor yesterday. Senator John Jones.

SENATOR J. JONES:

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

PRESIDING OFFICER: (SENATOR HENDON)

Indicates he will yield. Senator Jones.

SENATOR J. JONES:

Thank you. Just -- just a couple of questions, but before I do, President Cullerton, we will get with Leader Radogno. I think she wants to keep all the members on the Executive

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

Committee that she has, but we'll be glad to let Murphy replace one of yours and that'll make it a little more even. Okay? Thank you. Just a -- just a couple real quick questions. I asked you a question in committee and you said you'd get the answer for me and I hope that -- that you've been able to do that. But my question was, what under -- what -- under what circumstances do you envision the emergency rulemaking authority being utilized?

PRESIDING OFFICER: (SENATOR HENDON)

President Cullerton. President John Cullerton.

SENATOR CULLERTON:

Yes, thank you. I apologize, I -- I -- I remembered that I -- this provision was in. I didn't even know it was in when we were in committee and you're right. This is very similar to what we did last year. So, if the Governor needs to make cuts, he can do so through rule, but we provide that he still has to go through JCAR. So that's the purpose of this - to give the Governor flexibility. That's why it's called the Emergency Budget Act.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Jones.

SENATOR J. JONES:

...you, Mr. President. The -- the other question is, is that -- the transfer of funds. That -- that really bothers me. And, you know, it's been done under Republicans and Democrats both. Republicans have voted for -- for transfer of funds before - sweeps, whatever you want to call 'em. But I have a real concern with the Leaking Underground Storage Tank Fund, because last year we were all gracious enough, all four caucuses, we put

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

seventy-five million dollars in the Leaking Underground Storage Tank -- in the bonding bill. Those bonds have not been sold and put into that fund yet. But I'm really concerned because I have a constituent in -- in my district, in my hometown really, that -- that cleaned up these underground storage tanks; we owe him twenty-five million dollars. He's filed bankruptcy. He's lost everything he's got. But we still owe him twenty-five million dollars. So, let me assure you -- Mr. President, if you could, let's make it perfectly clear - there are no excess funds in that fund. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Senator John Sullivan.

SENATOR SULLIVAN:

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

PRESIDING OFFICER: (SENATOR HENDON)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you. A question of the sponsor.

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will yield. Senator Sullivan.

SENATOR SULLIVAN:

President Cullerton, there's been some concern from retired State employees with regard to additional cost for their health benefits, and I think it was included even in an earlier draft. With that in mind and for the purpose of legislative intent: The Group Insurance Act provides a number of benefits. For example, there is a provision for the State to contribute toward the cost of annuitants' and survivors' coverage in an amount equal to five percent of the cost for each year of service. Is

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

there anything in this bill that could jeopardize those benefits?

PRESIDING OFFICER: (SENATOR HENDON)

President Cullerton.

SENATOR CULLERTON:

It is the Legislature's intent that the provisions of the Emergency Budget Act are not meant to diminish benefits provided to retirees or annuitants pursuant to the State Employee Group Insurance Act of 1971.

PRESIDING OFFICER: (SENATOR HENDON)

Kevin Lee from the Illinois Statehouse News seeks leave to videotape. Is leave granted? Leave is granted. Senator Dillard.

SENATOR DILLARD:

...you -- thank you, Mr. President. If the Senate President would be kind enough, the sponsor, to yield for a couple questions?

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will yield. Senator Dillard.

SENATOR DILLARD:

Senator Cullerton, just so I'm clear, is the Railsplitter Tobacco Settlement Authority subject to the Freedom of Information Act, the Open Meetings Act, and the Open Records Act, like the Procurement Code?

PRESIDING OFFICER: (SENATOR HENDON)

President Cullerton.

SENATOR CULLERTON:

The answer is, yes. And in committee, the testimony was very clear. This entity is going to consist of three, I think,

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

trustees. And they're going to meet once. There's no employees. It's set up for the purposes of insulating the State to make sure that the State is never going to be on the hook for these -- repayment of these bonds. And so all of those things are true.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Dillard.

SENATOR DILLARD:

Where in the bill - we can't find it - does it say that the Railsplitter Tobacco Authority is subject to the Open Meetings Act or the Freedom of Information Act or the Open Records Act or the Procurement Code? We can't find it in the bill.

PRESIDING OFFICER: (SENATOR HENDON)

President Cullerton.

SENATOR CULLERTON:

Well, the bill references those Acts and it incorporates it by reference. So -- which -- it's a really interesting question. We want to make sure it's covered. But as I said, this is a -- this is a three-person entity that is set up, which meets once, issues the bonds and they're done. And the purpose for which they're set up, I've explained - so that we are -- we -- they're separate from State government so that there's no recourse back on the State for the repayment of the bonds.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. Would the investment bankers and the lawyers hired for this bond deal - and there'll be about 1.7 million dollars in fees - are they going to be able to

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

contribute to gubernatorial candidates, or do they have to comply like the pay-to-play reforms we've passed previously?

PRESIDING OFFICER: (SENATOR HENDON)

President Cullerton.

SENATOR CULLERTON:

The answer is, yes.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Dillard.

SENATOR DILLARD:

Yes, that they can contribute to the governor or, yes, that they -- they cannot contribute?

PRESIDING OFFICER: (SENATOR HENDON)

President Cullerton.

SENATOR CULLERTON:

The provisions of the law, with those restrictions, apply.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Dillard, your time is winding down. You -- but I'm, of course, going to give you more time. Senator Dillard.

SENATOR DILLARD:

Let me just make some remarks with respect to the Railsplitter Authority. You know, this is a three-person board - obviously controlled by the Governor. His budget director will chair it. Tobacco settlements have traditionally been very, very, very political, with some of the most politically active people in the State reaping millions of dollars of payments. The fees actually are seventeen million dollars. This deal is very expensive. We were doing the math in our caucus and this is a very expensive, expensive deal. We would hope that the fees would be outlined, just like the recent

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

general obligation bonds are, on the Internet. And, Mr. President, I mean, if you say they're going to go on the Internet, I believe you, even though I can't find it in the bill. One thing that I hope, and I hope the media looks at this, how about an audit? I mean, are we going audit how this is working? And, you know, that is just something that -- that is out there. I'm not sure, contrary to what the Senate President pointed out a minute ago, that these will be competitively bid. I believe this will be a negotiated type of deal and we want to watch it and we want to watch it carefully. But the bottom line is, this is a very expensive way for the State to borrow money. And then last, but not least, as I keep my little scrib {sic} sheet of running totals here, these tobacco bonds bring the total borrowing in the FY'11 budget to more than six billion new dollars of debt for the State. Other borrowings include four billion in pension raids, that we expect, and an estimated one billion dollars in interfund borrowing from dedicated funds - another six billion dollars of debt. It's shameful.

PRESIDING OFFICER: (SENATOR HENDON)

Leader Righter. Leader Righter will be the final speaker before President Cullerton closes. Leader Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR HENDON)

Leader Righter.

SENATOR RIGHTER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. You know, I was there in Executive Committee and

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

listened to the questions and the answers. And at first, not being a financial expert, this notion of the -- the Railsplitter Authority intrigued me. But as I dug a little deeper into it and read what it actually is, as opposed to the way it was being pitched - not by the Senate President, but by the people who were at the table who were with the Governor's Office - this really isn't anything different than us borrowing. I mean, the Railsplitter Authority has a three-person board. The chairperson of which is the Governor's -- director of his budget office. They meet, as the Senate President said, once. That's all they do. And then, through negotiation with the Governor's Office of Management and Budget, they will acquire the rights, somehow, to these tobacco settlement proceeds and use that to pay back the bonds. So the notion that we are not on the hook for these is not accurate. Now, it's accurate if somehow the revenues from the tobacco settlement stream were to default, which won't happen. But we are on the hook, because, remember, the estimate is that the debt payment yearly from those tobacco revenues will be about a hundred and thirty million dollars a year. Well, Ladies and Gentlemen, that hundred and thirty million dollars isn't just sitting in a bank somewhere. You're spending that now. And you're spending it on Medicaid programs. Now I don't know exactly what Medicaid programs, but I am not familiar, and maybe some of you are, with which of those Medicaid programs are flush with cash and we can do away with a hundred and thirty million dollars. When -- if this passes and becomes law and we take that money out of there, I don't know exactly what programs are going to lose that money, but I suspect, Mr. President, that the people who vote for this are

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

going to find out in a big hurry. This is us borrowing. This is the Governor's Office borrowing. I want to talk just briefly, Mr. President, about the bigger picture here of the notion that this Senate will convey to the Governor's Office expanded authority - this Governor's Office that told you, when you sent the budget to him last summer, that he would manage that budget and he would cut two, two and a half billion dollars from that budget and he did not so -- did not do so. It's the same Governor who told you that he would manage within the Department of Corrections and then released prisoners, and then had to undo that program - this Governor's Office. I think all of you, before casting this vote, need to ask yourself, has this Governor's Office demonstrated to you a trustworthiness and a competence that you feel good about in handing over even more of the General Assembly's authority? I don't think the -- a serious step towards solving our problems, Mr. President, is to say, "Here, Governor, you do this." This is our job, not the Governor's job. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

President Cullerton, to close.

SENATOR CULLERTON:

I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall House Bill 2428 pass. 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 31 voting Aye, 26 voting Nay, none voting Present. House Bill 2428, having received the required constitutional majority, is

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

declared passed. Please turn your Calendar to page 31. House Bill 543. House Bill 543. President Cullerton, do you wish to proceed? Madam Secretary. President Cullerton seeks leave of the Body to return House Bill 543 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 543. Madam Secretary, have there been any amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by President Cullerton.

PRESIDING OFFICER: (SENATOR HENDON)

President Cullerton, on Amendment 1.

SENATOR CULLERTON:

I'd like to adopt the amendment and debate the bill on 3rd Reading.

PRESIDING OFFICER: (SENATOR HENDON)

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

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is House Bill 543. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 543.

(Secretary reads title of bill)

3rd Reading of the bill.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

PRESIDING OFFICER: (SENATOR HENDON)

President Cullerton.

SENATOR CULLERTON:

Thank you. This bill deals with our pension obligations. You may recall, last year, in a bipartisan fashion, we worked with both parties and we -- we got support from both sides of the aisle, both Chambers, to do a pension note. We borrowed money to pay for our pensions. We ended up selling those notes, I think, in February, and the money went into the Pension Fund and they were not shorted. This year, a similar proposal was advanced by the Governor's Office, only difference being they wanted to pay it off over eight years instead of five. Requires a three-fifths vote. Over in the House, the bill was advanced and there was no bipartisan support. So, as a result, the bipartisanship broke down and the Republicans in the House said, no, and, therefore, we could not borrow. It's about a 4.1-billion-dollar obligation. We, in this Chamber, of course, have passed a revenue measure that would have covered that. It's over in the House. Hasn't been voted on. So that is one way of paying for these obligations. You raise the money. Or, we could find four billion dollars' worth of cuts. In a twenty-six-billion-dollar budget, that would be pretty tough, especially when certain things are taken off the table - taken off the table. The Medicaid payments - you -- you cut any of those, you lose federal dollars. We had a passionate speech, and many speeches here on the Floor of the Senate last year, when we restored the MAP program. The four million dollars of - - the four hundred million dollars of the MAP program. We've got to fully fund the MAP program. We can't cut any of that.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

It's not even essential to operation of State government, but we can't cut that. So, I think you can understand how difficult it would be to cut four billion dollars. Well, there's another thing we can do. We could change the law and we can have a pension holiday. We could just not pay any money into the pension fund. I think that's irresponsible. That should be avoided. We should not just give up our obligation to pay money into the pension fund. But, if we do nothing, the way the law reads, those payments -- there's a continuing appropriation for those payments, quarterly, and starting July 1st, every quarter, we got to pay about a billion dollars. And it comes out of our -- of our -- our State funds and it's not included in our budget. So it would be an additional four-billion-dollar hit. It would be in effect a four-billion-dollar cut. So, in light of the fact that we don't have bipartisan cooperation to borrow; in light of the fact we don't have enough support, bipartisan support, in the House to pass revenues; in light of the fact that we don't want to have a holiday; in light of the fact that we cannot do nothing - we have this bill. This bill says that we still have this obligation and the Governor's authorized to put money into the pension funds, but the Governor's going to be given the authority to do that when he finds the money. Now, that could be when things change around here and people decide they want to go back and do the borrowing, or if, for some reason, there's a revenue increase, or there's some way in which economy gets better and there's a certain amount of money that might come. The Governor doesn't have to pay it all at once. He can pay in as much as he certifies that he has available. And we don't have a date certain. We say the Governor can do

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

it. So, it's true. It's possible, if the money never shows up, it would be the equivalent of a holiday, 'cause he didn't have any money to pay it. But it's not saying it's a holiday. It gives the Governor the authority to pay the money when he can. Once again, it's very unfortunate. Would have been nice to have more revenue coming into the State. Would have been nice to not have to borrow. We certainly were very responsible this year when we did pass a major reform of the Pension System. When it's recertified, we'll save four hundred million dollars in -- in just this year's payment. But, unfortunately, we're in this crisis and this is what we have to do. Be happy to answer any questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Murphy. The Chair would appreciate succinct questions and descriptions of your legislation and succinct statements. Senator Murphy. That wasn't just for you, Senator Murphy. It was for President Cullerton as well. Senator Murphy.

SENATOR MURPHY:

I got that sense. I appreciate that. I -- Senator Cullerton actually answered the question I had, so I just want to speak to the bill. This is another piece of a budget that steals from the future. We get 6.3 billion dollars total in borrowing today - 4.1 of it from this. And we get to pay back forty billion dollars later - maybe not we, maybe it's our kids, grandkids, people who are actually left in Illinois when the bill comes due. And I guess the first question is, who operates that way? Who does that? You know, last year, the proposal from my friends on that side of the aisle was tax and spend.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

This year, you're pushing borrow and spend - no cuts. There's talk about, you know, the outside groups gave numerous proposals for reducing spending, and I know, you know, the fact that it wasn't in a bill somehow excuses you from not incorporating them, as if you couldn't have put them in a bill yourself. And you didn't adopt any of our proposals that are in legislation - that could have reduced spending. Now, there was a lot of talk about cutting spending and reining in spending. But the only proposal was a measly hundred and seventy-two million - that was about one percent or less of GRF. By no reasonable standard would anybody consider that as a real effort at reining in spending. Instead, you support record debt. You've maxed out about a hundred and forty billion in debt on our credit cards to date - eleven billion of it, just since Governor Quinn became Governor fourteen months ago. Now you want three more new credit cards. The tobacco credit card - we get 1.2 million now - we spend 2.25 paying it back. This credit card on the pensions - 4.1 billion now, thirty-seven billion to pay it back. And a billion from the funds that we may or may not pay back. This has been going on at an increasing, alarming rate over the last eight years with a predictable result - more of the same depressed opportunity for the people we serve. And why? Because the job creators know who's going to pay the bill and they don't want to fill the last seat on the Titanic, so they skip over Illinois and the people of this State. I've heard a lot of chest beating about House Bill 174. And we were chastised last night because, you know, our proposals were from last year. Well, so was House Bill 174. You didn't vote for a tax increase this year. And by the way, last year you didn't

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

convince 60 of the 70 House Democrats to vote for House Bill 174. And you didn't convince 'em to do it this year. So, you knew there was going to be no tax increase. You knew the choice was borrow or cut. You chose to borrow and steal from the future. This budget reflects a lack of will to do what needs to be done on that side of the aisle. And the future burden that will be paid will be the result of your lack of will. I strongly urge a No vote.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. I'll be very brief, 'cause this is so very bad. As Senator Murphy pointed out, you know, there is no more powerful thing in the universe than compounded interest. This is a thirty-seven-billion-dollar authorization for a raid on public pensions. And just to put that in perspective, you all worked on a very good first start on pension reform in this State. Didn't go far enough, but you passed the bill. This would potentially eat up half of the savings of the Pension Reform Bill that you all and we all voted on earlier this year. So, this is major. Of all the things that we've done that are irresponsible - I said it a couple of years ago when the first pension raid was there - this is the most irresponsible of all. I mean, this is a tax on our children and grandchildren and this is going to trigger the double downgrade. Our credit rating's already forty-ninth in the country. This will put us below California. There's an easier way to do it, folks. It's grow the economy. It's reduce workers' comp costs. It's to reduce the cost of doing business.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

It's the right way to fix our State's budget, not this way. I urge a No vote.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Brady. I don't know who you think is presiding right now, but I told you I will not tolerate any of that tonight, whatsoever. That was yesterday, Rev. Senator Brady.

SENATOR BRADY:

Thank you, Mr. President. You know, I've heard a lot of talk in the last 24 hours. I've heard a lot of talk about the lack of our party willing to help your party solve some serious problems in this State. But I got to tell you, I look at a list and I look at the areas where we were willing to work with you to bring real reform to the State of Illinois - pension reform, RTA assistance, Metropolitan Pier -- Exposition Authority and reforms, broadband expansion. We worked with you on school choice with Senator Meeks, so parents had an opportunity for their children. There's no question that we stand in opposition to this legislation. This is building a mountain of debt that will burden our children and grandchildren because of the incompetence on the Second Floor. Ladies and Gentlemen, we have a Governor who had an opportunity to witness State government as the Lieutenant Governor and partner of Governor Blagojevich for six years. We have a Governor who's had the opportunity to occupy the Second Floor and begged us to give him the authority that you gave him in the earlier bill and the authority that you're giving him there now - to put our State deeper in debt, to ignore the challenges that families and businesses are struggling with today. Ladies and Gentlemen, we have to say enough is enough. Six billion dollars in unpaid bills, three-

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

plus billion dollars in unpaid pension obligations last year, and now you want to go deeper into the hole by five billion dollars because of the lack of leadership and incompetence on the Second Floor. You know, many of us have served here through a number of Governors. Some of us stood on this Floor and cut spending by a billion dollars. I, myself, have said we've got to cut spending by ten percent, like families and businesses around this State. Ladies and Gentlemen, I warn you that people get it. They get the fact that they cannot ignore the shame that's going on in this Capitol. They get the fact that we cannot leave our children without good schools and our State in a mountain of debt, our children to pay back. This is wrong. You and I know it. If you don't believe me, read a letter we received from the Springfield Chamber of Commerce, a letter that said that we just lost another employer to this State because of our inability to recognize our weaknesses and balance our budget by cutting spending, like businesses, families, and live within our means. You know, we can delay this until next January. We can. I prefer not to. I prefer to see us summon up the leadership, to tell the Second Floor that if you can't lead, we will; that we're not going to saddle our children and grandchildren with deficits and debt and job losses. Do the right thing, like six Democrats did last night - vote against this, like you did the budget. We're more than willing to work with you in a bipartisan way. It takes bipartisan solutions to solve the catastrophic position this State is in. I implore upon you, deny this legislation. Let's sit down and bring real solutions to Illinois.

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

There are two final speakers - one Democrat one and then Leader Righter - and then President Cullerton, to close. Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR HENDON)

...bill, sir.

SENATOR SCHOENBERG:

I must have missed something, or just last night, we voted to make cuts. Most of those votes came from this side of the aisle. The other side chose not to participate. And as influential and powerful as the Governor of a big State like Illinois is, I have news for you, my friends. The Governor of Illinois doesn't control the Chinese currency rates. The Governor of Illinois doesn't control the global credit crisis precipitated by subprime markets. The Governor of Illinois didn't send State workers out into the streets in Greece to complain about the euro and the cuts that have to go there. We are facing the worst economic conditions since the Great Depression. We can't overlook that. There are some things that not even the Governor of Illinois can control. And the Governor of Illinois, if he inherited many things right now, he also inherited a 1995 Pension Law, which guaranteed that the State's contribution would go up the highest. Who would have known fifteen years ago that we'd have to pay the most at a time when the global economy was going to be the worst? It must have been brilliant. How did somebody -- how did Steve Rauschenberger have the foresight to know that fifteen years from now the global economy was going to go in the tank, that unemployment

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

was going to exceed ten percent? How did he know that to put that kind of pressure on us? How did he know? How did anybody know that there were going to be more people relying on the State of Illinois for public health insurance than at any time? How did anybody know fifteen years ago? It was brilliant. The 1995 law - it had nothing to do with tying it, our contributions, to actual economic conditions. So when the economy was its most robust, at the end of the Clinton administration and the turn of the century, we didn't pay one penny more. And that's with Democrat and Republican cooperation. There's plenty of red ink on everyone's hands here at the Capitol. We all need to take ownership of the problem and this is one way to do it. I vote Aye.

PRESIDING OFFICER: (SENATOR HENDON)

Thank you, Senator. Jack Tichenor from WTTW seeks leave to videotape. Leave is granted? Leave is granted. Leader Righter. Our final speaker, Leader Righter.

SENATOR RIGHTER:

Thank you, Mr. President. To the bill, if I might. Thank you. Mr. President, Ladies and Gentlemen of the Senate, you know, there is a recurrent theme between this bill and the previous speaker's comments. And that is, it's not our fault. We didn't create this. I want to remind you that the highest -- stack of unpaid Medicaid bills in this State's history had been accumulated well before the economic decline was ever on the horizon. This State sunk to forty-eighth out of fifty in job creation well before the economic decline ever started. This State's unemployment rate is almost two full points higher than the rest of the country. Stop blaming Washington. It is both

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

uncredible and embarrassing. To the bill, if I might, Mr. President. Last year, a number of Republicans joined with the Senate President and Democrats to extend borrowing, because it was a new day, a new Governor, a new start, with the pledge that we will manage. I will not recite again, as I did on the previous bill, the record of - and I'm going to use this terms obviously sarcastically - accomplishment. Incompetence that we have seen on the Second Floor. And what you are preparing to do with your vote on this bill is say, "I know it's our job to manage this pension issue; we're going to give it to the Governor. We're going to give it to the Governor and hope that he handles it well." Bipartisanship is great when everyone is together accepting each other's ideas. The litany of bills that are in Committee on Assignments and in subcommittees in this Senate, Republican bills dealing with fiscal issues, is something I laid out last night. They're still there. Please, please do not come to us in the eleventh hour, after you've turned down all those ideas, and say, now its time to step up. We stepped up last time and helped. The record of accomplishment is zero. I hope all of you who are preparing to vote for this bill not only have your fingers crossed, but your toes crossed as well, that the Governor can handle this authority, because if he can't, those who voted with him will be accountable as well. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

Thank you, Leader Righter. President Cullerton, to close.

SENATOR CULLERTON:

Yes, thank you, Mr. President. Let me address some of the issues raised. Little bit of an exaggeration to say that this

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

is costing forty billion dollars - it's four billion dollars that has to be put into the pension fund. If it's put in in January, we lose six months' worth of interest. If we don't put the four billion in ever for the next thirty-seven years, okay. But that's not what we're talking about. We're talking about giving the Governor the authority to put this money in. Now, I don't know if I really understand the difference between last year and this year. Last year, you let us borrow because we wanted to fund the pension fund. You voted for it. This year, you've changed your mind. We certainly don't have any more money than we had last year. We have less money because of -- the stimulus money is gone. So we even have a greater reason to borrow and you guys, for some reason, have changed your mind and now this year you don't want to help us borrow. I wonder if it has anything to do with the fact that there's an election this year. That's all I can think of. Now, let me make another clarification to a point that was made. House Bill 174 would be a way of funding this bill. It's over in the House. There has never been an income tax in Illinois without bipartisan support. Republican Governors Ogilvie, Thompson, twice, and Edgar, are the reasons why they passed. We need bipartisan support. We don't have it. So we don't have the four billion dollars. But the suggestion that we've had a lot of ideas from you on how we can go forward next year was the point I was trying to make last night. You know, I was actually looking forward -- for the first time in a hundred and seven years, we have a sitting legislator running for Governor. The first time in a hundred and seven years where a legislator could -- who expects to be, would hope to be the Governor for the second half of the fiscal

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

year, that he's actually voting for a budget. He could walk down, right there, and present his own budget and he actually had a bill, Senate Bill 1525. We assigned it to committee on March 11th. And on March 11th, he gave the sponsorship over to somebody else, instead of going to the Reference Bureau, getting the budget that he would want to have for the second half of his -- of -- of this fiscal year, the first half of your -- of his administration. So that's what we're talking about when we say we haven't heard from you guys. And so now we're left with this unfortunate situation because of all of the reasons that were stated before. Unfortunately, we have to borrow. Unfortunately, you won't let us do that. We don't want to do a holiday. We want to give the Governor the flexibility so that these pension funds will eventually be paid. And that's what this bill does. Once again, I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall House Bill 543 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 31 voting Aye, 26 voting Nay, none voting Present. House Bill 543, having -- received the required constitutional majority, is declared passed. House Bill -- I mean, I'm sorry, 991. Senator Trotter, on 991. Senator Trotter seeks leave of the Body to return House Bill 991 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 991. Madam Secretary, have there been any amendments approved for consideration?

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Trotter.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Trotter.

SENATOR TROTTER:

Thank you much -- much, Mr. -- Mr. President and Members of the Senate. If we could adopt Amendment No. 2, No. -- Amendment No. 2 becomes the bill and I'll...

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:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. Now on the Order of 3rd Reading is House Bill 991. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 991.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Trotter.

SENATOR TROTTER:

Thank you, Mr. President, Members of the Senate. House Bill 991, as amended, appropriates 327.9 million dollars to {sic} (from) the Education Assistance Fund to the State Board of Education to increase mandated categorical funding to the FY'10

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

appropriation levels. This funding takes effect only if the cigarette tax becomes law. The background to this is that the mandated categoricals were appropriated at 1.6 billion GRF. House Bill 991 will restore approximately three hundred million to those programs to bring them in line with the FY'10's appropriation level. This increase is in -- contingent upon the passage of Senate Bill 44, which is the cigarette tax increase.

PRESIDING OFFICER: (SENATOR HENDON)

Any discussion? Senator Murphy.

SENATOR MURPHY:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will yield. Senator Murphy.

SENATOR MURPHY:

Is this subject to appropriation? I mean, what happens if the cigarette tax doesn't pass?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Trotter.

SENATOR TROTTER:

Then this would not be appropriated, sir.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Murphy.

SENATOR MURPHY:

To the bill: You know, this is kind of interesting. We were just berated for not being for cuts and there was all this talk about cuts. We didn't make it five minutes till you decided to spend and supplementally appropriate even more money than you just cut. Is there any doubt as to why nobody believes anything ever really gets cut in this building? It wasn't five

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

minutes before you're back spending more money. Folks, the truth of the matter is, we don't have this money. Even if the cigarette tax passes, we don't have this money. We all want to feel good that we're spending money on these things. But the bottom line is, we don't have it. And we continue to crush opportunity for people when we continue to drive this State more into debt, as Senator Dillard and Senator Righter very aptly described previously. This costs people jobs when we take on this level of debt and don't have the courage to make the cuts necessary. We don't have the money, irrespective of the merit of the -- of the expenditure. I urge a No vote.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Trotter, to close.

SENATOR TROTTER:

The cigarette tax, which will pass, which is Senate Bill 44, will be a dedicated revenue stream which we would be able to pay for these mandated categoricals. And I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall House Bill 991 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 33 voting Aye, 21 voting Nay, none voting Present. House Bill 991, having received the required constitutional majority, is declared passed. Senator Hutchinson, for what purpose do you seek recognition, my dear?

SENATOR HUTCHINSON:

Thank you, Mr. President. I would like to take a moment on this -- what appears to be the last day we'll be here, for a

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

minute, to recognize those of our colleagues who were born in May. We have my lovely seatmate, Senator Heather Steans. Her birthday is tomorrow, May 8th. And then we also have our lovely Assistant Majority Leader Kim Lightford. Leader Lightford's birthday is on the 10th. And then Senator A.J. Wilhelmi's birthday is on the 14th. And Senator Emil Jones' birthday is on the 16th.

SENATOR STEANS:

And she didn't want to introduce herself, but Senator Toi Hutchinson is on May 20th. So we get to...

PRESIDING OFFICER: (SENATOR HENDON)

Let's say happy birthday to all our Senator colleagues who are getting old, very old, right before our eyes. Senator Steans, Hutchinson, Jones and Lightford and Wilhelmi. And -- okay, Senator Steans at Senator Hutchinson's mike. Briefly, quickly. Ladies, come on now.

SENATOR HUTCHINSON:

We forgot Senator Maloney, May 22nd.

PRESIDING OFFICER: (SENATOR HENDON)

And Senator Maloney turned 91 on May 22nd. Senator Viverito, for what purpose do you seek recognition, sir?

SENATOR VIVERITO:

Mr. President, there was a dear old friend of ours who was also born on May 7th, I think, wasn't it? That no other -- finest guy, wonderful personality, another Italian, Vince Demuzio. Let's remember him too.

PRESIDING OFFICER: (SENATOR HENDON)

That'd be Vince. Big Vince. Happy birthday to all our colleagues. Supplemental Calendar No. 1, if you would, Ladies

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

and Gentlemen of the Senate. House Joint Resolution 121. Senator... Supplemental Calendar No. 2, I'm sorry. Senator Noland. Madam Secretary, read the resolution. Senator Noland seeks leave of the Body to return -- to adopt... Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

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

PRESIDING OFFICER: (SENATOR HENDON)

Senator Noland.

SENATOR NOLAND:

Thank you, Mr. President. The amendment simply makes a couple of technical corrections to the original amendment from the House. Couple of scrivener's errors that changed the word "the" to "a", and then also inserts the word "special" into election, that was heard in committee and I think we satisfied any of their concerns. Overall, the -- the -- the amendment sets forth a brief explanation of the proposed amendment, which is the recall bill for the Governor. Sets out the pros and cons for the voters to read as they vote on it on the ballot in November. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Any discussion on the amendment? Seeing none, all those in favor, say Aye. Opposed, say Nay. The Ayes have it. Have there been any other Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

3rd Reading. Now on... Madam Secretary, read the resolution.

SECRETARY ROCK:

House Joint Resolution 121, offered by Senator Noland.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Noland.

SENATOR NOLAND:

Thank -- thank you, Mr. President. I've already explained the vote -- or, already explained the amendment. Ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

All in favor will say Aye. Opposed, say Nay. The Ayes have it, and the resolution is adopted. Senate Bill 43. Senator Raoul. Madam Secretary, read the bill.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 3 to Senate Bill 43.

Filed by Senator Raoul.

PRESIDING OFFICER: (SENATOR HENDON)

With leave of the Body, we're going to return to the -- House Joint Resolution 121, because it may require expenditure of State funds and require a roll call. All in favor will vote Aye. Opposed, vote Nay. And the voting is open. Have all voted who wish? This on the Joint Resolution that we just passed. We determined it may need a roll call. All voted who wish? All voted who wish? Take the record. On that question, there are 54 voting Aye, none voting Nay, none voting Present. House Joint Resolution 121, having received the required constitutional majority, is declared passed -- adopted. Now

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

we're going to Senate Bill 43. Madam Secretary, read the bill.

SECRETARY ROCK:

I move to concur with the House in the -- in the adoption of their Amendment No. 3 to Senate Bill 43.

Filed by Senator Raoul.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul, on Amendment No. 3.

SENATOR RAOUL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Amendment 3 of Senate Bill 43 comes about as a negotiation of CTA, RTA, and the Amalgamated Transit Union to make changes to the Retiree Health Care Trust. There are four components to it. It's a clarification of a law we passed a couple of years ago; that the retiree health care plan limitations on PPOs does not exclude the Board from offering a hundred-percent HMO plan. It removes the retirement of -- age of 55 with 10 years of service for employees hired before September 5th, 2001. It coordinates the Retiree Health Care Trust beginning with exhaustion of the 401(h) account. And it rewords a Section for assessing the trust fund funding level and other plan changes. There is no cost to the State or any unit of local government - to CTA, RTA, the State or any unit of local government. The cost would be borne by the employees and retirees.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you. A question for the sponsor.

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

Indicates he will yield. Senator Lauzen.

SENATOR LAUZEN:

Senator, do I understand one of the provisions in this bill is that an employee at the CTA will be able -- will gain access to hospitalization benefit after 25 years of service at any age? Is that correct?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul.

SENATOR RAOUL:

If they were hired before September 5th, 2001. And this only applies to the end of the current collective bargaining agreement. So there is a -- a finite period of time where this would be accessible.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lauzen.

SENATOR LAUZEN:

So, if I -- if I were 22 years old and I started to work before the date and qualified for all those, I get to 47 years old and then I have hospitalization for the rest of my life?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul.

SENATOR RAOUL:

You'd have access to the HMO plan, under those circumstances.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Thank you, Senator, the sponsor of this legislation. To the bill: When we say that there's no

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

obligation on the part of the State to pay this and yet we put another benefit in place that is this lucrative, I don't think that there's a year that goes by that one of the Chambers of the Legislature, if not both, are asked to further supplement or subsidize the CTA. And so, we're spending a lot more money and it creates an obligation, eventually, for us to pull CTA out of the financial trouble that they have. We keep promising to spend more money. We have people all around the State telling us, "put the reins on this runaway horse", and yet we go -- we keep proposing additional benefits like this. I advise a No vote.

PRESIDING OFFICER: (SENATOR HENDON)

Jason Wambsgans from Chicago Tribune seeks leave to -- to take photographs. Leave granted? Leave is granted. Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. We heard testimony in the committee from the -- the attorney from the union, as well as from their trustee, that the cost for this benefit will be borne by the employees only - one hundred percent. There is no cost to the taxpayers. So, with that, sir, I -- I just encourage everyone to -- to vote Aye for this -- bill. If they want to pay for it themselves, let 'em.

PRESIDING OFFICER: (SENATOR HENDON)

Leader Righter, our final speaker before Senator to close. Leader Righter.

SENATOR RIGHTER:

Thank you, Mr. President. To the bill, if I might. You know, Mr. President, I think one -- this is one of those bills

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

where we just had a couple other large measures and everyone is kind of decompressing a little bit and then something that seems a lot less significant comes up on the board. And I understand what Senator Raoul is doing here on behalf of the union workers at the CTA. But let's be clear about what this bill does. It creates a class of public employees who at forty-five years of age - forty-five years of age - get full benefits. Forty-five years of age. Forty-eight of you voted several weeks ago to say that a teacher in this State could not access their full benefits until they were sixty-seven years old. And you're probably hearing from a few of them now. Now you're going to turn around and send a message to them that there's a different class of public employees who can -- who can go out with full benefits at a generation earlier than that? Folks, think about the people who we are working for. Think about the people. Not the people who are on the public payroll, but the people who are paying for the public payrolls. Are any of them stepping out at forty-five years of age with benefits? They're not. This is the kind of bill that sends the message from Springfield that we have no idea what's going on in the real world. We have no clue what the people who are paying the bills for this State have to go through in order to pay those bills. I urge a No vote. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

Thank you, Leader. Senator Raoul, to close.

SENATOR RAOUL:

Thank you, Mr. President. I want to reiterate. There's no cost - no cost. The RTA stopped me as I was coming out of the committee and -- and -- and the RTA said they signed off on

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

this. They wouldn't sign off on this if it was costing 'em. This is subject to collective bargaining. There's a court injunction right now that puts this into effect. The retirement age as a result of the -- the law that we passed a couple of years ago is sixty-four years old. So, let's not mischaracterize what this is. This is, as one of the Members said in committee earlier, a clarification as a result of collective bargaining. And collective bargaining is something we have to respect. There's no cost to the State. There's no cost to any unit of local government. Let's not mischaracterize what this is. I urge an Aye vote on this.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, does the House concur in House Amendments No. 3 -- does the Senate concur in House Amendments {sic} No. 3 to Senate Bill 43. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 30 voting Aye, 18 voting Nay, none voting Present. The House concurs -- the Senate concurs in House Amendment No. 3 to Senate Bill 43. And the bill, having received the required constitutional majority, is declared passed. House Bill -- Senate Bill 326. Senator Steans. Madam Secretary, read the bill. Madam Secretary, read the motion -- I mean, read the bill.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1, 2 and 3 to Senate Bill 326.

Filed by Senator Steans.

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

Senator Steans.

SENATOR STEANS:

Thank you, Mr. President, Members of the Senate. We have all become aware, through many reports, of the real concern there is about safety of residents in nursing homes, on the quality of their care. In response to some of these reports -- and it really has been tragic. I know my district, as -- well, as many others, have been gravely impacted. The Governor's Office established a Nursing Home Safety Task Force, under the leadership of Michael Gelder. They developed a comprehensive report and then worked with Speaker Madigan's legal counsel, David Ellis, in terms of turning that in into what we are now having before us in this bill. This bill does a number of things that help enhance the prescreening and background check process, set and enforce higher standards of care in our nursing homes, and assist transition in the community by expanding home and community-based residential service options. I'm going to touch on just some of the key few elements in this. It's a very comprehensive bill. Some of the key things that are happening in here is that their -- pre-admission screening process is expanded so that potential residents of nursing homes are given more options to be able to go into a community-based setting, and folks with a serious mental illness get a post-screening examination as well. It also raises staffing ratios. And Senator Collins has been key in really helping to make sure that we focused on this, to raise skilled care, the number of hours per resident per day from 2.5 to 3.8 in skilled care facilities. It also requires nursing homes to obtain new certificates if they are going to serve folks with serious mental illnesses.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

And those that pose a risk of danger to others are now going to be segregated in separate wings of those nursing homes, so that we no longer have folks that are of danger living next door to our frail and elderly nursing home residents. This also creates higher fines and penalties and better enforcement mechanisms for the Department of Public Health. So, when a nursing home is a poor performer, in fact, we can go in and take action. Finally, it provides for the development of a community transition plan to allow residents to access or acquire resources to transition from the nursing home to a community. To help fund some of the increased costs for the Department of Public Health, there is a doubling of the license fees that the nursing homes have agreed to. In addition, we're going to be establishing a working for - working task force of providers, of advocates and State agencies that'll take a look at creating a new bed tax or provider assessment that we will present to the General Assembly by November 1st, 2010. I'd be happy to answer any questions on...

PRESIDING OFFICER: (SENATOR HENDON)

Senator Silverstein.

SENATOR SILVERSTEIN:

Some questions for legislative intent, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Silverstein.

SENATOR SILVERSTEIN:

Senator Steans, how does Senate Bill 326 define "neglect"?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Steans.

SENATOR STEANS:

Senate Bill 326 defines "neglect" as a facility's failure

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

to provide, or willful withholding of, adequate medical care, mental health treatment, psychiatric rehabilitation, personal care, or assistance with activities of daily living that is necessary to avoid physical harm, mental anguish, or mental illness of a resident.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Silverstein.

SENATOR SILVERSTEIN:

Is it your intent that this definition be the plain meaning -- plain meaning of the words?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Steans.

SENATOR STEANS:

Yes.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Silverstein.

SENATOR SILVERSTEIN:

Therefore, is it true that under the provision of Senate Bill 326, if a nursing home fails to provide or willfully withholds adequate care to a resident and such action -- actions result in the resident suffering physical harm, mental anguish, or mental illness, then the facility has committed neglect?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Steans.

SENATOR STEANS:

That is correct.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Syverson.

SENATOR SYVERSON:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

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

PRESIDING OFFICER: (SENATOR HENDON)

She indicates she will yield. Senator Syverson.

SENATOR SYVERSON:

Senator, I appreciate the -- the work that you've done on this and others to try to address some of the concerns, especially what's happened in Chicago with some of their facilities. Some of the concerns I have, one is the -- the -- the fee increases. Is that -- is that a flat fee increase for every home or is it on a scale? Do you know what -- how that change -- that licensing fee?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Steans.

SENATOR STEANS:

It is a flat fee and it doubles.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Syverson.

SENATOR SYVERSON:

The fee doubles from - I don't have that in front of me - from what to what?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Steans.

SENATOR STEANS:

It -- it's currently nine hundred ninety-five dollars.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Syverson.

SENATOR SYVERSON:

And then, are those fees the ones that are supposed to be used to hiring the new employees that are going to be needed to

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

operate this - I think that was mentioned - both in Public Health and in DHS, that are going to be -- that have to be hired through this?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Steans.

SENATOR STEANS:

Yes. These funds will be used by DPH, the Department of Public Health, to hire more surveyors.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Syverson.

SENATOR SYVERSON:

Will the amount of revenue raised from this increased fees or licenses for homes, is that going to be enough to cover the cost of those employees or is there still a net cost to the State for this?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Steans.

SENATOR STEANS:

It's very close to full coverage for the first year. Currently, we have thirty-seven -- excuse me, thirty-four surveyors. We need to do seventy-one under this new bill, which means thirty-seven new hires at a cost of about a hundred and twenty thousand dollars per year per surveyor, for a total cost of four million dollars. Seventy-five percent of that we get from federal match, so it costs us one million dollars. And this is estimated to provide at least eight hundred thousand dollars in revenue. So there may be some small cost, but we think there's implementation time, so we probably won't use it all this year. So we think this will cover it. And then the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

intent is that once we do the provider assessment that we'll be presenting by November, that is, revenues from that, well, that will be funding ongoing implementation of the bill. So there will be no -- the intent is there will be no cost to GRF.

PRESIDING OFFICER: (SENATOR HENDON)

Are you done, Senator? If you could, Senator Syverson.

SENATOR SYVERSON:

Thank you. Well, this is a -- obviously a major change in -- in Illinois. So, just a couple more questions. The -- the federal match that we're getting, is that a permanent match then or is this part of a special program that's going on with -- with these changes now?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Steans.

SENATOR STEANS:

No. We -- we currently get federal match for -- much of the activity that takes place in many of the nursing homes. So that is not a new match. Some of the -- we have some increased matches for some things at the moment, but this is not a new match. And -- and under the provider tax, in addition, when we -- as we move that forward, we also get additional federal match from that if we put that in place going forward.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Syverson.

SENATOR SYVERSON:

I guess that was the question. The next question I would like to ask is the -- the granny tax issue. Is -- that's not in -- that's not in this legislation, but there is a -- a study that's going to be done for the granny tax. And does that have

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

to paid for by the homes themselves, or was there some question raised about who was paying to do this granny tax study?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Steans.

SENATOR STEANS:

Well, the provider assessment, there is a work group that will look at establishing a provider assessment and that will develop the plan. It's -- it's composed of folks from the advocacy groups, providers, State agencies, and the Governor's Office. And it will take a look at how we can establish Medicaid rates that reflect the increased staffing standards. And it's based on -- also reflective of care -- the increased staffing requirements and the care need of the residents.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Syverson, if you could, sir. Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. Just one more question regarding the -- the minimum staffing issue that is going to be mandated as part of this. You had said that the homes were -- the industry was supportive of that and most homes currently follow that. What kind of head count are we talking about for those that aren't following it? What kind of head count are we talking about for those homes that are maybe less than that? And then maybe one follow-up question with that is, are we -- when we're talking about nursing, is...

PRESIDING OFFICER: (SENATOR HENDON)

Senator Steans. I'm sorry. Senator Syverson, to conclude your...

SENATOR SYVERSON:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

Right. Just...

PRESIDING OFFICER: (SENATOR HENDON)

Two-part question.

SENATOR SYVERSON:

Second part, that the... When we're talking about nursing ratios, is there a definition of what kind of nurses that we're talking about - RNs, CNs, LPNs? Is there a -- is there a definition of what staffing we're talking about?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Steans.

SENATOR STEANS:

Yes. There is a definition in there and it's broader than it is currently. And that was negotiated with the providers, in terms of the definition of RN, LPN, and the various categories that count towards this. Currently, most of the non-profit facilities are already meeting these standards. I can't tell you the exact percent, but I know it's very close to -- I mean, you know, it's -- it's well above fifty, close to a hundred percent. Not all of them, but most of them are. It's some of the for-profit and the ones that we had found in the studies that have been going on that have not been providing the quality care that really are at the lower staffing levels right now. I can't tell you the exact numbers that are going to have to move up, but it is broadly defined and we have worked this out. And it is also phased in over four years. So each year it's ramped up somewhat on to meeting, so there's time to phase in meeting those new standards.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Collins.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

SENATOR COLLINS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise, too, in strong support of this legislation and to commend my colleague, Senator Steans, for her exceptional leadership on this piece of legislation. I also want to commend the extraordinary work and collaboration between many advocates and stakeholders, many who are sitting in the gallery this evening. But I would like to make a few observations. As a former journalist, I don't believe we would have had -- or made the progress we celebrate today without the superb investigative series, "Compromised Care", that appeared in the Chicago Tribune, written by David Jackson and Gary Marx. However, one aspect of the series -- one aspect of the series was missing -- the disparity issue and dealing with the staff and quality inequities that persist in black nursing homes. In July and August of 2009, The Chicago Reporter did a series as well -- a report written by Jeff Kelly Lowenstein, who reported that Illinois leads the nation in the highest number and highest percentage of poorly rated black nursing homes. What The Reporter found was there was a direct correlation between staffing and quality, especially as it relates to registered nurses. Sadly, the analysis of The Chicago Reporter reinforced the common belief of families who had been victimized by inadequate care of their loved ones. This was an issue that I have been fighting for the last two years, in conjunction with my House Representative Mary Flowers and other community leaders, to address the quality of care of nursing homes in our district. Unfortunately, The Chicago Reporter article did not generate the attention or momentum of the Chicago Tribune

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

series. Therefore, I was pleased and greatly appreciative of my colleague, Senator Steans, and other advocates for allowing me to place the staffing issue on the table. And I want to especially recognize Governor Quinn and the task force that he pulled together, headed by Michael Gelder. I got a personal commitment from Michael Gelder..

PRESIDING OFFICER: (SENATOR HENDON)

Senator, if you could, please.

SENATOR COLLINS:

I will.

PRESIDING OFFICER: (SENATOR HENDON)

Please. Senator Collins.

SENATOR COLLINS:

This -- this is important to me. Just let me finish, please.

PRESIDING OFFICER: (SENATOR HENDON)

If you would wrap it up. I'm giving you more time, Senator Collins. It's equal opportunity around here. Senator Collins.

SENATOR COLLINS:

So let me retract again or go back. I wanted to commend Governor Quinn for forming the task force under the leadership of Michael Gelder, who gave me a personal commitment, as -- as well with Dave Ellis, Speaker Madigan and President Cullerton, that staffing would remain on the table. So, while I am pleased with the provisions for increased staffing, we need to continue working to find an adequate funding source. So, again, I wanted to especially thank all the -- of the advocates who worked so strenuously on this initiative. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

Senator Raoul.

SENATOR RAOUL:

Brief question for the sponsor. Is there a liability coverage requirement in this bill?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Steans.

SENATOR STEANS:

There is not. Most of the nursing homes have it. There is not. I think that is an issue that was left undone, that I personally look forward to coming back to at -- at some future point.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul.

SENATOR RAOUL:

To the bill: You know, I want to commend Mr. Gelder, but I would think that the Governor, in a reform effort -- you know, I'm not sure this is real reform. It seems a little bit too political. But for you, Senator Haine -- Steans - Senator Steans - Senator Steans, I'm going to vote for this. But I'm not sure this is real reform. It seems a little bit too political.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Steans, to close.

SENATOR STEANS:

Well, I think taking care of our seniors and folks with mental illnesses in our nursing homes is definitely not too political. This is something that has been way overdue in Illinois. And there are many points along this process that I feared, once again, the residents were going lose out to the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

owners. And this did not happen for many reasons. There were advocates at every point along the way who kept their voices very loudly heard on what needed to do. There were folks who were putting attention and pointing light on how this was going. And, the nursing home providers and the industry folks operated in very good faith. They, too, really caring about the quality of care and the residents and wanting to make sure that the bad actors were getting addressed, that this needs to be comprehensive and well done for all of our residents. It was an incredibly coming-together experience, and Michael Gelder and Dave Ellis are truly to be commended. Many disparate voices in this really worked together to get to something that was agreed to. I think very encouraging that we have yet another example today when we do work together on what we can accomplish in Springfield under this dome. I look forward to getting more of that done. But I feel very proud of the work that was accomplished by many people on this bill and very much urge an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, does the Senate concur in House Amendments No. 1, 2 and 3 to Senate Bill 326. 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 46 voting Aye, 8 voting Nay, none voting Present. The Senate concurs in House Amendments No. 1, 2 and 3 to Senate Bill 326. And the bill, having received the required constitutional majority, is declared passed. Ladies and Gentlemen of the Senate, this is my final time being in the Chair this Session. I appreciate all of

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

your patience with me. Senator Harmon in the Chair.

PRESIDING OFFICER: (SENATOR HARMON)

Let's pick up the pace a little. Senator Hendon was dragging his feet. Still on the Order of the Supplemental Calendar is Senate Bill 1332. Senator Steans, are you seeking recognition?

SENATOR STEANS:

I certainly went to push my button, thought I got it. I'm told I might not have voted. I certainly want to be recorded as an Aye vote on that.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. If you did not vote, the record will reflect your intention to vote Aye. Senator Dillard, 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 1 to Senate Bill 1332.

Filed by Senator Dillard.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Dillard, to explain your motion.

SENATOR DILLARD:

Thank you, Mr. President. I'll be very quick. House Amendment No. 1 merely provides an exemption for those service providers that help our public universities with electronic disbursement of refunds to students. This is a way to get refunds that are due our college students and their parents' refunds more quickly. And I'd urge a -- a Yes vote on my motion. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

Thank you. Is there any discussion? Any discussion? Seeing none, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1332. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. And Senate -- having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 1332, and the bill is declared passed. Senate Bill 1526. Senator Schoenberg. Madam Secretary, please read the resolution -- the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 3 to Senate Bill 1526.

Filed by Senator Schoenberg.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Schoenberg, to explain your motion.

SENATOR SCHOENBERG:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I urge the Senate to concur in House Amendments 1 and 3 to Senate Bill 1526, which is the lobbyist registration trailer bill. The highlights of this are that the registration fee is reduced from one thousand dollars to three hundred dollars, which is -- as we know, the -- the thousand-dollar level was recently held as unconstitutional. The three hundred level is the actual cost. Secondly, that individuals lobbying members of state board, commissions, authorities, or task force must register to -- as lobbyists, so that if they indeed lobby boards like the Health Facility {sic} (Facilities) Planning Board, the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

Tollway Authority or the Finance Authority, they need to be registered. There's a prohibition -- there's a prohibition on a person registered as a lobbyist from serving on boards and commissions. There's several other provisions. And at the appropriate time, I'd like to have a very brief exchange with Senator Garrett for legislative intent.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Senator Dillard, for what purpose do you seek recognition? Senator Dillard, are you seeking recognition? Senator Garrett, do you wish to be recognized? Senator Garrett.

SENATOR GARRETT:

Yes. Yes. I have a question for the sponsor.

PRESIDING OFFICER: (SENATOR HARMON)

Sponsor indicates he'll yield. Senator Garrett.

SENATOR GARRETT:

Yes. Is the intent of Section 3(c) of the Act to require the Secretary of State to compile a list of all boards, commissions, authorities, and task forces that would fall under the definition of "officials" in Section 2(c)(5) of the Act?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Schoenberg.

SENATOR SCHOENBERG:

Yes.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Garrett.

SENATOR GARRETT:

Is the intent that this list only contain those State boards, commission {sic}, authorities, and task forces that have

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

the authority to make binding recommendations or determinations?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Schoenberg.

SENATOR SCHOENBERG:

Yes.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any further discussion? Seeing none, Senator Schoenberg, do you need to close? The question is, shall the Senate concur in House Amendments No. 1 and No. 3 to Senate Bill 1526. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Aye, none voting Nay, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments No. 1 and No. 3 to Senate Bill 1526, and the bill is declared passed. Senate Bill 2612. Senator Althoff. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 2 to Senate Bill 2612.

Filed by Senator Althoff.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Althoff, on the motion.

SENATOR ALTHOFF:

Thank you, Mr. President. House Amendment No. 2 just clarifies and does some wordsmithing that the Illinois Municipal League and the City of Chicago wished to make this an absolutely perfect bill after six years. I would encourage an Aye vote.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendment No. 2 to Senate Bill 2612. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, none voting Nay, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment No. 2 to Senate Bill 2612, and the bill is declared passed. Senate Bill 3129. Senator Righter. 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 3129.

Filed by Senator Righter.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Righter, on the motion.

SENATOR RIGHTER:

Thank you, Mr. President, Ladies and Gentlemen of the Chamber. I move to concur with House Amendments 1 and 2 to Senate Bill 3129. The language in House Amendments 1 and 2 is identical to Senate {sic} (House) Bill 5350, which this Chamber passed out unanimously, I believe earlier this week, and represents an agreement between those interested in the mental health areas in our State. I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Any discussion? Seeing none, the question is, shall the Senate concur in House Amendments No. 1

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

and No. 2 to Senate Bill 3129. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments No. 1 and No. 2 to Senate Bill 3129, and the bill is declared passed. Senate Bill 3576. Senator Schoenberg. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment 2 to Senate Bill 3576.

Filed by Senator Schoenberg.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I -- I urge the Senate to concur in House Amendment No. 2 to Senate Bill 3576. You may recall that under the guidance of the Illinois Reform Commission, we worked closely to overwhelmingly pass a sweeping series of changes in purchasing and contracting procedures. This is the 2.0 version of that. It aligns the policies with the start dates so that they'll be enforceable. It acknowledges and makes a change so that the Secretary of IDOT appoints the chief procurement officer, subject to the approval of the Executive Ethics Commission, confirmation of the Senate, so that we can indeed not be concerned with losing federal funds. It makes a number of other changes for subcontractors that are very favorable. And I'd be

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

happy to answer any questions.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Any discussion? Seeing none, the question is, shall the Senate concur in House Amendment No. 2 to Senate Bill 3576. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, none voting Nay, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment No. 2 to Senate Bill 3576, and the bill is declared passed. On page 2 of the Supplemental Calendar, at the top of the page, is Senate Bill 3619. Senator Syverson. 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 3619.

Filed by Senator Syverson.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Syverson, to explain the motion.

SENATOR SYVERSON:

Thank you, Mr. President. This is legislation that passed out of here earlier this year. This extends the Illinois jobs TIF legislation that had expired in March. And would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Any discussion? Seeing none, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 3619. All those in favor will vote Aye. Opposed,

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

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. Having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 3619, and the bill is declared passed. Senate Bill 3658. Senator Demuzio. Senator DeLeo in the Chair.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Ladies and Gentlemen, continuing on Secretary's Desk, Concurrence, Senate Bills, comes Senate Bill 3721. Senator Harmon, do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, read the gentleman's motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment 1 to Senate Bill 3721.

Filed by Senator Harmon.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 3721, as amended by the House, is very similar in character to a bill we passed out of the Senate last year, Senate Bill 1607. It is intended to provide a better method for the Illinois Environmental Protection Agency to regulate the disposal of soil from construction sites. This product before us is -- is the initiative of the Illinois Environmental Protection Agency. It allows a -- the disposal of very clean soil in quarries, soil mixed with construction and demolition debris in construction and demolition debris

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

facilities, and contaminated soil in landfills. The -- the basic outcome of this is we could not figure out how best to do this, but have laid out a proposal for the Illinois Environmental Protection Agency to promulgate rules within the next year and for the Pollution Control Board to act on those rules within the year following that. There are interim guidelines set forth in the bill that will cover us in that period while we're waiting for the final rules. It is agreed by most of the principal stakeholders. There is still some opposition from the landfill operators and it is my intention to work on a trailer bill to try to address some of their concerns. I'd be happy to try to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RISINGER:

Thank you, Mr. President. I just rise in support of the bill. There's been a lot of work done on it. Senator Harmon has brought all the players together to try to get a bill that's very workable and I think he's done a great job. I -- I hope that we can all have green lights on this bill. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Further discussion? Further discussion? Senator Righter, did -- did -- did you want to speak on this matter, sir?

SENATOR RIGHTER:

I do.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

Senator Righter, for what purpose do you rise, sir?

SENATOR RIGHTER:

Will the sponsor yield, please, Mr. President?

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR RIGHTER:

Thank you. Senator Harmon, we talked a little bit before the bill was called. We did not discuss this in committee. It's my understanding that there is a small fee involved in this legislation. Fees come in all shapes and sizes. Can you articulate, as best you can, what the fee is with regards to Senate Bill 3721?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon.

SENATOR HARMON:

Thank -- thank you, Mr. President. Senator Righter, thank you for your question. This bill does create a State tipping fee for the construction and demolition debris facilities of twenty cents per cubic yard or fourteen cents per ton of material. I want to call out to the Members' attention, this is one-fifth of the current landfill tipping fee where the material will be disposed of if it weren't going to these facilities. It's also -- the proceeds will be used by the IEPA for inspection and enforcement. It also authorizes, but limits, local government fees as well.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Righter. Okay, seeing no further discussion, Senator Harmon, to close, sir. Okay, Ladies and Gentlemen, the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

question is, shall the Senate concur in Senate Bill 3721 in House Amendment No. 1. 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 50 Ayes, 2 voting Nay, 1 voting Present. Senate Bill 3721, does concur -- having received the constitutional majority, the Senate does concur in Amendment No. 1, and the Senate Bill 3721 is declared passed. Okay, Ladies and Gentlemen, I ask you to turn your attention to the printed Calendar. On the printed Calendar, we will go to page 35 - 35 on your printed Calendar. On the top of page 35 is House Bills 3rd Reading. House Bill 6202. Senator Harmon, do you wish to proceed? He indicates he wishes to proceed. Madam Secretary. Senator Harmon, I believe you're seeking leave of the Body to return House Bill 6202 back to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is House Bill 6202. Madam Secretary, has there been any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 3, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon, to the amendment.

SENATOR HARMON:

Thank you, Mr. President. The amendment becomes the bill and reflects a compromise on solar energy. I move for its adoption.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Senator Dillard, do you want to speak on the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

amendment, sir? Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. I just want to thank Senator Harmon, who's always a gentleman in accepting some suggestions from the committee, and very much appreciate it and think it makes this bill better and it also takes away some complaints of the business community and the ARES. And thank you, Senator Harmon. Really appreciate it.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, all those in favor of adopting Floor Amendment No. 3 will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment's adopted. Has there been any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Now on the Order of 3rd Reading is House Bill 6202. Senator Harmon, you wish to proceed? He indicates he wishes to proceed. Madam Secretary, read the gentleman's bill for the third time.

SECRETARY ROCK:

House Bill 6202.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Harmon, to the bill.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 6202, as amended, provides a modest

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

retooling of the renewable portfolio standard to jumpstart our commitment to solar energy and the jobs that will be created by it. With the amendment, having taken the advice of Senator Dillard and Senator Jacobs and Senator Clayborne, we've eliminated most of the opposition and concern to this. I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Senator Dillard, do you want to speak on the bill, sir? Okay, spoke to the amendment. Okay, Ladies and Gentlemen, seeing that there's no discussion, all those in favor will say Aye. All those opposed will -- excuse me. Excuse me. Excuse me. Excuse me. Seeing no further discussion, the question is, shall House Bill 6202 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 56 Ayes, 0 voting Nay, 0 voting Present. House Bill 6202, having received the required constitutional majority, is declared passed. President Cullerton, are you seeking recognition, sir? For what purpose do you rise?

SENATOR CULLERTON:

Mr. President -- thank you, Mr. President. Just for the purposes of an announcement. We are distributing the schedule for the Veto Session. It -- as you can see, it will be a -- the week before Thanksgiving and the week after Thanksgiving. We have, in the Senate here, passed bills that would, generally speaking, constitute the budget for the State of Illinois that are pending now over in the House. I don't think the House is -

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

- looks like they're going to be finishing that work tonight. So I anticipate that we will come back one more day to finish up the work that the House may have sent over to us. And, I don't think it'll be more than one day. I can't tell you what that day would be, 'cause we're waiting to make sure the House completes their work. In the meantime, of course, though, we -- we know what your -- your schedule will be for the Veto Session after the election. And we'll be back one more time, but can't tell you what day it'll be. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay -- Senator Righter, for what purpose you rise? Ladies and Gentlemen, we still have substantial -- a few more bills to finish. We have not completed the business of the Senate. There's four more bills pending. Four more bills, and then we'll do the adjournment resolution. So please stay with us. Put your computers back down on your desk. Relax a few more minutes and -- Senator Righter, for what purpose do you rise, sir?

SENATOR RIGHTER:

Inquiry of the Chair, if I might, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your inquiry, sir.

SENATOR RIGHTER:

Thank you. Based on the announcement the Senate President just made that we'll be coming back one day, I'm -- can we assume that one day is not tomorrow?

PRESIDING OFFICER: (SENATOR DeLEO)

It -- the President has...

SENATOR RIGHTER:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

Is not tomorrow?

PRESIDING OFFICER: (SENATOR DeLEO)

...indicated probably Sunday, about noon. Okay, Ladies and Gentlemen, I ask you to turn your printed Calendars to page 33. House Bills 3rd Reading. In the middle of page 33 is House Bill 4711. Senator Maloney, do you wish to proceed, sir? He indicates he does. Madam Secretary, read the gentleman's bill. Okay, I believe that Senator Maloney is seeking leave of the Body to return House Bill 4711 back to the Order of 2nd Reading for the purpose of an amendment. Is that correct, sir? Leave is granted. Now on the Order of 2nd Reading is House Bill 4711. Madam Secretary, has there been any amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Maloney.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Maloney, to the amendment, sir.

SENATOR MALONEY:

Thank you, Mr. President. Floor Amendment 1 becomes the bill. Be happy to explain it on 3rd Reading.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion on the amendment? Seeing none, all those in favor of adopting Floor Amendment No. 1 will say Aye. All those opposed will say No. It's the opinion of the Chair, the Ayes have it, and the amendment's adopted. Madam Secretary, has there been any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Now on the Order of 3rd Reading is House Bill 4711. Do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, read the bill for the third time.

SECRETARY ROCK:

House Bill 4711.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Maloney, to the bill now, sir.

SENATOR MALONEY:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. From time to time, we have all heard from our school districts relative to some of the unfunded mandates that we have passed. Senate Bill 47 -- House Bill 4711 came over here from the House with a 103 votes and the opposition to this particular bill didn't really materialize till we got to committee. At committee, I -- I indicated that I would work with the people who were opposed. We have the amendment - that now becomes the bill. Seems to have satisfied everybody to the point they are neutral on the bill. What the bill does, it relieves school districts with the obligation to comply with any statutory regulatory mandate if a separate appropriation has not -- has not been enacted. However, it requires that the school district, in order to waive the mandate, must verify the cost to the regional superintendent before they can modify or discontinue the mandate. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

Thank you. Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall Senate -- shall House Bill 4711 pass. All those in favor will vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 56 Ayes, 0 voting Nay, 1 voting Present. House Bill 4711, having received the required constitutional majority, is declared passed. Continuing on House Bills 3rd Reading is House Bill 6195. Senator Dillard. Do you wish to proceed, sir? Indicates he wishes to proceed. Senator Dillard, I believe, is seeking leave of the Body to return House Bill -- no. Okay. I'm sorry. Senate -- House Bill 6195 is - I've been corrected by the Secretary of the Senate - is on the Order of 3rd Reading. Senator Dillard, to the bill, sir. Madam Secretary, read the bill for the third time.

SECRETARY ROCK:

House Bill 6195.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Dillard, to the bill, sir.

SENATOR DILLARD:

Thank you. Just a parliamentary inquiry for the Secretary, Mr. President. I'm not sure we put the amendment on this bill - No. 2.

PRESIDING OFFICER: (SENATOR DeLEO)

Just give us a moment while we check the status of the amendment, sir. Okay, let's take House Bill 6195 out of the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

record and let's start all over again. House Bill 6195. Senator Dillard will seek leave of the Body to return House Bill 6195 to -- to the Order of 2nd Reading for purposes of amendment. Is that correct, sir? Leave is granted. Now on the Order of 2nd Reading is House Bill 6195. Madam Secretary, has there been any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Dillard.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Dillard, to the amendment, sir.

SENATOR DILLARD:

Thank you, Mr. President and -- and Madam Secretary. That some two-thousand-page amendment is really nothing more than - it's -- it's a piece of the CLEAR Commission - nothing more than one little bitty statutory reference or change of a Section number. But it has to be reprinted, and sorry, Madam Secretary; I know that weighs about five pounds. But it's just a very teeny technical change, Mr. President, and I would move for adoption.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion on the amendment? Seeing none, all those in -- President Cullerton, did you like to speak to the amendment, sir? President Cullerton.

SENATOR CULLERTON:

Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR CULLERTON:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

Senator Dillard, is this a two-thousand-page bill, and have you read it?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. This is a little one. It's only twelve hundred pages. I have read much of what's in there, but not all of it. But I can guarantee you Mr. Warnsing, our able counsel, has. And the one good thing about the CLEAR Commission, it was bipartisan and most of this stuff has been on the Internet for a year. So, but very good questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, seeing no further discussion, all those in favor of adopting Floor Amendment No. 2 will say Aye. All those opposed will say Nay. It's the opinion of the Chair, the Ayes have it, and the amendment is adopted. Madam Secretary, has there been any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

...you. 3rd -- 3rd Reading. Now on the Order of 3rd Reading is House Bill 6195. Senator Dillard, do you wish to proceed, sir? He indicates he does. Madam Secretary, read the bill for the third time.

SECRETARY ROCK:

House Bill 6195.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

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

SENATOR DILLARD:

Thank you. Just one minor technical change to the CLEAR Commission. And I know that Senator Cullerton, as I took over sponsorship from the Senate President of this bill, has read everything in there and he'll be voting for it. And I encourage you to vote for it as well. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Seeing no discussion, Ladies and Gentlemen, the question is, shall House Bill 6195 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 53 Ayes, 0 voting Nay, 0 voting Present. House Bill 6195, having received the required constitutional majority, is declared passed. I'd ask you to turn your Calendars to Senate Bills 3rd Reading, page 19 of your Calendar. Page 19 of your Calendar. On the bottom of page 19 is Senate Bills 3rd Reading, is Senate Bill 2843. Senator Bivins. Senator Bivins, do you wish to proceed, sir? He indicates he does. Madam Secretary. Senator Bivins is seeking leave of the Body to return Senate Bill 2843 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is Senate Bill 2843. Madam Secretary, has there been any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Bivins.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

Thank you. Senator Bivins, to the amendment, sir.

SENATOR BIVINS:

The amendment becomes the bill and I'll explain it on -- on 3rd.

PRESIDING OFFICER: (SENATOR DeLEO)

Seeing no further discussion on Floor Amendment No. 1, all those in favor of adopting Floor Amendment No. 1 will say Aye. All those opposed will say Nay. It's the opinion of the Chair, the Ayes have it, and the amendment is adopted. Madam Secretary, has there been any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. 3rd Reading. Now on the Order of 3rd Reading is Senate -- Senate Bill 2843. Senator Bivins, do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, read the bill for the third time.

SECRETARY ROCK:

Senate Bill 2843.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

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

SENATOR BIVINS:

Thank you, Mr. President. Senate Amendment No. 1 to Senate Bill 2843 becomes the bill and creates Erin's Law, regarding the prevention of child sexual abuse by allowing school boards to adopt and implement a policy addressing child sexual abuse and

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

creates a Task Force on the Prevention of Sexual Abuse of Children. I'll be happy to answer any questions. This did pass 11 to 0 out of Education. There are no mandates. There's only "mays", no "shalls". There is no cost and it sunsets in one year.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Seeing none, Ladies and Gentlemen, the question is, shall Senate Bill 2843 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, there's 54 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 2843, having received the required constitutional majority, is declared passed. Senator Lauzen, are you seeking recognition, sir? Senator Maloney, for what purpose do you rise, sir?

SENATOR MALONEY:

Mr. Chairman, I was helping out some other people vote and I missed my own. So...

PRESIDING OFFICER: (SENATOR DeLEO)

The record will so reflect your intentions that you intended to vote Yes. Senator Muñoz, for what purpose do you rise?

SENATOR MUÑOZ:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Muñoz, please state your point. Ladies and Gentlemen, give the speaker your attention, please.

SENATOR MUÑOZ:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

Mr. President and Senators, Sunday is Mother's Day. I just want to wish all our Senators on both sides of the aisle - to the mothers - a Happy Mother's Day. To the entire staff of the General Assembly - so all the mothers that have been on staff with us, Happy Mother's Day, and everyone else. Wish you guys a great day.

PRESIDING OFFICER: (SENATOR DeLEO)

WEEK -- Television has request permission to videotape the Senate. Seeing no objection, leave is granted. Madam Secretary, Resolutions, please.

SECRETARY ROCK:

Senate Resolution 826, offered by Senator Clayborne. It's a death resolution, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Resolutions Consent Calendar. Messages from the House, please.

SECRETARY ROCK:

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

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

Senate Bill 1642.

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 2093, with House Amendments 1 and 4; Senate Bill 2647, with House Amendments 1 and 2; Senate Bill 3749, with House Amendment 3.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

They all passed the House, as amended, May 7th, 2010. Mark Mahoney, Clerk of the House.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. We'll now proceed to the Order of Resolutions Consent Calendar. With leave of the Body, all those resolutions read in today will be added to the Consent Calendar. Madam Secretary, has there been any objections filed to the -- to -- filed to any resolution on the Consent Calendar?

SECRETARY ROCK:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

...you. If there isn't any discussion on the resolutions, the question is, shall the resolutions on the Consent Calendar be adopted. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it. The motion carries, and the resolutions are adopted. Okay, Ladies and Gentlemen, could I have your attention for one second, please? The Chair is going ask for a point of personal privilege. As stated earlier today that this going to be my last Session day, I will not be returning in the fall Veto Session, due to scheduling. My social schedule is -- is expanding very, very, very big since I announced my retirement. I just wanted to let everybody know, it's been a -- a -- a really wonderful opportunity to -- to be part of this wonderful institution. You know how I feel about the integrity and the -- the -- this -- this building, this Chamber, and it's just been such a wonderful opportunity this last quarter of a century to be here and to be part of this - people we've met along the way. We all -- in election time, we all suffer the same butterflies, the same night before, the same

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

agony, the same dirty mail pieces, the same knocking at the doors. And then we come here the day after election and we really try and get -- really get down to the people's business. I respect that from each and every one of you. There was some wonderful thoughts and speeches made here today in the budget process. And I've been here a very long time. I've been in the Majority. I've been in the Minority. I served in every capacity and chairmanships, leaderships, no ships, and -- and I can tell you that I know each and every one really care. Each -- if you're a Democrat, you're Republican, upstate or downstate, I know the men and women care about children. I know the men and women of this Chamber care about seniors. And I think at the end of the day -- yeah, we have some differences. We really do. But at the end of the day, it's really about the people, the people who elect us. And if you look at the men and women in this Chamber, they truly reflect -- they truly reflect -- the districts that they represent. So thank you so much, from the bottom of my heart, for letting me part of this. Thank you. Before we adjourn -- before we adjourn -- I -- I chose a little musical piece that I just want to play for a second, and it really reflects what -- how I feel. Could you put that on, please? (Portion of song "You'll Be In My Heart" by Phil Collins played) Senator Hendon, are you seeking recognition, sir?

SENATOR HENDON:

...but -- I just wanted to say, Jimmy, before I leave out of the building, how much I appreciate you. I'm actually wearing a Jimmy DeLeo tie. Jimmy gave me this tie several years ago. And when I'm in the Chair and I'm too hyper or I do something kind

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

of wrong, like I did to Senator Collins tonight, Senator DeLeo will always grab me and put me in a headlock and tell me he's going to throw me in the trunk of his car if I don't act better. And I just wanted to tell you that I love you. And I kissed you on my way past, you know, and it was a man to man kiss. You know what I'm talking about? I saw them tears almost coming out your eyes and I'm glad you didn't cry, you know, 'cause then I'd have to go back to Westside and explain who you really are, again. But I just wanted to say it's been great. I was planning to leave too. But, you know, we can't leave John all by himself. So, since you're splitting, I'll stay just a little bit longer. But we're going to lose a great man. Regardless of what some of those folk out there say about you and think about you, we know that you know this institution, you love this institution, and you've guided us forward. Peace, my friend.

PRESIDING OFFICER: (SENATOR DeLEO)

Chair recognizes Senator Hutchinson.

SENATOR HUTCHINSON:

Thank you, Mr. President. For me, it's -- this is bittersweet, because I know I begged you not to leave now, since I just got here. So, it's too soon for me. And I know that people had the pleasure of serving with you for a very long time. But I just wanted to share a quick story about when I first came here and I had to pass my first bill. And everybody knows when you pass your first bill, that you're going to get hazed. You all know that. And we all expect that. And I knew from working here before that there would be a sea of red lights and then it would all switch to green. And people would ask me questions that I couldn't possibly answer. But I still didn't

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

know exactly how it was going to be when I stood up and did my first bill. So, in anticipation of it, since I knew there were butterflies in my stomach, I stepped outside in the hallway and Senator DeLeo said, "Come here, kiddo. Let me tell you something real -- let me just tell you something. You just listen to me right now. Listen to me. You be short. You be concise. You be brief. You treat every question like it's a legitimate question. You let everyone else play. You be respectful and you'll do just fine." That was the first piece of advice I got from Senator DeLeo. And I try to not talk unless I have something important to say. And I try to respect the seniority of all of my colleagues that have been here longer than me. But the fact that he pulled me aside and gave me my first bit of advice on that first time, before I passed my first bill, was a blessing from the old guard to the new. And I just wanted to say thank you for that. And I'll never forget that.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator, my dear pal, Reverend Meeks.

SENATOR MEEKS:

Jimmy, first of all, I've been here eight years now and, I don't know, they start just running together. This is the first time I've seen anybody give a goodbye speech from the Chair. Nobody's done that before. And -- oh, that's right, you're special. I look forward to every day of Session to see what you got on. Because I -- there's never been a day that you've walked in to these Chamber and you haven't been just dressed to the T. And everybody knows that you -- you're always a class act. When you -- when you're in the Chair, no matter how the debate is, you're never - like Senator Hutchinson said - you're

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

never disrespectful to any Member of the Chamber. You got a quick tongue, and you got quick wit, and you cut some people and, when they get outside, they discover that they're bleeding. But, at the time, what you said really sounded respectful. We have so much that all of us can glean from you. Everybody in here can tell a story. But you're the most kindhearted person that I know. I never will forget the day you grabbed me and said the shoeshine guy was name -- his name was Billy Ray. He was in there shinning shoes. And you said, "Hey, let's pay for everybody to get their shoes shined." And you gave him a hundred and I gave him a hundred and we gave everybody a ticket to say go get your shoes shined. I can't think of how many days you bought dinner. I can't think of how many days you bought lunch. And just your spirit of giving and generosity, it says a lot. You're a class act. And, finally, I'll say that the song that I thought you were going to play, the -- the -- the song that I -- I thought would be your final song, would be a Michael Jackson song, "Beat It". Love ya, Jimmy.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. My seatmate, I see your light is lit. Senator Muñoz, who I voted for for many years.

SENATOR MUÑOZ:

Thank you, Mr. President. It's been a great honor for me. When I first got here, we were in the Minority. You were one of my mentors that showed me how to work with both sides of the aisle. And I've got a lot of legislation for the first four years we were the Minority. And I thank you for that. As our other colleagues have stated, you help out everyone. You've got a great heart. The years that you've served here in the General

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

Assembly, being in the House and the Senate, you've done your district proud, sir. You are truly a great man - good heart. Senator, the only thing I can tell you, my friend, I wish you the best. Thank you for being here. Thank you for being the person that you are. I love you and God bless you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. My -- my old colleague from the House, Senator Cronin.

SENATOR CRONIN:

Thank you very much. Yeah, I -- Jimmy, I got to tell you, you are a special guy. And not to be too corny here, but you're funny, you're tough, you're smart. People have touched on it - the heart. The heart is, I think, the quality that you have that makes you really unique. You have an infectious personality. You connect with people, no matter who they are. And, you know, you walk through life and, you know how it is, you meet people sometimes and, you know, sometimes you just -- I think it's a soul and some connection there that you have that you're able to relate to, that you'll be able to understand each other. Maybe it's because your mother's Irish. But I got to tell you, Jimmy, I -- I -- you have enriched this process. You have enriched this experience for me down here in Springfield. We're all so privileged to be here in this magnificent structure, taking up issues. Every issue that affects people comes across our desk here. And I'm privileged and honored to have worked with you. And you have enriched my experience down here. And, I love you and I look forward to working with you for many years to come.

PRESIDING OFFICER: (SENATOR DeLEO)

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

Thank you very much. Another old colleague from the House, Senator Trotter.

SENATOR TROTTER:

Mr. President, you're right. It's been -- I think for me it's been twenty-three years that I've been down here. And -- and that advice that you've given to freshmen, you've -- you've always been consistent. And we can't ask for anything else from any colleague down here, other than really being consistent. We know where you're coming from. One, your -- your humor, as mentioned by others, is unmatched. I mean, I don't care if you're talking about, as Rickey said, leaving people in the trunk, or -- or -- or -- or talking about Jehovah Witnesses and how, in your neighborhood, you don't like any witnesses. You know, you -- you just -- you know... And then the thing about it, we know it's true. It... You're just a real -- a real special guy. I mean, for those who -- and -- and many of you touched on it, but it's not just his friendship that he has for you or the warmth he has for you here in this Chamber. See him in the streets, he's the same guy. He -- he could walk past you. He's that kind of guy. He's that big in the City. He's a big man in Chicago. He's a big man in this world. But he always has time for anyone that walks up to him. And I've seen him out and you really don't get to know someone until you really see him in their environment. You've taught me how to be a leader. And I -- and I hope I've lived up to your standard. You've been just a wonderful friend to me, my family, and people you don't even know that I said, "Call Jimmy." You've just been just -- again, you've made me look good, as you've made this -- this process look good. You're going to be successful in whatever you do. I

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

can't wait to see you down on -- what island is that you bought? Yeah, a -- a little small island. I'll -- I'll see you on the island. And we're not talking about Stony Island. So -- so, thank you, my friend.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Senator Maloney, are you seeking recognition?

SENATOR MALONEY:

Thank you, Mr. President. The reason I'm really standing up is because when I said -- earlier today said goodbye to you, you said one of the best things that -- times we had was last year when we went to the -- the All-Star Game. And -- and I don't know why it was such a good time for you, but it was an opportunity for me to see Jimmy DeLeo really operate. He's -- he's an operator. We went to the game. We pulled up to the hotel. There was no parking at the hotel. They -- they -- the gentleman said, "I'm sorry, sir, you have to be a guest at the hotel to park here." And Jim tried to con him a little, says "Well, I'm President" -- "President Cullerton." And he says, "Well, in that case -- in that case, you have to go -- if you're a guest at the hotel, you have to go in and get a verification and bring it out." Jimmy gave him a bill. I don't know how big it was. He says, "I don't have time for this. I'll see you after the game." And we walked away and the car was parked and everything was there. We get across the street at the stadium - this is no kidding - the President of the United States was there, if you remember - there were thousands of people lined up. The security was unbelievable. We're at the end of the line. Jim says, "Eddie, wait here." He goes up to the front of the line. Two minutes later, two State troopers walk us to our

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

seats. So, it was -- it was an amazing process. But, Jim -- it's just his -- it's just his...

PRESIDING OFFICER: (SENATOR DeLEO)

Your question is?

SENATOR MALONEY:

...his -- his persuasive ability. But -- but, like Senator Hutchinson mentioned earlier, it's early in my career that I'll remember you the most for. You were the guy that -- I knew you were in Leadership. I was a little -- little intimidated by the other Leaders, but you made me feel comfortable. I could come to you, talk to you about anything. And I could talk to you in a comfortable manner. And you made me feel comfortable here. I won't forget you for that. Thanks for all your help, Jim.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. Thank you. Thank you for those kind remarks. One of my favorite towns in Illinois. Senator Demuzio, from Gillespie/Carlinville, one of my two favorite towns. Senator Demuzio.

SENATOR DEMUZIO:

Thank you. Mr. President, I just want to say that today as you depart this wonderful Chamber and as you depart the Illinois State Legislature, your institutional knowledge and what you have brought here to us will sorely be missed. And you're a dear friend - and all of the wonderful things that you have done - and you have touched my family. You were there on a very -- you were there on a day that was devastating in my life and in my family's life. And you were there that morning. And I'll never forget your warm and caring thoughts and your hugs that day, along with Reverend Senator Meeks, when you came to the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

house. You have been there for my family. You have been here for me in the -- in the Senate. And on my first day here, May 11th, you were there to give me some words of advice and I've never forgotten it. And I solely want to say, personally, on behalf of myself and my family and all of the residents in Carlinville that know when you come in and when you make the rounds in Carlinville and come to the house, we're going to sorely miss you and we love you dearly. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. Senator Schoenberg. I'm surprised you're here.

SENATOR SCHOENBERG:

Thank you, Mr. President. You are, as always, unyielding in your praise. Mr. President, Jimmy, I -- had the pleasure and the privilege of serving with you in the House. I will never understand, however, how you were able, in the House Democratic Caucus, to sit a row behind Speaker Madigan and use his mannerisms with his hands while he was talking, and every Democrat in the room was giggling like a bunch of third graders. And Speaker Madigan, no doubt, knew what was going on. I don't know anybody else in this building who could have gotten away with that. But I think it really was a tribute. Senator Trotter said that's maybe why you're in the Senate a little sooner. But I think that's -- I think that's a tribute to how you bring a smile to everyone's face, how you are selfless in your compassion, how you -- and we've had the opportunity not just to serve together in the House, not just to serve together in the Senate, but we've also had the chance to be flying buddies as well. We took the State plane together, both in the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

House and in the Senate. We're -- and -- and for some inexplicable reason that I still have not been able to figure out, when I first came to the Senate, Jim DeLeo conditioned me to call him from the corner of Willow and Pfingsten, when I was in the car, to tell him how far away I was from the airport. Senator DeLeo is very punctual, as you all know. He likes things in a very particular order. He wants the plane to leave on time. He has no tolerance for disorder or being tardy. I don't know how Jim DeLeo conditioned me, a grown adult, to call him every week to tell him when I was making that left turn to go to Palwaukee Airport. I don't know what possessed me - a sense of loyalty, a sense of fear, the fact -- and -- and then I was calling to ask, I have a couple extra minutes, should I pick up some bagels or some donuts on the way? Because sometimes Jim DeLeo would leave his home a little earlier and pick up treats for everybody on the plane. And there'd be all kinds of good-natured back-and-forth about everybody's weekend, about everybody's family, about everybody's lives. You never had a sense he did not care. You never had a sense that he didn't want to be part of it. Whether you felt pain or whether you were exchanging a good laugh, you always had a sense that the totality of Jim DeLeo's heart was part of it. And for that, for all the professional courtesies that you've shown, for your friendship, and for having my back every single day, I thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. My other flying partner, Senator Link, the gentleman from Lake County.

SENATOR LINK:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

Thank you, Mr. President. Well, I was a seatmate of Jimmy DeLeo's, not that I knew it, because I thought he retired years ago. But, seriously, I was one of the first suburban Democrats to come into the Senate and Senator DeLeo didn't owe me a thing. He didn't know who I was, but he embraced me and gave me a lot of advice - some of it was even good too. And we had a lot of those dinners. Jimmy, I drive by that one restaurant that's closed down and I remember a lot of those dinners. I can't even think of the name of the place now, where we sat out there, on - off of - I forget what it is - Jefferson, or way out west by Dirksen Road there. I can't even think of the name of it. But I go and it's all closed down now, the restaurant. But we used to sit down there and we'd break bread with -- when we were in the Minority. There'd be Howie Carroll, Art Berman, all of us, and we would sit there. And we learned a lot about one another. And I learned something about Jimmy that I don't think a lot of people realize - about how much he cares about kids. And any time you had a problem and you needed something related to kids, Jimmy was there. He never qualmed {sic} or quibbled about, you know, what the problem was or -- or something. If you talked about it, he would see about a solution for that. And -- and that's -- you know, those are the kind of things he never boast about or talked about. And those are the little things that I don't think he -- he likes to talk about. But he was genuine about it and he was always helpful. And he's been helpful to me throughout my whole career. And, you know, he's taken a lot of bad raps, you know, flying on that plane. I -- I got to tell one funny story about the plane. Senator DeLeo is always very humorous on the plane. And when he sees someone is a little

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

nervous flying on the plane, he's telling a lot of jokes. And he's always kidding around. Well, one night we were flying back and the weather was quite dreadful. Matter of fact, it was terrible. And Senator DeLeo is laughing and joking and everything. Weather got continuously worse. And he's laughing. And when he got serious, I got nervous. Because when Jimmy wasn't joking, I knew it was bad outside. So we were all happy when we landed. But I got to tell you, in summation, he gets a bad rap in the paper. And matter of fact, there's one columnist, and God knows I will never mention his name because I'm afraid what Jimmy'd do to me, but this columnist always says, Jimmy DeLeo (D-and uses something). But I want to remember him as Jimmy DeLeo (D - in parentheses - great friend), and I think everybody in this Chamber who has ever served with him, in the House or the Senate, will realize he's always been a great friend. To whatever side of the aisle you serve on, he's been there for you. Thank you. We love you. And we'll miss you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. Senator Martinez, my dear friend, State Central Committeeman.

SENATOR MARTINEZ:

Thank -- thank you, Mr. President. And I...

PRESIDING OFFICER: (SENATOR DeLEO)

No 1996 stories.

SENATOR MARTINEZ:

And that's one of the stories I have to say, 'cause I have to share that story. I never would believe -- first of all, you know, you are going to be missed, you know. You're such a

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

gentleman, you know. And I know to me, personally, you've been a friend, a friend of the family for many, many, many years. And I've got to say that we will miss you around here. We'll meet -- we'll miss your guidance, you know, your -- your -- your spirit of just always having humor in the worst -- on our worst days. And, I -- back in 1996, I've got to say that, for the first time and only time in my life, I was almost reprimanded by Speaker Madigan, thanks to Jimmy DeLeo. We are -- we're serving on Central Committee. We're sitting there talking. And, not really talking, I wasn't talking - Jimmy was talking. And he just kept on and on, and at one point, Speaker Madigan turned around and looked at both of us and almost like called us out and Jimmy has the nerve to come and blame me. And it's really my first time in this meeting with -- at Central Committee, and he just blames everything on me and Speaker Madigan looks at me and really says like you need to stop. And I -- I couldn't believe that it was me who got in trouble because of Jimmy. So, every State Central Committee meeting I try to sit very much away from Jimmy, because I will not get in trouble ever again. But let me just share one quick story that occurred to me a couple years ago. I am sitting with my daughter - we're having dinner 'cause it's her birthday - and my daughter's father, who happens to remarry. We're all sitting -- we're sitting -- we're all having dinner at this restaurant and, lo and behold, Jimmy - - Jimmy DeLeo walks in. And he -- when he walks in, he comes over to the table and I was very surprised to see him. And my ex-husband is sitting there with his wife, which I love very much, both of 'em very dearly, as my ex-husband that he is, but -- but more important, we were just sitting there talking and my

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

daughter's sitting next to me, and Jimmy stands behind my -- my -- my daughter's father and he looks very serious. And everybody's talking and talking and he stands and says to my daughter Jaci, he goes, "Jaci, I want you to know that in reality your mother has lied to you all this time. I am your father." And -- and my daughter -- it's like the whole table just like hushed. Now, think. I'm sitting this way. My ex-husband is sitting right in front of me. His wife is sitting next to him and Jimmy's standing behind, looking straight at us, and -- and my -- the room got quiet and the whole entire restaurant got quiet. And -- and -- and I -- I can just see my -- my ex-husband looking straight at me. And I'm looking. And my daughter's looking at me saying, "Mom, what is Jimmy saying?" And I looked at her and I said -- and then my ex-husband kind of turns and goes, "Iris, what is Jimmy talking about?" And -- and let me tell you, it was such a funny reaction because my daughter says, "Mom, tell me the truth." And Jimmy says, "Iris, tell her the truth." And -- but he -- but he's holding on to my ex-husband like this and -- and I'm looking at him and -- and my daughter, and Jimmy's saying, "All along you have never -- I have been your father. This man that I'm holding right now, he just paid for child support." And my -- my daughter just gave me this look like, Mom, tell me he's not lying. And I said -- and I have to look at him, and I said, "Honey, I'm sorry, he is not lying. He is your father." But it was a -- a great moment because after that everything -- everybody started laughing and my daughter was like relieved, but my ex-husband was even more relieved, you know. So -- so, I just want to say, Jimmy, you know, you have been a true friend to the family, you know.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

You're the only one that can ever get away by calling me gang-banger. That is the only person that can actually get away with it, 'cause he always -- and he's done this publicly, and I've had to kind of like, "It's okay. It's only Jimmy." So, I'm going to miss that. I really am going to miss that. And I know that whenever I see a spray can, I will always think of you. So, I love you and I wish you the very best. But I know that I'm going to keep seeing you. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you so much. I don't know, do we recognize Senator Dillard? This is not the budget. Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. It's an honor to call you that, sir. On behalf of our back row here - Senator Radogno, Senator Righter, myself - and our side of the aisle, we always knew, and we thank you, thank you for your courtesy, your bipartisanship, but when - and I've seen a lot of people sit up there in that Chair - but when you got in the Chair, those of us on the Minority side the last few years always knew that we would be treated fairly. And we very much appreciate that, Senator DeLeo. And, you know, we wish everybody who climbed up in that Chair were as cognizant of the Minority rights. And today was just an example, your knowledge of the rules with respect to keeping it to the issue, not personal. I can tell you we will greatly - this institution - will miss your decorum and your knowledge of the rules and the way you handle yourself. One of the things that -- I've been lucky in the years I've -- decades, that I've known you, as I've seen you in a lot of capacities. I was a staffer, and you treated me as a staffer the same way that

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

you treated me as a colleague. And to the Pages and the staff and the ancillary people around here, I don't think there's been a better beloved figure. Now, the Pages know that you tip the best, but we -- we appreciate it very much, Senator DeLeo. The other thing that I've always admired about Jimmy is that Governors, five of 'em, at least in my service in -- in government, and multiple mayors of the City of Chicago, always sought Senator DeLeo's counsel. They'd call him, at least the ones I worked for. They'd call him at home. They'd seek his advice, and I think the mayors of the City of Chicago have done the same. And when you have that kind of stature, it makes all of us in this institution look better. And we're very proud of that. I also want to thank you for the way you treated our friend and our colleague, Senator Geo-Karis, especially in the waning days of her time here. You always took care of her. We always put up with her. But I will never forget the kindness that you showed Adeline Geo-Karis as well. And one last cute story. You know, when I was off a year ago, and decided to run for Governor, was feeling real good. Had a nice suit on, nice pinstriped suit. I was dapper like Senator Harmon. And I went up to Senator DeLeo. I had a pocket silk in and two-colored shirt and I had Italian loafers on, and I said, "Hey, Jim, I got a DeLeo-type outfit on today." And he goes, "Oh, no, no, no, no, no. You never say the word outfit in my neighborhood or men come around -- men come around with listening devices." But he said, "It's an ensemble, Kirk. You've got a very nice ensemble on." So, we wish you well. We know we're going see you. But this institution of the General Assembly will miss you greatly. Gracie, my friend. Thank you.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you for those kind remarks. Now, there's one last person seeking recognition and then the President's light is lit. My -- my office mate, Senator Lightford.

SENATOR LIGHTFORD:

Thank you. Wow! I told Jimmy what a -- what a day to pick to leave here and just tell me a moment ago and I hadn't thought thoroughly what I wanted to say. So I'm going to speak from my heart and gut. And so coming here, so young, here's this -- I call him "Italian stallion". So here's this handsome Italian stallion, class act. He's the only one in the whole wide world that calls me "black chickie", and it's okay. So I arrive here, you know, and Italian stallion meets black chickie and we hit it off and he's looking to take Minority Leader Jones out of -- out of his position, out of leadership. Well, Rickey lied on me and told him that I was voting for him and I've been here all but twenty minutes. Had no idea what was going on. Decided I couldn't do that, because I -- I can't go home and explain why my first vote was to vote the Leader out of leadership. So time goes on. The Italian boys in my district, they flipped on me, on my election, 2002. They flipped on me. They carried my opponent on election day. And I beat 'em three to one. So I come to the Senate and Jimmy is Jimmy. Jimmy's flicking the lights on and off in caucus. Jimmy's being the class clown. And I said, "Jimmy, what's up with your Italian boys? What's up, Italian stallion?" And he says, "Oh, black chickie, they thought you were weak because you had a baby." He said, "But you put a cap in there." You guys know how to finish that sentence. That's one of Jimmy's favorite lines. I put a cap in

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

here. So once I told Jimmy, he says, "Why don't you call 'em up and meet 'em?" I said, "No way. I -- I beat 'em. So why do I need to call them?" That was the very moment that me and Jimmy connected, because I think at that very moment he saw some value in me beyond everything else. And when I arrive to the Senate plane, I always hope Jeff is late, so that can help me out. Jimmy calls me Carol Moseley-Braun. "Carol Moseley-Braun held up the plane all the time. She's always late. Carol Moseley-Braun, get in here." This is what I had to deal with every time I showed up. And I was always late. So one day - to Terry Link's story - we're on the Senate plane. It's bad. Everybody's scared. Senator Garrett's holding hands of Senator Meeks, saying let's pray. I mean, Senator Meeks is doing this prayer. We're circulating in the air. We have nowhere to land. Susan's looking out the window. We see planes flying past us in the air. And we're all like, "Oh, my God", and Jimmy says, "The headlines tonight will read Senator James DeLeo and all the other Senators passed away." And we're all thinking, oh, my God, we're going to die. And Jimmy's the only one -- will be highlighted on tomorrow morning. And that's how Jimmy made you feel. That he was the only one that would be highlighted. But I've finally grown to this point, Jimmy, where we became seatmates and suite mates, and now you're leaving me. So, you're like family and I love you. Bye.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, let's get this over with. The last person seeking recognition is President Cullerton.

SENATOR CULLERTON:

I think you're doing this from the Chair so that I have to

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

call you "Mr. President", when I'm Mr. President. But I think it is time for a rebuttal. No, I'm just kidding. This is a -- I got to be really careful here, because this guy is one of my best friends in the General Assembly and one of my best friends in life. I met Jimmy in 1974 and I've known him ever since. He is my roommate down here. And, as you can imagine, a little quirky - a little quirky roommate. It's been pointed out that he's very neat. Actually, he walks around the apartment with Windex. I pick up my cup and he's got Windex. He has great taste in -- in clothes and food and wine. He has hundred-dollar bottles of red wine. And then he puts ice in it. Drives me crazy. But let me just tell you this, that we've -- many times, something comes out of his mouth and I say, "You got to put that in your book." I've never met anybody in my life like Jimmy. I've never met anybody that I know personally that could easily, easily write a book. And I'll just give you a couple of chapters. I mean, these are for real. If you think the guy's exaggerating, he doesn't have to exaggerate. Maybe -- if you did this chronologically, in 1959, he was in Havana, Cuba, when Castro took over. I'm not making that up. Paul McCartney bought him a pool table - another chapter. There are some ups and downs in his life. Nothing would surprise you. But I can tell you that the -- it's just so sad that people don't, back in Chicago, realize how incredibly talented he is down here in Springfield. The way he can solve so many people problems, because he knows people, and he knows relationships, and he knows people's motivations, and he knows what gets people motivated to -- to do things and to help. And so -- and -- and I can also tell you, he is a great father to his two children

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

and his wife, Ann - a phenomenal father. And -- and I can -- I can just tell you that this is really going to be difficult for me. I'm going to miss his skills and his friendship and it just won't be the same next year. So thank you very much.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you so much. That was so warm and -- I decided I'm going to stay. Okay, let's go to the Orders {sic} of Resolution. Senate Resolution -- Joint Resolution 128. Madam Secretary, would you please read the resolution?

SECRETARY ROCK:

Senate Joint Resolution 128, offered by Senator Harmon.

(Secretary reads SJR No. 128)

PRESIDING OFFICER: (SENATOR DeLEO)

Okay, Senator Harmon moves to suspend the rules for the purpose of immediate consideration and adoption of Senate Joint Resolution 128. Those in favor will say Aye. Those opposed will say Nay. Senator Lauzen, are you seeking recognition, sir?

SENATOR LAUZEN:

Yes. Thank you very much, Mr. President. I think that it was a wonderful ceremony celebrating your career here. Our hats are all off to you. I would request a roll call on the adjournment resolution.

PRESIDING OFFICER: (SENATOR DeLEO)

Certainly. It's denied. We'll be glad to give you a roll call. Okay. So, Ladies and Gentlemen, Senator Harmon has moved to suspend the rules for the purpose of immediate consideration and the adoption of Senate Joint Resolution 128. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

122nd Legislative Day

5/7/2010

all voted who wish? Madam Secretary, take the record. On that question, there are 33 Ayes, 14 Noes, 0 voting Present. And -- and the motion to suspend the rules are... Rules are suspended. Now Senator Harmon moves the adoption of Senate Joint Resolution 128. Senator Lauzen, are you also requesting a roll call on -- on -- on the -- on the adoption? Okay, Senator Lauzen -- Senator -- excuse me, Senator Harmon moves the adoption of Senate Joint Resolution 128. 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, 18 Nays, 0 voting Present, and the resolution is adopted. Okay, this is the best part of the job. There being no further business to be -- come before the Senate, the Senate will stand adjourned until call of the Chair by the President. The Senate stands adjourned. Have a great weekend.