

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

142nd Legislative Day

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PRESIDING OFFICER: (SENATOR MUÑOZ)

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 Michael Dye, Knox Knolls Free Methodist Church, Springfield, Illinois. Pastor, please come on up.

PASTOR MICHAEL DYE:

(Prayer by Pastor Michael Dye)

PRESIDING OFFICER: (SENATOR MUÑOZ)

Thank you, Pastor. Senator Jacobs, Pledge Allegiance.

SENATOR JACOBS:

(Pledge of Allegiance, led by Senator Jacobs)

PRESIDING OFFICER: (SENATOR MUÑOZ)

Madam Secretary, Reading and Approval of the Journal.

SECRETARY ROCK:

Senate Journal of Wednesday, January 5th, 2011.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Hunter.

SENATOR HUNTER:

Mr. President, good morning. 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 MUÑOZ)

Senator Hunter moves to approve {sic} the Journals just read by the Secretary. There being no objection, so ordered. Madam Secretary, Resolutions.

SECRETARY ROCK:

Senate Resolution 1141, offered by Senator Murphy and all

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Members.

Senate Resolution 1142, offered by Senator Clayborne and all Members.

Senate Resolution 1143, offered by Senator Kotowski and all Members.

They are death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR MUÑOZ)

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

SECRETARY ROCK:

House Bill 1454, offered by Senator Sandoval.

(Secretary reads title of bill)

House Bill 1515, offered by Senator Rutherford.

(Secretary reads title of bill)

1st Reading of these House bills.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Committees will meet immediately upon recess. Higher Education, Room 409. Transportation, Room 400 - 9:50, Transportation. Executive, 10:10, Room 212. Revenue, 10:10, Room 400. Insurance, 10:30 a.m., Room 400. State Government and Veterans Affairs, 10:30, Room 409. The Senate will stand in recess to the call of the Chair. After committee meetings, the Senate will reconvene to receive committee reports and further Floor action. The Senate stands in recess.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The Senate will come to order. Madam Secretary, Committee

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Reports.

SECRETARY ROCK:

Senator Sandoval, Chairperson of the Committee on Transportation, reports Motion to Concur with House Amendment 1 and 2 to Senate Bill 3965 recommended Do Adopt.

Senator Viverito, Chairperson of the Committee on Revenue, reports Motion to Concur with House Amendments 1 and 2 to Senate Bill 2530 recommended Do Adopt.

Senator Haine, Chairperson of the Committee on Insurance, reports Senate Amendment 2 to House Bill 5018 and a Motion to Concur with House Amendment 1 to Senate Bill 2525 recommended Do Adopt.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Madam Secretary, Resolutions.

SECRETARY ROCK:

Senate Resolution 1144, offered by Senator Mulroe and all Members.

Senate Resolution 1145, offered by Senator Demuzio and all Members.

Senate Resolution 1146, offered by Senator Demuzio and all Members.

They are death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Resolutions Consent Calendar. Will all Members within the sound of my voice please come to the Senate Floor? All Members within the sound of my voice please come to the Senate Floor. We are preparing to proceed to a Supplemental Calendar, on the Order of Secretary's Desk, Concurrences. All Members please come to the Senate Floor. Stewart Orlin from WFLD-TV, FOX News

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32, in Chicago, requests permission from the Body to videotape today's proceedings. Seeing no objection, leave is granted. Senate will come to order. On the Supplemental Calendar No. 1, Secretary's Desk, Concurrence, Senate Bills, we have Senate Bill 2525. Senator Martinez. Senator Martinez, do you wish to proceed? She wishes to proceed. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 2525.

Filed by Senator Martinez.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President, Members of the Senate. House Amendment No. 1 deletes all and becomes the bill. It amends the State Employee {sic} (Employees) Group Insurance Act by altering the definition of a "dependent" to bring the Act into compliance with new federal health care law. Additionally, it updates the definition of "military leave" to be in alignment with Public Act 96-0346 and eliminates the four-year limit where an individual on military leave may continue to receive group health benefits while on non-pay status as long as they make payments equal to the amount normally contributed by the State. The change to the definition of dependent will allow the children and -- of -- of plan members to be covered until age twenty-six instead of nineteen. This bill is effective immediately. And I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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Is there any discussion? Is there any discussion? Senator Johnson.

SENATOR JOHNSON:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

She indicates that she'll yield.

SENATOR JOHNSON:

Senator, this bill only changes based on a mandate from the Feds. Is that correct?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Martinez.

SENATOR MARTINEZ:

It does. Even though we already have been doing this for the past two years of -- as far as the dependent - the age; that's been in effect the last couple years.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Johnson. We have a different way of...

SENATOR JOHNSON:

Yeah, what's the rule here?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

...proceeding here. I acknowledge you and then you get to ask the question. Senator Johnson.

SENATOR JOHNSON:

What I'm trying to get to here is, there is nothing in this bill that is adding on addition -- or, additional costs covered under the Medicaid system that is not required to be there other than what the Feds require. Is that correct?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Martinez.

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SENATOR MARTINEZ:

Thank you, Mr. President. This coverage is paid a hundred percent by the member. There is zero additional State cost.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Johnson.

SENATOR JOHNSON:

Thank you.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Johnson, I hope that was a helpful tutorial for you. We know you're new here. Is there any further discussion? Any further discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you very much, Mr. President. Just a question for the sponsor.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

She indicates that she'll yield. Senator Lauzen.

SENATOR LAUZEN:

Senator, I know that you -- you -- you may have answered the question in the last question and answer, but because of the sensitivity to any increases in benefits in a -- a set of pension funds that are eating their seed corn, the question is, are there any - any - benefits in this legislation that exceed the federal mandate?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Martinez.

SENATOR MARTINEZ:

Senator Lauzen, no.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Lauzen.

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SENATOR LAUZEN:

Probably in the sense of -- that there's no cost to the State, no. Isn't there some provision that goes from twenty-four years old to twenty-six years old in life insurance coverage?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Martinez.

SENATOR MARTINEZ:

Let me just say this, it -- this -- this amendment brings us in compliance with the federal health care. It allows children up to twenty-six to be tax dependent under the IRS Code. It will offer optional pre-tax life insurance coverage to our members, as already allowed under the Tax Code. And it prevents CMS from having to administer a separate pool of adult children from twenty-four to twenty-six that will be covered for health insurance purposes, but excludes from members paid optional life insurance coverage.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Lauzen.

SENATOR LAUZEN:

Thank you. I -- that is an awful lot of information to try to process, where I'm asking just about that specific one provision or example of a possible increase in what Illinois is doing that is -- that exceeds what the federal government has required us to do.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Martinez.

SENATOR MARTINEZ:

Thank -- thank you, Mr. President. No, we are not

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exceeding; we're just meeting the requirements. But we're not exceeding anything at this point.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any further discussion? Is there any further discussion? Senator Martinez, do you wish to close? The question is, shall the Senate concur in House Amendment 1 to Senate Bill 2525. All those in favor, vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 45 voting Aye, 9 voting Nay, 1 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment No. 1 to Senate Bill 2525, and the bill is declared passed. Pat Keating with WLS-TV, Channel 7, in Chicago, requests permission to videotape today's proceedings. Seeing no objection, leave is granted. Senator Millner, for what purpose do you seek recognition, sir?

SENATOR MILLNER:

Thank you, Mr. President. I would just like to have a point of personal privilege.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Please state your point.

SENATOR MILLNER:

Senator Dillard is up in his district at a wake - just FYI.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Thank you. The record will so reflect. Turning to the Supplemental Calendar No. 1, Secretary's Desk, Concurrence, Senate Bills. Senate Bill 2530. Majority Leader Clayborne. Senator Clayborne wishes to proceed. Madam Secretary, please

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read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 2530.

Filed by Senator Clayborne.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Majority Leader Clayborne, please proceed.

SENATOR CLAYBORNE:

Thank you, Mr. President. This is very simple. It's a TIF extension for one of the municipalities in my district. All the schools and everybody have signed off. So, I just ask for your favorable vote.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Is there any discussion? Senator Clayborne, do you wish to close? The question is, shall the Senate concur to House -- in House Amendments 1 and 2 to Senate Bill 2530. All those in favor, vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 55 voting Aye, 2 voting Nay, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments No. 1 and 2 to Senate Bill 2530, and the bill is declared passed. Senate Bill 3965. Senator Garrett, do you wish to proceed? She wishes to proceed. Madam Secretary, please read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 3965.

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Filed by Senator Garrett.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Garrett.

SENATOR GARRETT:

Yes, thank you very much, Mr. President. Senate Bill 3965, as amended, applies provisions to {sic} the State Ethics Act to board members and employees of the RTA, Pace, Metra, and the CTA. The bill gives the Executive Inspector General appointed by the Governor the authority to investigate allegations of fraud, waste, abuse, mismanagement, nonfeasance, misfeasance, malfeasance, or violations of the Ethics Act by transit board members, employees, or vendors doing business with a transit agency. The Executive Ethics Commission must approve the employment of any inspector general by a transit agency. Any transit board inspector general must file monthly activity reports with the Executive Inspector General. And, finally, the Governor has the authority to remove any board member in response to a summary report from the Executive Inspector General, provided the individual has an opportunity to be publicly heard in person or by counsel. I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Thank you, Senator Garrett. Is there any discussion? Is there any discussion? Senator Lauzen. Senator Lauzen, before you precede, Chris Brooks with WICS-TV requests leave of the Body to videotape today's proceedings. Seeing no objection, leave is granted. Please proceed, Senator Lauzen.

SENATOR LAUZEN:

Senator, thank you very much for your work on this and you

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know the bill so much better than the rest of us do. On the original proposal and on our -- on our analysis -- or, the roll call, there were twelve negative votes on the proposal as it left here. Do you know what the nature of that opposition was and was that somehow handled with the amendments coming over from the House?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Garrett.

SENATOR GARRETT:

Yeah, Senator, I'm not sure why anybody voted No the first time around. The bill has been changed. We have added the provision that the transit service boards can appoint their own inspector general with the approval of the Executive Ethics Commission; however, even by doing that, the executive inspector general still has total jurisdiction over whatever the investigations may entail.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SENATOR GARRETT:

Yeah, I just want to actually thank those legislators who were supportive and who had the patience to work with me over the last six months on this. I think that the time is right that in such a -- a large metropolitan area that we have an inspector general in place for our transit agencies. And I'm looking forward to continuing to do work in this situation. I also want to thank Senator Sandoval for his support.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Question is, shall the Senate concur in House Amendments 1

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and 2 to Senate Bill 3965. All those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 53 voting Aye, 3 voting Nay, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments 1 and 2 to Senate Bill 3965, and the bill is declared passed. Nice work. Senator Emil Jones, for what purpose do you seek recognition, sir?

SENATOR E. JONES:

Thank you, Mr. President. I'd like to be recorded as a Yes on Senate Bill 2530.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Thank you. The record will so reflect. We will now return to the regular printed Calendar. Page 2 of your printed Calendar. House Bills 3rd Reading. This is final action. House Bill 26. Senator Link. Out of the record. House Bill 150. President Cullerton. Out of the record. House Bill 609. Senator Trotter. Leader Trotter. Out of the record. House Bill 670. President Cullerton. Out of the record. House Bill 1422. Senator Jacobs. 1422. House Bills 3rd Reading. Out of the record. House Bill 1606. Senator Hutchinson. Out of the record. House Bill 1644. Senator Hutchinson. Out of the record. We will return, with leave of the Body, to House Bills 1606 and 1644 in a few moments. House Bill 2314. Senator Trotter. Out of the record. Top of page 3 of your printed Calendar. House Bills 3rd Reading. House Bill 2386. Senator Sullivan. Senator John Sullivan. Out of the record. House Bill 2598. President Cullerton. Out of the record. House Bill

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3833. Senator Crotty. 3833. Out of the record. House Bill
4599. President Cullerton. Out of the record. House Bill
4973. Senator Wilhelmi. Out of the record. House Bill 5018.
Senator Haine. Senator Haine seeks leave of the Body to return
House Bill 5018 to the Order of 2nd Reading. Seeing no
objection, leave is granted. Now on the Order of 2nd Reading,
House Bill 5018. Madam Secretary, are there any Floor
amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Haine.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Haine.

SENATOR HAINE:

Thank -- thank you, Mr. President and Ladies and Gentlemen
of the Senate. This bill merely corrects a scrivener's error in
a bill that we passed, Public Act 96-1450. The amount of the
contractual obligations listed in the bill of an insolvent
organization should have been not exceeding five hundred
thousand rather than the three hundred thousand.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. Now on the Order of 3rd Reading is House Bill

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5018. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 5018.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Haine.

SENATOR HAINE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I -- I would just ask for an Aye vote and I note to the Body that the scrivener that made this error has been shot. Thank you.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there -- is there any discussion? Is there any discussion? Seeing none, Senator Haine, any other witticisms to close? Thank you. The question is, shall House Bill 5018 pass. All those in favor, vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. House Bill 5018, having received the required constitutional majority, is hereby declared passed. House Bill 5289. Senator Wilhelmi. Senator Wilhelmi wishes to proceed. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 5289.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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Senator Wilhelmi.

SENATOR WILHELMI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 5289 will allow the Valley View School District, which encompasses Bolingbrook and Romeoville, the ability to refinance their debt over a twenty-five-year period versus a twenty-year period. Under current law, park districts are allowed twenty-five years; local governments are allowed forty years. We're trying to give the Valley View School District the ability to go ahead and refinance their debt, pay it over twenty-five years, will -- which will allow them to utilize a lower interest rate and have immediate cost savings. We had good debate in committee. I was able to share some information with the members of the committee. I'll be happy to answer any questions. I -- I think it's important to note that the local school board will still have to make the decision of whether to refinance this debt over twenty-five years versus twenty years. That's a decision that they have committed to. The school board president was in committee, testified to that effect. Again, I'd be happy to answer any questions and I ask for your support.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SENATOR BURZYNSKI:

Thank you, Mr. President. Will the sponsor yield for a couple of questions?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

He indicates he'll yield. Please proceed.

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SENATOR BURZYNSKI:

Thank you. Senator, this piqued my curiosity when I kind of saw it laying around a little bit. Just a question or two for you. First of all, the debt that we're talking about restructuring to twenty-five years, is that debt that -- is that debt that has been approved by voter referendum or is this debt other debt that has been incurred?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Wilhelmi.

SENATOR WILHELMI:

This has been approved by voter referendum, and in fact, this would only apply to voted referendum building or rebuilding bills that would be included in the -- in the extension. So, working cash, alternate revenue or life safety bonds are not included in this extension.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Burzynski, do you have another question?

SENATOR BURZYNSKI:

Absolutely, maybe more. Thank you. Let -- let me ask you this, when the voters approve these referendums, there's a little notice that's usually published in the paper, and what is in that notice? Do you know?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Wilhelmi.

SENATOR WILHELMI:

I -- I don't want to guess my answer, but I -- I have a feeling you know, and I'd be happy to comment on -- on this issue further.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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Senator Burzynski, with another rhetorical question.

SENATOR BURZYNSKI:

Thank you. I thought he might have an answer. I didn't know. No, seriously, though, in that notification is the term of the life of the bonds, and the way I look at it is, when the voters approve those bonds and they know that they're for a term of twenty years, that's kind of a -- a contract that the school district has with the voters. Are -- is this going to go back to the voters for approval to lengthen the term of those bonds and to lengthen the term of the indebtedness, as well as the terms of the interest that has to be paid, for another five years?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Wilhelmi.

SENATOR WILHELMI:

Senator, it's my understanding that before the refinancing could take place over a twenty-five-year period, the school board would have to put this on their agenda, would have to have an open discussion in an open meeting, that there would have to be notice to the taxpayer of this agenda item, and then only after a full debate and after full disclosure to the taxpayer would they be allowed then to vote, up or down, on whether to refinance the debt over a twenty-five-year period. That's my understanding.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. So, in other words, just through simple notification of that being placed on the school board's agenda.

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How much -- how -- what's the dollar amount of the bonds? Do we know that?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Wilhelmi.

SENATOR WILHELMI:

I do not have an exact figure. Like I said earlier, the interest rate would be lower in today's market. We do know that there will be an immediate savings to the school district. We do know, as well, that that savings would be in the millions of dollars, as much as possibly six million dollars - savings, immediately - if this refinancing took place. And we also know that in these difficult economic times -- this is one of the largest school districts in the State. The State owes this school district millions of millions of dollars. By June of this year, that number should be up to about thirteen million dollars that is owed to the Valley View School District. And so, Senator, I believe that given these -- these circumstances and the economic times that we're faced with, that this gives the school board the option - it does not mandate that they have to refinance over twenty-five years - it gives them the option to refinance over twenty-five years versus twenty years. And I think it's appropriate, given the circumstances.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you -- thank you, Mr. President. I think I'll just go directly to the bill at this point. A couple of different issues: First of all, it's my understanding that while there's a short-term savings -- and I wasn't in committee, but that the

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assistant superintendent that was there also indicated this could create an additional eighty million dollars' worth of tax burden for the citizens of the district - that's number one. Number two, a bill like this doesn't even allow for a backdoor referendum if people petition the school board that they want this thing placed. So, that creates a concern for me as well. And number three and maybe even more importantly - and you all know how I feel about TIF districts anyway - but yesterday I believe the sponsor had a bill relative to the extension of a TIF district, and this school district happens to be in that TIF district. So, on one hand while they're waiting and asking for more money -- or, more time to pay off a debt, they're willing to give up on the other side relative to a TIF. So I -- I just encourage you all to vote your consciences, but I believe this is a step in the wrong direction. Thank you.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Thank you. Is there any further discussion? Leader Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. Well, I hate to disagree with my colleague on this side of the aisle. I'm familiar with this situation, and the fact that the State is so far behind in the payments that they are making, that the school's entitled to, we put the school district in a very difficult position when we don't even allow them the flexibility of tools to make those payments. I do think it's a unique circumstance. Normally, I would not be in favor of granting this kind of flexibility, but I do think, at the end of the day, it's important that these school districts be able to function. As everyone knows, I am

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no huge fan of TIF districts, but as we evaluate each and every one along the way, school districts have had the opportunity to look at the long-term benefit or the negative impact they would have on a district. So I think that to tie the two together is not necessarily germane. And I would encourage people to do likewise, vote their conscience, but I will be voting in favor of this.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SENATOR McCARTER:

I have one question for the sponsor.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Question for the sponsor. One question. He indicates he'll yield.

SENATOR McCARTER:

Did -- did the school district make any effort to put a referendum on the ballot to make this change?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Wilhelmi.

SENATOR WILHELMI:

I don't believe so.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SENATOR WILHELMI:

Yes. Thank you, Mr. President. Just want to thank Leader Radogno for clarifying some of the issues and for her support. I think it's very important that this Chamber know the school

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board still has to make a decision on whether or not to refinance their debt and whether or not to extend that for twenty-five years. They may decide, after their due diligence and after their analysis, talking to their financial advisers and their constituents - these are local elected officials - not to do so, but we give them the flexibility, and, therefore, relieve the pressure that, in fact, the State has created by owing almost thirteen million dollars to the school district. We give them this flexibility. I think it's appropriate. It's all about local control and I'd ask for your support.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The question is, shall House Bill 5289 pass. All those in favor, vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 50 voting Aye, 6 voting Nay, none voting Present. House Bill 5289, having received the required constitutional majority, is hereby declared passed. House Bill 5424. President Cullerton. Out of the record. House Bill 5960. President Cullerton. Out of the record. House Bill 6908. President Cullerton. Out of the record. Please turn to the top of page 4 of your printed Calendar. House Bills 2nd Reading. Senator Sandoval. Out of the record. With leave of the Body, we will return to House Bills 3rd Reading. House Bills -- House Bill 1606. Senator Hutchinson, do you wish to proceed? Senator Hutchinson seeks leave of the Body to return House Bill 1606 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of House Bills 2nd Reading is House Bill 1606. Madam Secretary, are there any

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Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Hutchinson.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Hutchinson, Floor Amendment No. 1.

SENATOR HUTCHINSON:

I would like to adopt Floor Amendment 1. It deletes all and becomes the bill, and I can explain that on 3rd.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. On the Order of 3rd Reading, House Bill 1606. Senator Hutchinson, do you wish to proceed? Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 1606.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Hutchinson.

SENATOR HUTCHINSON:

Thank you, Mr. President and Members of the Body. House Bill 1606, as amended, requires counties and municipalities that

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issue a demolition permit to notify each permit applicant of the requirement to file a National Emission Standards for Hazardous Air Pollutants notification. This is really just a notice bill. So, if you're going to take down a building that has a bunch of asbestos in it, we need to let folks know. That's all this is. There was a -- a problem with it. We got agreement from the Illinois Municipal League. Know of no opponents. And I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SENATOR HUTCHINSON:

No, thank you.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The question is, shall House Bill 1606 pass. All those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 58 voting Aye, none voting Nay, none voting Present. House Bill 1606, having received the required constitutional majority, is hereby declared passed. With leave of the Body, we will proceed on page 2 of your printed Calendar, House Bills 3rd Reading. House Bill 1644. Senator Hutchinson, do you wish to proceed? She indicates that she does. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 1644.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Hutchinson.

SENATOR HUTCHINSON:

Thank you, Mr. President. House Bill 1644 creates the Southeast Commuter Rail Transit District. This would be only for the villages of Crete, Steger, South Chicago Heights, City of Chicago Heights, Village of Glenwood, Village of Thornton, the Village of South Holland, the Village of Dolton, City of Calumet City, and Village of Lansing, and the Village of Lynwood. The creation of this district allows the area to apply for federal funding as a part of the federal New Starts program and it's something we've been working on for about fifteen years to try to see if we can get a southeast service Metra rail line in this area that's so desperately needed. Happy to answer any questions and I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Thank you. Is there any discussion? Any discussion? Senator Risinger, for what...

SENATOR RISINGER:

Thank you, Mr. President. Just a comment about the bill. This bill has absolutely nothing to do with my district, but it certainly is something that we need to do and -- and I'm fully in support of it.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SENATOR ALTHOFF:

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

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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She indicates that she will.

SENATOR ALTHOFF:

Is -- is there any difference with regard to this development of this district than there are with the others with regard to the board setup or board makeup and how the appointments are made?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Hutchinson.

SENATOR HUTCHINSON:

Thank you, Senator Althoff. No, there isn't.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SENATOR BURZYNSKI:

Thank you. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Indicates that she will.

SENATOR BURZYNSKI:

Thank you. Senator, I -- I'm just reading this very quickly. They'll have the power to levy property taxes with and without referendum and exercise eminent domain powers. Is that correct?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Hutchinson.

SENATOR HUTCHINSON:

Actually, they have the power to, without a referendum, do -- I think, attach a five-cent, which is granted to them by statute. That is not the intent of the bill. It's not written into our bill at all. That's something that all transit

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districts can do by statute.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Burzynski.

SENATOR BURZYNSKI:

Can you address the eminent domain issue, please?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Hutchinson.

SENATOR HUTCHINSON:

Specifically, what? That they have the power to do it, or... Well, the intent of the -- the language really is that we have a number of existing rail that already exist that we're trying to actually have built right along side so that it's not a whole bunch of new things, but it would include these particular towns that are not serviced by Metra already. So, I'm not so -- we haven't had very much conversation about eminent domain 'cause it's existing track.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SENATOR MURPHY:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

She indicates that she'll yield. Senator Murphy.

SENATOR MURPHY:

Senator, does this create a new taxing body?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Hutchinson.

SENATOR HUTCHINSON:

It does, but, again, the intent is so that we can pull

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together a organization of communities that come together and also can apply for grants together. And we have to show that there is an -- there's an organization in existence to be able to apply for the federal funding, because we obviously know there is no State funding, and that's the only way we can put ourselves in line to seek funding for this -- this Metra rail line extension.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Murphy.

SENATOR MURPHY:

And a couple -- existing law allows the type of entities that you want to create with this bill to assess a property tax levy and to have eminent domain powers. Is that correct?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Hutchinson.

SENATOR HUTCHINSON:

I think the important thing to note about it is that this allows the voters to do it at the local level. So, if they need to do that at some point in the future, they have to take it right to the local voters and they will decide that. We won't decide that for them. But if we don't have the entity in place, we will not be in line to apply for the federal funding. And that's where we're at right now.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Murphy.

SENATOR MURPHY:

My -- my final question: Does this legislation automatically create the new taxing body or does this create the opportunity for the people who live within this community, by

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referendum, to vote on their own to create a new taxing body?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Hutchinson.

SENATOR HUTCHINSON:

As I understand it, the only thing that this body would be able to create through the creation from us, this Body, is a five-cent tax, if you will. Anything above that has to go to referendum. So local voters would have to vote to do that.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Murphy.

SENATOR MURPHY:

And I -- I didn't ask that very clearly before. What I want to know is whether or not the taxing body that this would authorize, before it actually is authorized, does there have to be a referendum of the people who live in that area to create this or will this new taxing body exist as soon as it gets signed into law and on the effective date?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Hutchinson.

SENATOR HUTCHINSON:

You know, I think you're right. I think it -- this creates the body as soon as it's -- on its effective date.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Thank you. Is there any further discussion? Is there any further discussion? Senator Johnson, for a second time today.

SENATOR JOHNSON:

Just one or two questions. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Indicates that she'll yield.

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SENATOR JOHNSON:

Can Metra at this time already expand into that area? I mean, can't they just -- and have you approached them as far as bringing the lines out there? Why do we need another taxing district?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Hutchinson.

SENATOR HUTCHINSON:

The -- we need to be able to apply for the federal New Starts program and this is one of those lines that's designated in those -- federal New Starts. We have to create an organization that would then be able to find a revenue source to pay for it. Now this is something we've been working on for over fifteen years. And there is a Metra line that goes there, but it does not service these communities. And so, yes, we've been in constant conversations with Metra. We know of no opponents to this and it is something that would mean an extremely lot in terms of economic development for these areas that have been kind of bypassed over decades in terms of where new lines go. So it's existing track. There's not very many eminent domain issues; it's existing track that goes there. But we're not going to be able to be in line for any of the federal dollars until we create this organization of communities.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator...

SENATOR HUTCHINSON:

That -- that... To answer your question about why we need to do this now.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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Senator Johnson.

SENATOR JOHNSON:

Can Metra annex this area and then be in a position to qualify for these federal funds?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Hutchinson.

SENATOR HUTCHINSON:

We do not believe so, Senator. And -- and, again, this is something that we've been working on for so long that this was - - considering there are no State dollars, it's something that local people need to decide.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Johnson.

SENATOR JOHNSON:

Fifteen years. The -- I'm just asking, has anybody asked or looked into this area being annexed to Metra to the point where they would then qualify? What I'm getting at is, we continue to add more and more taxing districts to this State and do we need to do this?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Hutchinson.

SENATOR HUTCHINSON:

Yes, we need to do this. Metra does not have the funding to apply for the fund -- they don't have the existing funding and we don't have the funds to give them. And this has been on -- we -- this has been continual conversation - this is not a brand-new project. So, to your question specifically, about has anyone talked to Metra, yes, communities have been talking to Metra for years. Now we've identified a way to possibly do this

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on the backs of local people, with local control, local opinion and sentiment as to not -- whether or not we need to do this. But we are not going to be in line to even go for any federal dollars to assist Metra in doing this until we create this entity. Thank you.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SENATOR HUTCHINSON:

Again, I just want to reiterate that I -- I understand that there's always reticence about creating a new body, but one of the things that is the intent of this piece of legislation in particular is that these communities are able to come together and apply for grants together and apply for federal funding together to work on economic development projects together, to come up with public/private partnerships that they cannot do loosely - you know, separate as little islands unto themselves - but come together and create a district that really does look to create new jobs and expand economic development opportunities in an area that is underserved. I would really ask for all your support and I'm looking for an Aye vote. Thank you so much.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The Chair wishes to inform the Members that this bill -- the question is, shall House Bill 1644 pass. All those in favor, vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 45 voting Aye, 11 voting Nay, none voting Present. House Bill 1644, having received the required

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constitutional majority, is hereby declared passed. Senator John Jones, for what purpose do you seek recognition?

SENATOR J. JONES:

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

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Please state your point.

SENATOR J. JONES:

I would just like to announce to the Body that Senator Bradley Burzynski and his wife, Judy, just became the proud grandparents, for the fourth time, of a new baby granddaughter out in Cincinnati, Ohio. So congratulations to Brad and Judy and their -- their son and daughter-in-law.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Congratulations and mazel tov, Senator Burzynski. We will now proceed to page 4 of your printed Calendar. Secretary's Resolution -- Secretary's Desk, Resolutions. House Joint Resolution 127. Senator Steans. Senator Steans, do you wish to proceed? She indicates that she does. Madam Secretary, please read the resolution.

SECRETARY ROCK:

House Joint Resolution 127, offered by Senator Steans.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Steans.

SENATOR STEANS:

Thank you, Mr. President, Members of the Senate. House Joint Resolution is the fall 2010 School Code mandate waiver resolution. We do these annually every year.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Is there any discussion? Is there any discussion? Senator

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Stears, do you wish to close? The question is, shall House Joint Resolution 127 pass. All those in favor, vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 57 voting Aye, none voting Nay, 1 voting Present. House Joint Resolution 127, having received the required constitutional majority, is hereby declared adopted. With leave of the Body, we'll now proceed to page 2 of your printed Calendar, House Bills 3rd Reading. House Bill 1422. Senator Jacobs. Senator Jacobs, do you wish to proceed? Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 1422.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. This is a bill today to rename the Department of Natural Resources Building to the Joel D. Brunsvold Building. We all remember Joel. He was a heck of a man and a good sportsman. And I know there's bipartisan support for this and I appreciate your strong support.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SENATOR JACOBS:

I just ask for your affirmative vote and I think too it'd -

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- it'd be appropriate if we would just all hope to aspire to the level that Joel Brunsvold has.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Thank you. The question is, shall House Bill 1422 pass. All those in favor, vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 56 voting Aye, none voting Nay, none voting Present. House Bill 1422, having received the required constitutional majority, is hereby declared passed. The Chair wishes to inform the Members that we are currently waiting for paperwork, and consequently, we will stand at ease until the call of the Chair. (at ease) The Senate will come to order. Chair wishes to inform the Members that we will stand in recess till the call of the Chair. The Senate will now stand in recess.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR SCHOENBERG)

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

SENATOR BURZYNSKI:

Thank you, Mr. President. The Senate Republicans would request a caucus in Senator Radogno's office.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Thank you, Senator Burzynski. Approximately how long do you wish for that caucus to be?

SENATOR BURZYNSKI:

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Thank you. I believe thirty minutes would be sufficient.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The Republicans will caucus in Leader Radogno's office for a minimum of thirty minutes. Depends how long the group therapy session needs to go. The Senate will now be in recess till the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senate will come to order. The Senate will stand at ease for a few minutes to allow the Committee on Assignments to meet. The members of the Committee on Assignments will come to the President's Anteroom immediately. The Senate will stand at ease. (at ease) Senate will come to order. Will all members come to the President's Anteroom for Committee on Assignments so we can move? All members on the Committee on Assignments please come to the President's Anteroom immediately. And all other Members as well please come to the Floor. Senate will stand at ease.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR MUÑOZ)

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

SECRETARY ROCK:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have

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been assigned: Refer to the Executive Committee - Floor Amendment 2 to House Bill 5424 and Floor Amendment 2 to House Bill 5960; refer to the Revenue Committee - Floor Amendment 3 to House Bill 4599.

Signed by Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Committee announcements: 5:30 p.m., Executive in Room 212; Revenue, Room 400 - both at 5:30 p.m. Senator Sullivan, for what purpose do you rise?

SENATOR SULLIVAN:

Thank you, Mr. President. I have an announcement.

PRESIDING OFFICER: (SENATOR MUÑOZ)

State your announcement.

SENATOR SULLIVAN:

Ladies and Gentlemen, the Senate Democrat Caucus will meet immediately in the President's office.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senate Democrats requesting a caucus immediately upon recess in the President's office. The Senate will stand in recess to the call of the Chair. After committee meetings, the Senate will reconvene to receive committee reports and for further Floor action. The Senate stands in recess.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR HARMON)

The Senate will come to order. Ladies and Gentlemen of the Senate, we are turning to substantive final action. If all the Members could be at their desks. If all Members within the

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sound of my voice could be at their desks, we are turning to the Order of House Bills 3rd Reading. Final action. Madam Secretary, Messages from the House.

SECRETARY ROCK:

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

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

Senate Bill 3539.

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

House Amendment 1.

It passed the House, as amended, January 6, 2011. Mark Mahoney, Clerk of the House.

PRESIDING OFFICER: (SENATOR HARMON)

Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Viverito, Chairperson of the Committee on Revenue, reports Senate Amendment 3 to House Bill 4599 recommended Do Adopt.

Senator Silverstein, Chairperson of the Committee on Executive, reports Senate Amendment 2 to House Bill 5424 recommended Do Adopt.

PRESIDING OFFICER: (SENATOR HARMON)

Madam Secretary, Introduction of Bills.

SECRETARY ROCK:

Senate Bill 3977, offered by Senator Luechtefeld.

(Secretary reads title of bill)

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1st Reading of this Senate bill.

PRESIDING OFFICER: (SENATOR HARMON)

Madam Secretary, Resolutions.

SECRETARY ROCK:

Senate Resolution 1147, offered by Senator Radogno and all Members.

Senate Resolution 1148, offered by Senator Demuzio and all Members.

They are death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Resolutions Consent Calendar. Ladies and Gentlemen of the Senate, on page 3 of your printed Calendar, on the Order of House Bills 3rd Reading, is House Bill 4599. Senator Schoenberg. Madam Secretary, please read the bill. Senator Schoenberg -- oh! -- Senator Schoenberg seeks leave to recall House Bill 4599 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is House Bill 4599. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 3, offered by Senator Schoenberg.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Floor Amendment No. 3 - and I'll be happy to debate the entire bill - extends the Illinois Small Business Job Creation Tax Credit program to employers who hire Put Illinois to Work program participants to work. As -- as I said, I'd be happy to

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debate -- explain it all and debate it further on final action.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Seeing none, Senator Schoenberg moves for the adoption of Floor Amendment No. 3 to House Bill 4599. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, have there been any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HARMON)

3rd Reading. Now on the Order of 3rd Reading... Now on the Order of 3rd Reading is House Bill 4599. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 4599.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As you are all well aware, we have currently in place the Illinois Small Business Job Creation Tax Credit program which was established in the spring of 2010 to encourage employers to retain and create jobs in Illinois during this very difficult economic time. It's a twenty-five-hundred-dollar tax credit against withholding taxes for each new job created by an eligible employer and the allocation for this program is capped

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at fifty million dollars. What we have proposed, through this amendment, is to further incentivize employers to transition those individuals who participate in the Put Illinois to Work program to sustain employment through the Illinois Small Business Job Creation Tax Credit program by extending the credit to employers who hire new employees who participated in Put Illinois to Work by eliminating the fifty-employee threshold to become an eligible applicant, providing the company is not establishing a revolving door through their hiring. It allows employers to hire former participants to claim -- to claim a prorated rate of the percentage of the tax credit for six months after the date of hire, and the last half of the tax credit, twelve months after the date of hire. And perhaps most importantly, it lowers the rate of pay for a eligible job from thirteen seventy-five an hour to ten dollars an hour for a new employee. That, I think, is far more attractive to the employer community to hire and retain these individuals. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR LAUZEN:

To the bill.

PRESIDING OFFICER: (SENATOR HARMON)

To the bill, Senator.

SENATOR LAUZEN:

I know it is very hard to rise to speak against a -- a tax credit for employment, and in the end you say, "Well, fine, I'll just go ahead and vote for it", but, I mean, think about what

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we're doing as we consider a twenty-five-hundred-dollar credit for hiring a new person. As I -- between the committee and coming to the Floor, I touched base with a couple of folks and found out the -- I mean, their reaction to this bill is, why would -- why would someone -- you know, why -- why would someone hire someone for a twenty-five-hundred-dollar credit when the hospitalization obligation is going to be between ten and fifteen thousand dollars; when the corporate income tax - if the predictions are accurate - is going to go up. We are kind of running on quicksand here, where we hurt the employers and then we say that we help the employers. It's really becoming a crazy world for employers in Illinois. Just wanted to make that comment. Thank you very much, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Is there any further discussion? Seeing none, Senator Schoenberg, do you wish to close? The question is, shall House Bill 4599 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 48 voting Aye, none voting Nay, none voting Present. And House Bill 4599, having received the required constitutional majority, is declared passed. Ladies and Gentlemen of the Senate, The New York Times seeks leave to photograph the proceedings and the Illinois Statehouse News seeks leave to film the proceedings. Is there any objection? Seeing no objection, leave is granted. WBBM-TV, Chicago, seeks leave to videotape the proceedings. Is there any objection? Seeing no objection, leave is granted. WCIA seeks leave to videotape the proceeding. Is there any

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objection? Seeing no objection, leave is granted. Ladies and Gentlemen of the Senate, with leave of the Body, we'll move forward on page 3 of your printed Calendar, still on the Order of House Bills 3rd Reading, is House Bill 5424. Senator Kotowski. Senator Kotowski seeks leave of the Body to return House Bill 5424 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is House Bill 5424. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Kotowski.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Kotowski.

SENATOR KOTOWSKI:

Thank you, Mr. President and Ladies and Gentlemen of the -- of the General Assembly. It's with a great deal of humility and pride that I'm here today that we've been working on an initiative for a good couple years that deals with fundamentally changing the way we do budgets in the State of Illinois. Okay. And then we -- it requires the Governor to base his budget proposals on existing revenue and to prioritize spending to meet...

PRESIDING OFFICER: (SENATOR HARMON)

Senator Kotowski, sir, do you -- do you want to adopt the amendment and debate the bill on 3rd Reading?

SENATOR KOTOWSKI:

I would.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Senator Kotowski moves for the

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adoption of Floor Amendment No. 2 to House Bill 5424. All those in favor say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, have there been any further amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HARMON)

3rd Reading. Now on the Order of 3rd Reading... Now on the Order of 3rd Reading is House Bill 5424. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 5424.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Kotowski.

SENATOR KOTOWSKI:

Forgive me, Mr. President. It's my first day here. The -- Senate Amendment No. 2 to House Bill 5424 would create a new budget process for the State of Illinois, commonly referred to as Budgeting for Results. It requires the Governor to base his budget proposal on existing revenue and to prioritize spending to meet statewide goals. The idea behind Budgeting for Results is that nothing is safe; every expenditure must be justified according to merit rather than according to what was appropriated the preceding year. It would also require that grant programs and business incentives subject to the grant making authority Act be suspended indefinitely on July 1st, 2012, and every five years thereafter. And it would also limit

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collective bargain agreements entered after this bill becomes law between constitutional officers, executive agencies, and labor organizations in -- in a couple of ways: And -- no collective bargain agreement could extend past June 30th of the year when a new executive branch term begins and there cannot be increases in salary, wages, or benefits between the first day of the new term and July 30th -- June 30th of that year. This is a -- a bill that we've been working on with the House. It -- it passed by a -- a significant majority in the House of Representatives. We've had a -- a great deal of bipartisan support. It's a -- it's going to allow us to move from a cost-based budget process in the State of Illinois to performance-based budgeting. And we're going to fund programs based on performance and impact, not politics and special interests. And it's a great opportunity to restore faith and credibility in the budget process in the State of Illinois. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Senator Pankau, for what purpose do you seek recognition?

SENATOR PANKAU:

Thank you, Mr. President. Will the sponsor yield for some questions?

PRESIDING OFFICER: (SENATOR HARMON)

Sponsor indicates he will yield.

SENATOR PANKAU:

You and I had a discussion during Executive Committee about the makeup of the -- the commission that is going to be put in place for these outcomes and goals. And I -- I was asking you

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some questions about the wording in the actual bill. And if we go to page 10 of the actual bill, the first paragraph, it talks about a well-balanced group that shall be of a manageable size. And you and I have already talked about that. You said you wanted to make it "flexible" - I think was the word that you used. Have you put any more thought, Senator, into exactly how we could -- we as a Body can interpret well-balanced group and - - of a manageable size?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Kotowski.

SENATOR KOTOWSKI:

Thank you. Thank you, Senator Pankau. As I indicated in the Committee, when I thought of a well-balanced individual to be on the committee, I thought of yourself, so that would -- something that we could definitely include. But one of the things we discussed is an opportunity to look at this in the future and to work to be more specific. I'm open to doing that. I mean, currently, right now, there's a spending reform team that we have in place to implement -- to help to implement the law. There's about twenty people who are involved in that. There are Republicans, Democrats, for-profit sector, non-profit businesses, and nonpartisan think tank groups. So I would imagine it'll be a group of about that size and something of that scale. So -- and my commitment is to -- to work on that and work within those parameters and -- and to try and make sure that we get this fully implemented.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Pankau.

SENATOR PANKAU:

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And also in that paragraph, you talk about the Governor's proposed outcomes and goals and how this report is going to be put out by the commission. This commission of well-balanced -- this well-balanced group commission of a manageable size is going to put out this report and it's going to propose percentages in the total budget to be assigned to each proposed outcome and goal. And then, if the General Assembly doesn't like it, the General Assembly may object to the commission's report by passing a joint resolution detailing the General Assembly's objections. That appears to be very, very cumbersome, Senator, and you made a point in Committee that you were going to do a rewrite. Are you thinking about a trailer bill or any kind of rewrite to address this section?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Kotowski.

SENATOR KOTOWSKI:

If it -- if it's causing a great deal of confusion, my commitment is to continue to -- to work with you. I -- I would just like to say, what's very important to keep in mind with this law is the Governor is establishing spending priorities and outcomes and performance indicators for those priorities and that this -- this commission serves in an advisory capacity. It's a way of getting citizen input in the process. We also additionally have in this law -- we -- we already passed a law that requires an online survey that we can get feedback from people all throughout the State of Illinois on their concerns and input on spending priorities. So there's a whole different component here. So my commitment to you is to continue to work on this, to clarify this. This is a -- a new concept, an

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innovative concept, and there's going to be challenges before us that we -- that we may need to clarify. So my commitment is to continue to work on you -- work on that with you.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Pankau, do you have additional questions?

SENATOR PANKAU:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

To the bill, Senator.

SENATOR PANKAU:

There are four parts to this bill. The first part deals with Public Labor Relations Act. That was testified -- we had substantial testimony against that particular section. The second section deals with grants, and there was substantial testimony from all kinds of grant agencies opposed to this. Then there was the section that deals with the budgeting and the budgeting process and the commission. None -- and then the -- the sponsor pulled it out of the record at Committee, said he was going to do a rewrite, came back this afternoon, and the only section that he changed dealt -- dealt with the grants. And the only difference was that there doesn't have to be a joint resolution now; it can be a bill. That is a small, small change in a huge, huge bill. During that time, none of the opposition changed. The grantors -- the grant program people that were still opposed to it are still opposed to it now. The unions that were still opposed to it are still opposed to it now. And unfortunately, Senator, I also remain opposed to it. I urge a No vote on this. This is a great idea and philosophically we should probably go forward with it, but at

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this point, the devil is always in the details and this is not well-crafted legislation. I urge a strong No vote.

PRESIDING OFFICER: (SENATOR HARMON)

Any further discussion? Seeing none, Senator Kotowski, do you wish to close?

SENATOR KOTOWSKI:

Yes. I would just like to thank you for your consideration. And keep in mind, this is the most significant, fundamental change in the way we do budgets in the State of Illinois. Our budget process needs to be fixed and this gives us a better opportunity to justify our expenditures and communicate to our constituents that we are getting the best result for the price of government. We've worked on this. We first got this last year, including the languages requiring programs that -- to come up with performance-based budgeting within those programs. And then we passed that law last year - it was signed into law - which required statewide goals and priorities and outcomes. And -- and the Governor's office and Governor Quinn has taken a strong leadership role in this, as well as the Office of Management -- and Budget. So the train has left the station. We're moving forward on this. This is a great opportunity to be successful and to achieve the greatest amount of accountability that we need at this point in time in the State of Illinois. I would simply ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. The question is, shall House Bill 5424 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that

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question, there are 30 voting Aye, 10 voting No, 3 voting Present. And House Bill 5424, having received the required constitutional majority, is declared passed. WICS-TV seeks leave to videotape the proceeding. Is there any objection? Seeing no objection, leave is granted. We will 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, have there been any objections filed to any resolution on the Consent Calendar?

SECRETARY ROCK:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? If not, the question is, shall the resolutions on the Consent Calendar be adopted. All those in favor say Aye. Opposed, Nay. The Ayes have it, and the motion carries. And the resolutions are adopted. On the Order of Resolutions is Senate Joint Resolution 132. Madam Secretary, please read the resolution.

SECRETARY ROCK:

Senate Joint Resolution 132, offered by Senator Schoenberg.

(Secretary reads SJR No. 132)

PRESIDING OFFICER: (SENATOR HARMON)

Senator Schoenberg moves to suspend the rules for the purpose of immediate consideration and adoption of Senate Joint Resolution 132. Those in favor will say Aye. Opposed, Nay. The Ayes have it, and the rules are suspended. Senator Schoenberg moves for the adoption of Senate Joint Resolution 132. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. There being no further

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business to come before the Senate, the Senate stands adjourned until the hour of 3 p.m. on the 10th day of January, 2011. The Senate stands adjourned.