

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

35th Legislative Day

5/3/2011

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PRESIDING OFFICER: (SENATOR SULLIVAN)

The regular Session of the 97th 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 Reverend Richard Irwin, First Christian Church, Springfield, Illinois.

THE REVEREND RICHARD IRWIN:

(Prayer by the Reverend Richard Irwin)

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Would you please remain standing for the Pledge of Allegiance? Senator John Mulroe.

SENATOR MULROE:

(Pledge of Allegiance, led by Senator Mulroe)

PRESIDING OFFICER: (SENATOR SULLIVAN)

Madam Secretary, Reading and Approval of the Journal.

SECRETARY ROCK:

Senate Journal of Friday, April 15th; Friday, April 22nd; and Wednesday, April 27th, 2011.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hunter.

SENATOR HUNTER:

Thank you, 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 SULLIVAN)

Senator Hunter moves to postpone the reading and approval of the Journal, pending approval {sic} of the printed transcripts. There being no objection, so ordered. Madam Secretary, Resolutions.

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SECRETARY ROCK:

Senate Resolution 205, offered by Senator Clayborne and all Members.

Senate Resolution 206, offered by Senator Hunter and all Members.

Senate Resolution 207, offered by Senator Frerichs and all Members.

Senate Resolution 208, offered by Senator Dillard and all Members.

Senate Resolution 209, offered by Senator Dillard and all Members.

They are death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Resolutions Consent Calendar. Madam Secretary,
Communications from the Secretary of State.

SECRETARY ROCK:

I have a Communication dated May 3rd, 2011.

To the Honorable President of the Senate:

In compliance with the provisions of the Constitution of the State of Illinois, I am forwarding herewith the enclosed Senate Bill from the 97th General Assembly that is being returned by the Governor with specific recommendations for change.

Senate Bill 1.

Respectfully, Jesse White, Secretary of State.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Madam Secretary, Messages from the House.

SECRETARY ROCK:

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

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Mr. President - I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bill 1928.

Passed the House, April 14th, 2011. Mark Mahoney, Clerk of the House.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Madam Secretary, House Bills 1st Reading.

SECRETARY ROCK:

House Bill 466, offered by Senator Kotowski.

(Secretary reads title of bill)

House Bill 1928, offered by Senator Haine.

(Secretary reads title of bill)

House Bill 2407, offered by Senator Muñoz.

(Secretary reads title of bill)

House Bill 3034, offered by Senator Wilhelmi.

(Secretary reads title of bill)

1st Reading of these House bills.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, we're about to go to the Order of Senate Bills 3rd Reading. It is the intention of the Chair to only go through the -- this Order one time. So if you have a Senate bill, please be present on the Floor to call your bill, as we will not go back today if you are not here. So, Ladies and Gentlemen, if you are in your offices, please come to the Senate Floor immediately. All Members come to the Senate Floor immediately. We're about to go to the Order of Senate Bills 3rd Reading. We will go through the Calendar one time. Ladies and

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Gentlemen, will all Members within the sound of my voice please come to the Senate Floor immediately? We're going to the Order of 3rd Readings. We will be going through the Calendar one time, and one time only. So if you have a bill that you want to have called, come to the Floor immediately. Madam Secretary, Appointment Messages.

SECRETARY ROCK:

Appointment Message 79

To the Honorable Members of the Senate, Ninety-Seventh General Assembly:

I, Pat Quinn, Governor, am nominating and, by and with the advice and consent of the Senate, appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

To be a Member of the Department of Employment Security Board of Review:

David A. Bonoma

Annual Compensation: \$15,000

Appointment Message 80

To the Honorable Members of the Senate, Ninety-Seventh General Assembly:

I, Pat Quinn, Governor, am nominating and, by and with the advice and consent of the Senate, appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

To be a Member of the Department of Employment Security Board of Review:

Marilyn S. Orso

Annual Compensation: \$15,000

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Appointment Message 81

To the Honorable Members of the Senate, Ninety-Seventh General Assembly:

I, Pat Quinn, Governor, am nominating and, by and with the advice and consent of the Senate, appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

To be a Member of the Board of Trustees of Illinois State University:

Jay D. Bergman

Annual Compensation: Expenses

Appointment Message 82

To the Honorable Members of the Senate, Ninety-Seventh General Assembly:

I, Pat Quinn, Governor, am nominating and, by and with the advice and consent of the Senate, appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

To be a Member of the Board of Trustees of Illinois State University:

Anne Davis

Annual Compensation: Expenses

Appointment Message 83

To the Honorable Members of the Senate, Ninety-Seventh General Assembly:

I, Pat Quinn, Governor, am nominating and, by and with the advice and consent of the Senate, appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

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To be a Member of the Board of Trustees of Illinois State University:

Betty J. Kinser

Annual Compensation: Expenses

Appointment Message 84

To the Honorable Members of the Senate, Ninety-Seventh General Assembly:

I, Pat Quinn, Governor, am nominating and, by and with the advice and consent of the Senate, appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

To be a Member of the Board of Trustees of Northern Illinois University:

Anthony Alfred Iosco

Annual Compensation: Expenses

Appointment Message 85

To the Honorable Members of the Senate, Ninety-Seventh General Assembly:

I, Pat Quinn, Governor, am nominating and, by and with the advice and consent of the Senate, appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

To be a Member of the Board of Trustees of Northern Illinois University:

Robert T. Marshall, Jr.

Annual Compensation: Expenses

Appointment Message 86

To the Honorable Members of the Senate, Ninety-Seventh General Assembly:

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I, Pat Quinn, Governor, am nominating and, by and with the advice and consent of the Senate, appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

To be a Member of the Board of Trustees of Northern Illinois University:

Cherilyn G. Murer

Annual Compensation: Expenses

Appointment Message 87

To the Honorable Members of the Senate, Ninety-Seventh General Assembly:

I, Pat Quinn, Governor, am nominating and, by and with the advice and consent of the Senate, appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

To be a Member of the Board of Trustees of Northern Illinois University:

Marc J. Strauss

Annual Compensation: Expenses

Appointment Message 88

To the Honorable Members of the Senate, Ninety-Seventh General Assembly:

I, Pat Quinn, Governor, am -- Governor, am nominating and, by and with the advice and consent of the Senate, appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

To be a Member of the Board of Trustees of Southern Illinois University:

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Roger D. Herrin

Annual Compensation: Expenses

(Appointment Message 89)

To the Honorable Members of the Senate, Ninety-Seventh General Assembly:

I, Pat Quinn, Governor, am nominating and, by and with the advice and consent of the Senate, appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

To be a Member of the Board of Trustees of Southern Illinois University:

Mark A. Hinrichs

Annual Compensation: Expenses

Appointment Message 90

To the Honorable Members of the Senate, Ninety-Seventh General Assembly:

I, Pat Quinn, Governor, am nominating and, by and with the advice and consent of the Senate, appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

To be a -- to be a Member of the Board of Trustees of Southern Illinois University:

Donald Lowery

Annual Compensation: Expenses

Appointment Message 91

To the Honorable Members of the Senate, Ninety-Seventh General Assembly:

I, Pat Quinn, Governor, am nominating and, by and with the advice and consent of the Senate, appointing the following named

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individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

To be a Member of the Board of Trustees of Southern Illinois University:

Marquita T. Wiley

Annual Compensation: Expenses

Appointment Message 92

To the Honorable Members of the Senate, Ninety-Seventh General Assembly:

I, Pat Quinn, Governor, am nominating and, by and with the advice and consent of the Senate, appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

To be a Member of the Illinois State Police Merit Board:

John Rednour

Annual Compensation: \$23,700

Appointment Message 93

To the Honorable Members of the Senate, Ninety-Seventh General Assembly:

I, Pat Quinn, Governor, am nominating and, by and with the advice and consent of the Senate, appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

To be a Member of the Illinois State Police Merit Board:

Arthur J. Smith, Sr.

Annual Compensation: \$23,700

Appointment Message 94

To the Honorable Members of the Senate, Ninety-Seventh General Assembly:

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I, Pat Quinn, Governor, am nominating and, by and with the advice and consent of the Senate, appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

To be Assistant Director of the Illinois Department of Corrections:

Gladyse C. Taylor

Annual Compensation: \$127,739

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, we're going to go to the Order of Senate Bills 3rd Reading. I'm going to make this announcement one more time. It is the intention of the Chair to only go through this Order one time. So if you have a Senate bill, please be present on the Floor to call your bill, as we will not go back today if you are not here. Ladies and Gentlemen, if you will turn to page 3 in the printed Calendar, in the middle of the page is where we will be starting on Senate Bills 3rd Reading. Senate Bill No. 8. President Cullerton. Out of the record. Senate Bill 18. President Cullerton. Out of the record. Senate Bill 21. Senator Cullerton. Out of the record. Senate Bill 22. Senator Cullerton. Out of the record. Senate Bill 23. Senator Cullerton. Out of the record. Senate Bill 24. Senator Steans. Out of the record. Turning to the top of page 4 is Senate Bill 31. Senator Althoff. Senator Pam Althoff. Out of the record. Senate Bill 53. Senator Silverstein. Senate Bill 53. Senator Silverstein. Out of the record. Senate Bill 59. Senator Silverstein. Out of the record. Senate Bill 71. Senator Silverstein. Out of the record. Senate Bill 102. Senator Link. Senator Terry Link.

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Senate Bill 102. Out of the record. Senate Bill 103. Senator Lightford. Senator Lightford, on Senate Bill 103. Out of the record. Senate Bill 112. Senator Crotty. Out of the record. Senate Bill 131. Senator Sandoval. Senator Sandoval, on Senate Bill 131. Out of the record. Senate Bill 155. Senator Forby. Senator Gary Forby. Senate Bill 155. Out of the record. Senate Bill 171. Senator Cullerton. Out of the record. Senate Bill 172. Senator Link. Senator Link seeks leave of the Body to return Senate Bill 172 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is Senate Bill 172. Madam Secretary, are there any committee -- Floor amendments for consideration?

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Link.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Link, on your amendment.

SENATOR LINK:

Thank you, Mr. President. This is basically a technical. I'll explain it on 3rd Reading.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 172. Indicates he'd like to proceed. Madam Secretary,

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please read the bill.

SECRETARY ROCK:

Senate Bill 172.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. This would allow the Lake County and McHenry County Soil and Water Conservation Districts to consolidate their two districts. I know of no opposition to the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall Senate Bill 172 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? Madam Secretary, take the record. On that question, there are 42 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 172, having received the required constitutional majority, is declared passed. Continuing on the Calendar, the bottom -- we're on the bottom of page 4, is Senate Bill 173. Senator Link. Senator Link seeks leave of the Body to return Senate Bill 173 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is Senate Bill 173. Madam Secretary, are -- are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Link.

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Link, to present your amendment.

SENATOR LINK:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 173. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 173.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Link, on Senate Bill 173.

SENATOR LINK:

Thank you, Mr. President. This is bill -- this is a bill that's probably been discussed in this Chamber for multiple years - longer than I've been here and probably longer than any Member, even longer than probably President Cullerton's been in this building. This is consolidation of units of local government. And we have devised a way of seeing that this

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possibly can be done. It would consist of -- similar to what we did in the federal government in the base closure, which was formally known as the BRAC Commission. And I know there's a lot of controversy on this bill, but this time has come. A lot of people -- there's -- as I look and I stand here before you, with stacks of editorials throughout the State of Illinois that have been written, calling for its time is now to do something about this. And I think that we -- we -- we stand here and we talk about lesser government, we talk about State government downsizing, we talk about every other unit of government downsizing, well here's our opportunity to do something about it. And I'll be more than happy to take any questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR ALTHOFF:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield. Senator Althoff.

SENATOR ALTHOFF:

Thank you. Senator Link, I -- I would concur with you. And I think we actually had the privilege of working on a prior task force on consolidating local governments, which made some recommendations at that time, and I would agree in concept that we need to look at trying to downsize our units of local government. I have some concerns with this legislation. Number one, do I understand it correctly, there are absolutely no members representing either township governments or local government in general?

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Link.

SENATOR LINK:

The members will be appointed by the Legislative Leaders, but there is no -- no exclusion from who those members can be appointed by -- from the general -- the Leaders. So, when you say there's no members appointed, we don't know who the Leaders are going to appoint. So, when you ask me that question, I don't know who they're going to appoint, but I would -- I would hope that they would not appoint those types of people on that board.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Althoff.

SENATOR ALTHOFF:

Actually, Senator Link, in Section 10 of your legislation, line 15, it actually requires that no member may be a local government official.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Link.

SENATOR LINK:

I apologize to you. That -- that is in the bill and it -- it was a recommendation of the task force, and what we talked about is because it would be a conflict of telling it -- you know, when they're trying to eliminate -- the reason we're taking -- taking this out of our hands is because it would be political for us to try to design of how to do this. There will be a multiple set of hearings on this. When these -- it was like the BRAC Commission when they did the base closure and we went around and people were listening to how they would close

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these bases. And I -- and that's why I'm alluding to this and it would be the same concept. Is -- you were not told who was going to be closed. It was saying what possibly will be closed. And then they would all say why they should be the ones to stay open. It would be the same thing with these local governments. They would say -- they would be selling their cases. So that's why you would have independent board members sitting there.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Althoff.

SENATOR ALTHOFF:

Again, Senator Link, I do understand the concept that you're attempting to address; however, I really think it's limited in not providing, and absolutely prohibiting, a member of local government to be able to speak to what they know best, particularly in light - and, again, this is in the form of a question - that, the General Assembly, we must take action on every recommendation made by this task force. In other words, we are turning over our responsibility, what we were elected to do, to an advisory group that's going to come back and say, "You must initiate, you must vote and do these initiatives and these recommendations." Do I understand that correctly?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Link.

SENATOR LINK:

Yes, and -- and like I say, we designed this basically over what the BRAC Commission was. The federal government, Congress, did the same exact thing. They turned it over to the BRAC Commission to do the same thing. The BRAC Commission came back and gave Congress their recommendation, and the Congress had an

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up or down vote. Period. They could not cherry-pick. They could not say, "We want to change this part of it or that part." They had an up or down vote, and that was what they had to do.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Althoff.

SENATOR ALTHOFF:

To -- to the bill: Ladies and Gentlemen of this Chamber, this is an extraordinarily unusual action to be taken by State government, is to abdicate your responsibility and your authority to take action on what this State is going to do to an advisory board that absolutely prohibits a member of local government to weigh in. It's inappropriate. And, as I stand here, I would urge you to vote No. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR MURPHY:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield. Senator Murphy.

SENATOR MURPHY:

Senator, the -- yeah, I echo Senator Althoff's remarks and commend you for taking on this task. I'm not sure this is the best vehicle for doing it. One of the concerns I have revolves around the constitutionality of this. It -- it indicates that in 2013, all, you know, theoretically, districts could be removed and eliminated. There will be people who are in office in 20 of -- 2013. It may not necessarily be township officials, but there will be local government officials in office when

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their unit of government could be closed. And I think that raises constitutional concerns. Can you address that issue for me, please?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Link.

SENATOR LINK:

Senator Murphy, it's my understanding - and if -- if -- if I'm wrong, we will correct it in the House - but my understanding is, is that they will be able to fulfill their term. If I am wrong, we will correct it in the House.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy.

SENATOR MURPHY:

Well, I -- I think the date does include, at a -- again, I don't think it would address any people on a township board, but there are longer than four-year-term local unit of government offices. Park district -- park district board, I believe is six years. So, that's an issue I think that's going to need to be addressed in the House. The other -- is there a different way to eliminate local units of government, by local referendum? Is that an option that's available?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Link.

SENATOR LINK:

Not in this bill. I -- I presume that you could do it in a local referendum. You could eliminate 'em. But, you know, we -- we could -- we could figure out a lot of ways to do it, but, you know, we've been talking about this for a lot of years and I haven't seen any action on this. And I've got the courage to

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stand up here and take the heat and do this and I think we need action, and action is now.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy.

SENATOR MURPHY:

Well, one thing I've learned by now, Senator, is to never question your courage. But is there a constitutional issue with superseding the local referendum authority to eliminate local units of government through this unelected board? Is that an issue that you have vetted?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Link.

SENATOR LINK:

We have checked with legal experts and we have found out that we are within the constitutionality of what we are doing.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy.

SENATOR MURPHY:

Again, I -- I -- I'm not quite as sure. One last -- one last point, I think that -- and I'll go to the bill with this. In my area, in suburban Cook County, you know, I have tried, ever since I got here, to break Cook County up into smaller, more manageable pieces that I think would lead to better government and -- and more responsive government, and we've been unsuccessful thus far in doing that. One of the concerns we have in northwest suburban Cook County - although we've got a wonderful relationship with the current county board president, that was less the case with the previous board president - and the concern is, is let's say you eliminated the townships in

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northwest Cook County; a lot of the responsibilities that they currently undertake would need to go to another unit of government. And perhaps the most logical would be a county government that's already too unwieldy and too large to handle what it does now with -- without taking on any more burden. That may be not an issue in Lake County, where they've had outstanding leadership at the head of their board for the last couple decades and continue today. But in my area, in suburban Cook, it is a concern. I want to reiterate my appreciation for your goal. And I do think it took courage to do this. I do think you're on the right track. I don't think this is the means to do it, however, and thus I urge a No vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR NOLAND:

Thank you, Mr. President. Couple of questions, and...

PRESIDING OFFICER: (SENATOR SULLIVAN)

Sponsor indicates he will yield. Senator Noland.

SENATOR NOLAND:

Thank you. Senator Link, just for the sake of...

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator -- Senator Noland, excuse me, just one second. Ladies and Gentlemen, please, the sponsor's having a hard time hearing Senator Noland. Please hold the visiting down. Senator Noland, continue, please.

SENATOR NOLAND:

Thank you, Mr. President. Senator, when Senator Althoff had mentioned that this -- there would not be an opportunity for

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townships or for other levels of government to quote, unquote, "weigh in", all right, there's nothing in this bill that prohibits them from coming to testify at hearings that will be held and, thereby, weighing in on -- on this process. Is that correct?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Link.

SENATOR LINK:

That is absolutely correct.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Noland.

SENATOR NOLAND:

Those members of the board - is it my correct understanding here that you're trying to achieve a -- a level of disinterest; that is, that you are bringing into -- you're allowing the people who are going to be hearing this testimony to be disinterested third parties?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Link.

SENATOR LINK:

That is correct. I'm trying to take all the politics out of this as much as we can.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Noland.

SENATOR NOLAND:

Very good. To the bill, Mr. President. Though this may be an extraordinary measure, these are extraordinary times. I doubt seriously that any of us have not heard the mantra that we need to rethink government. So if we are to rethink government

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-- and it's important for us to understand that here in the State of Illinois, we are one of the lowest-taxed states at the state level, but one of the highest-taxed states at all other levels of government. And when you have, for example, a road district that is charging the taxpayers in some of these districts, where there is only about five or six miles of road to be attended to on an annual basis, that they're charging upwards of two hundred and fifty-six thousand dollars per road mile, and you have other road districts downstate that charge much less, approximately eighty thousand or so -- dollars per road mile - and, of course, these figures fluctuate - that there are great disparities, and so, therefore, we can identify great inefficiencies. So I would urge the Members to take a very positive view of this opportunity for us to address the need for reducing the cost of doing government for the taxpayer. This is an opportunity - aside from these technical considerations that are presented as constitutional infirmities - it's an opportunity for those of us who truly believe that there needs to be a limited end to government to finally walk the walk, instead of talking the talk. We all talk a good game during campaigns. We all talk a good game to the press, but this is a real opportunity for we, as a collective Body, to send a message to the taxpayers that we really do mean business when it comes to reducing the cost of government. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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To the bill.

SENATOR JACOBS:

The only thing I would wonder is that, you know, we're throwing all these local issues and saying the State wants to look at them to -- for elimination, I wonder if the locals want to look at us for elimination. And as long as we're at it, I think we could get rid of the whole entire House of Representatives and go to a unicameral legislature. In fact, maybe I could make all the decisions in the State of Illinois. I think that the -- that the -- that the sponsor has his heart in the right place. I think he wants to do the right thing, but I think where the trouble incurs {sic} is when you try to take a State view of local issues. Local people are much better at deciding what they should keep and what they should consolidate. I'm not necessarily opposed. I don't know how I'm going to even vote, but I -- but I do think that we ought to include ourselves in the -- the list of those who could be consolidated.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR LUECHTEFELD:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill. Senator Luechtefeld.

SENATOR LUECHTEFELD:

Senator Link, I -- I know that you're -- are -- are trying to do something that many of us -- many of us think maybe should be done, but I'm -- I'm really uncomfortable with -- with how you're going about it. For -- for instance, you're using an

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example of the BRAC Commission. You know, bases were started by the federal government. Those bases were not started by the State. They were started by the federal government and the federal government has the right, I think, to go into those bases and close some of 'em. Local government was not -- it was -- it was not started by us. Local government, basically, was started by the locals. I think they are very uncomfortable with us telling them what is good for them and what's not. I'll give you an example. I have a -- a county in my district that they went -- they did away with the road districts in their district, and -- and -- thinking they would save money, it would be done better, and -- and everyone would be happy with it. They had another election and they put it on the ballot. It -- it -- it -- keeping the -- keeping the way they were doing it, with -- with the county then doing it and doing away with the road districts, it got beat seventy -- by -- seventy percent of the people did not like what had -- what had happened by consolidation. They weren't saving any money. The roads weren't being done any better. And they would like to go back to where they were before. I'm not real sure we should tell them from a State level, we are going to tell you how to run your local government and we know best. So I'm very uncomfortable with it. I think you're trying to maybe save money. You're trying -- I'm not sure this saves money and I'm not sure it makes it that much better. So, you know, I -- I -- I am very much opposed to it and hopefully there will be enough votes in this Chamber to -- to -- to stop this bill. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Further discussion? Senator Schmidt, for what purpose do

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you rise?

SENATOR SCHMIDT:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill. Senator Schmidt.

SENATOR SCHMIDT:

And I, too, understand the premise of this bill, but it seems to me, there is too many loose ends. When Senator Noland brought up that, you know, the highway and the township roads, my concern is, and it is -- does not get addressed in this bill, who then takes care of those roads? And trust me, you can't just dump those on the county. So I think there's too many loose ends in this bill. I understand this bill. But I think that it -- it does not address the issues that need to be -- addressed when you're working on consolidation. So I also urge a No vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Further discussion? Our last speaker, Senator Cultra, for what purpose do you rise?

SENATOR CULTRA:

To the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Cultra.

SENATOR CULTRA:

You know, I represent nine counties, and the county that I live in, Iroquois, is the third-largest, geographically, county in the State. And our county government actually contracts with the township governments to do a lot of the roads because the county is not equipped to handle them. As far as eliminating

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township governments, that can be done now by local referendum. I don't really think that a government, such as the State, which is run so efficiently {sic} and so poorly, should put a bill forward to eliminate local government run by local people, elected by local people, that runs efficiently. It just seems like, to me, we -- we're going about this in the wrong way. I would -- I would urge a No vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Link, to close.

SENATOR LINK:

Thank you, Mr. President, and thank you for this discussion. Let me -- let me just -- out of all these op-ed pieces, reports, editorials, I just want to read a couple lines. One piece, it was said: Matter of fact, a Plainfield Township Cemetery -- Plainfield Township Cemetery on the property tax bill when we first moved here, I questioned that, so I called the commission listed on the tax bill for an explanation. Now that was back in 204 {sic}. Although I never still received a call back from the "ghost board", I am happy to report the tax disappeared from by bill within explanation -- without explanation in -- a year or two later without any message left from someone's answering machine. {sic} An op-ed piece that I sent out about - let's see where we got that at - about a tuberculosis center that we -- at the dawn of the 20th century, tuberculosis claimed -- claimed thousands of lives in Illinois every year. Lawmakers responded aggressively attack -- preventable and disease by including and giving local government - which we do give local government - committees {sic} the power to create "Tuberculosis Sanitarium Boards" to house and create

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{sic} TB victims. Thanks to those early efforts and modern public health system, Illinois averages only thirty rare tuberculosis deaths per year. {sic} But with science and so forth -- but we still have those boards in parts of Illinois. We still get taxed by 'em. Editorial boards throughout the State of Illinois are saying we are on track of doing the right thing. And I want to make one thing very clear - nowhere, but nowhere in this bill does it say we are aiming after township government. So I don't know where anybody in here is saying that we're aiming after township government. We're not. This says local government. I just mentioned "ghost" tax -- a cemetery district, tuberculosis center, mosquito abatement districts. On and on, we can talk about -- look at tax bills. Go home tonight or whenever you go home and look at a property tax bill and see how many units of local government you pay on your property tax. We keep going to editorial boards in election time and we tell 'em we need lesser government. And also we keep telling 'em that great catchphrase, "We should run government like business." Well, guess what, business is downsizing and consolidating. You're telling us we should do it in State government. Well, I'm telling you, we should do it here. We did a twenty-month independent -- trust me, there was only a couple of us lawmakers, including Leader Radogno before she came into leadership, and then Senator Althoff and myself. I chaired the commission, but otherwise it was outside people that served on a commission that came up with property tax reform. And the number one issue to lower property tax was to consolidate units of local government. Guess what? I'm following through on what they said to do and I'm doing

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something about it. And all the courageous people that we represent -- you can keep saying we're hearing from all these other elected people, "Don't do something about me. Don't do something about me." But throw us legislators out of office; we're no good. They'll tell you that, but don't do something about us. But guess what the voters want us to do, the people we represent, the voters, because I haven't forgot about them, is they want us to lower units of local government. And if you got the courage to stand up for your convictions and what you've been telling those editorial boards every time you come up for reelection, you'll vote Aye today. And guess what? If you plan on running for reelection next year, you got to come up to those editorial boards. And guess what? You'll be knocking on doors, and when you knock on those doors, those people are going to ask you a question. When they said, you had a chance to lower units of local government, why didn't you do it? Or would you rather have 'em say, thank you for taking the courage to vote to lower our taxes and to lower the units of local government. This is your chance. I would ask for fifty-nine green lights. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you, Senator Link. The question is, shall Senate Bill 173 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? Madam Secretary, take the record. On that question, there are 14 voting Aye, 30 voting Nay, 2 voting Present. Senate Bill 173, having not received the required constitutional majority, is declared failed. Ladies and Gentlemen, the next several pages are vehicle bills. We

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will -- with leave of the Body, we will turn to page 11 on the Calendar. Page 11, the middle of the page, is Senate Bill 263. The sponsorship has been changed to... Sponsorship on Senate Bill 263 has been changed to President Cullerton. Out of the record. Senate Bill 264. President Cullerton. Out of the record. Senate Bill 267. Senator Koehler. Out of the record. Senate Bill 268. Senator Sandoval. Out of the record. Turning to the top of page 12 on the Calendar... Ladies and Gentlemen, the next several pages are vehicle bills. With leave of the Body, we will turn to the bottom of page -- we'll turn to page 21. In the middle of the page is Senate Bill 396. Senator Delgado. Senator Delgado, on Senate Bill 396. Out of the record. Senate Bill 399. President Cullerton. Out of the record. Senate Bill 400. Senator Clayborne. Senator Jim Clayborne. Out of the record. Senate Bill 402. Senator Harmon. Out of the record. Senate Bill 403. Senator Hutchinson. Senator Hutchinson. Out of the record. Turning to the top of page -- with leave of the Body -- the next several pages are vehicle bills. With leave of the Body, we will turn to page 32 of the printed Calendar and Senate Bill 542. Senator Link. Senator Terry Link, on 542. Out of the record. Senate Bill 543. Senator Link. Senate Bill 543. Out of the record. Senate Bill 544. Senator Wilhelmi. Senator A. J. Wilhelmi. Out of the record. With leave of the Body, we will turn to page 38 in the printed Calendar and Senate Bill 619. Senate Bill 619. Senator Martinez. 619. Out of the record. Senate Bill 623. President Cullerton. Out of the record. Senate Bill 624. Senator Raoul. Out of the record. Out of the record. Senate Bill 625. President Cullerton. Out of the record. Senate Bill 626. Senator Lauzen. Senator

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Lauzen, on Senate Bill 626. Out of the record. Senate Bill 627. President Cullerton. Out of the record. Senate Bill 628. Senator Collins, on Senate Bill 628. Senator Annazette Collins. Excuse me. Senator Annazette Collins. Out of the record. Thank you. With leave of the Body, we will turn to page 41 of the printed Calendar, and it's Senate Bill 665. Senator Steans. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 665.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Thank you very much, Mr. President, Members of the Senate. This bill simply changes the amount a craft distillery is able to produce from five thousand gallons to fifteen thousand gallons per year.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall Senate Bill 665 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? Madam Secretary, take the record. On that question, there are 48 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 665, having received the required constitutional majority, is declared passed. Continuing on the Calendar is Senate Bill 666. President Cullerton. Out of the record. Senate Bill 667. President Cullerton. Out of the record. Senate Bill 668.

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Senator Muñoz. 668. Senator Muñoz. Out of the record. Senate Bill 669. Senator Crotty. Out of the record. Senate Bill 670. Senator Kotowski. Senator Dan Kotowski. Out of the record. Senate Bill 671. Senator Martinez. Senator Iris Martinez, on Senate Bill 671. Out of the record. Senate Bill 672. Senator Link. Out of the record. Senate Bill 673. Senator Steans. Senator Steans seeks leave of the Body to return Senate Bill 673 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is Senate Bill 673. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Steans.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans, to present your amendment.

SENATOR STEANS:

Thank you, Mr. President, Members of the Senate. As amended -- well, it becomes the bill. I'll explain it on 3rd.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 673. Madam Secretary, please read the bill.

SECRETARY ROCK:

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Senate Bill 673.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Thank you very much. This bill now requires that insurance companies, when they're offering insurance options, provide, as an optional coverage, reimbursement for smoking cessation programs of up to five hundred dollars for folks who are enrolled in their plans age eighteen years or older. Very appreciative of Senator Haine and the insurance companies working with us on this bill. And I don't know of any opponents at this time.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any questions? Any discussion? Any discussion? Seeing none, the question is -- excuse me. Senator Righter, for what purpose do you rise?

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates she will yield. Senator Righter.

SENATOR RIGHTER:

Senator Steans, is the -- is the mandate in this bill tied to an optional coverage? And I apologize, I thought I heard you say that. In other words, does the mandate only apply if an insurance company is offering some other coverage or is it mandated across the board, regardless of what else they might offer?

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Just to be clear, this is not a mandate; it's a mandatory offer. So you're just -- the only mandate is that they have to make this offer available when they're providing insurance options. So it's not a mandate to provide the coverage, just a mandate to provide the offer of coverage - and at a cost. They can provide a premium for it as well.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

Well, I guess -- and I apologize, Senator, I guess I'm using mandate in the term of Springfield mandating to an insurance company what they have to offer. That -- that would fit this bill - Springfield telling the insurance company, you have to offer this.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Well, the insurance companies would have to make an offer for this, but they can charge premiums for it. But that is correct. We have worked with the insurance companies on this, though, and they're not against the bill. They're -- they're fine with this bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

And, okay, I -- I apologize, Senator. Okay, go back to my

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original question, which was, is the -- is the mandated offer, is it tied to some other coverage that the insurance company is offering? And sometimes you see that, where we say, if you're offering this, then you have to offer that.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

No, I -- I believe, and what I'm being informed as well, is that it's not tied to any specific insurance you're providing, just when you're offering your health insurance options, that this is part of -- you -- you offer this as one of the options.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Further discussion? Seeing none, the question is, shall Senate Bill 673 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? Madam Secretary, take the record. On that question, there are 52 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 673, having received the required constitutional majority, is declared passed. Turning to the top of page 41 of the Calendar is Senate Bill 674. Did I say 41 or 42? Top of page 42, rather, is Senate Bill 674. Senator Lightford. Senator Lightford. Out of the record. Senate Bill 675. Senator Haine. Senator Bill Haine. Out of the record. With leave of the Body, we will turn to page 47. In the middle of page 47 is Senate Bill 745. Senator Forby. Senator Forby seeks leave of the Body to return Senate Bill 745 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is Senate Bill 745. Madam Secretary, are there any Floor amendments approved for

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consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Forby.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Forby, to present your amendment.

SENATOR FORBY:

I would like to explain this on the 3rd Reading.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 745. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 745.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Forby.

SENATOR FORBY:

Thank you. This is a -- a county that Senator Jones and I have together, they got a VFW in this county and they don't have a -- it's a dry county. And all these veterans want to do is be treated like everybody else in other counties. So this is a veterans' bill. They want someplace to go so they don't have to

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go out of their county someplace else, can do it here. So what this does is that -- lets this VFW - if the gambling bill works, it goes ahead the way it's supposed to - they can have the gambling in their county same as everybody else. And it's a county between eighty-five hundred and nine thousand, Census 2000. I'd like for an Aye vote to take care of our veterans.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall Senate Bill 745 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? Madam Secretary, take the record. On that question, there are 38 voting Aye, 14 voting Nay, 0 voting Present. Senate Bill 745, having received the required constitutional majority, is declared passed. Continuing on the Calendar is -- on the middle of page 47 is Senate Bill 746. Senator Lauzen. Senate Bill 746. Out of the record. Senator Althoff, for what purpose do you rise?

SENATOR ALTHOFF:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your point.

SENATOR ALTHOFF:

Thank you very much, Mr. President. I believe Members of this Chamber have already received an invitation here in Springfield, as well as your district office. I'm going to remind you. You will have the wonderful opportunity tomorrow to drive an electric car. The Volt, which is a product of -- I believe it's Ford {sic}, will be out in front from 9 till 2 on

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Monroe Street. They're going to do a demonstration and then you, as a legislator, will have the opportunity to get behind the wheel and actually experience the pleasure of driving an alternative fuel device. Again, it's from 9 to 2 out on Monroe Street tomorrow morning. There will be a demonstration. And I am told that they actually will go over ninety miles an hour, although I'm not encouraging people to do that on Monroe Street. But it's supposed to behave and act like a regular gas-driven car. And if anybody is interested, this car just received the top award for being the safest vehicle on the road as well. So I encourage everyone to come and try and drive the car. Thank you. Sorry.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you, Senator Althoff. Senator Murphy, for what purpose do you rise?

SENATOR MURPHY:

Purpose of an announcement, Mr. President. Just ask...

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your announcement.

SENATOR MURPHY:

Just ask that the record reflect that Senator Millner is absent today due to a illness in the family, and he is back home in the district for that reason. And so, if we could make that for the record, and deem his absence today excused.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you, Senator -- Murphy. With leave of the Body, Ladies and Gentlemen, we will turn to page 48 of the Calendar. The top of page 48 is Senate Bill 754. Senator Trotter. Senator Trotter seeks leave of the Body to return Senate Bill

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754 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is Senate Bill 754. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Trotter.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Trotter, to present your amendment.

SENATOR TROTTER:

Mr. President, if I could, I'd like to accept the amendment and I'll explain it when it goes back on 3rd.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 754. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 754.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate.

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The bill, as amended, allows smaller in-state and out-of-state brewers manufacturing less than forty -- four hundred and sixty-five thousand gallons of beer to self-distribute their product up to two hundred and thirty-two and five hundred thousand {sic} gallons of beer per year. This legislation is in direct response to the U.S. District Court's ruling in the Anheuser-Busch versus Schnorf, where the court found that Illinois' current self-distribution law violated the federal Commerce Clause. This makes the two smaller breweries whole again, because they -- under the law being proposed, they would not be able to operate here in this State. We've asked -- we're asking the Legislature to allow them to do so and also to expand the rights for the microbrewers as well. And, again, I'm open for questions if there are any.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion? Is there any discussion? Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill. Senator Luechtefeld.

SENATOR LUECHTEFELD:

You know, we did this for the wine industry when it was in -- in its infancy a few years ago and I think we've seen excellent results. We'd like to do this for the craft brewers. And as -- as Senator Trotter said, we were sort of forced to do something by the -- by the court. I think this is their suggestion. Senate Bill -- 754 addresses the suggestion for legislative clarification raised by the federal court in the

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case entitled Anheuser-Busch versus Steve Schnorf. The Court referenced the Illinois small winery self-distribution exception as a suggested clarification to the brewery provisions in the Illinois Liquor Control Act. Senate Bill 754 creates an exception to the 3-tier structure for Illinois and out-of-state craft brewers by allowing self-distribution pursuant to a permit, similar to that established for the small wineries. Hopefully, we can -- we can get enough support in here to pass this bill. I think most people are on board with it, except -- possibility Anheuser-Busch. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you, Senator. Is there any further discussion? Any further discussion? Senator Trotter. Whoops! Senator Martinez, for what purpose do you rise?

SENATOR MARTINEZ:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield. Senator Martinez.

SENATOR MARTINEZ:

Senator Trotter, I know you and I had several conversations, because I've -- I've received -- I have received numerous calls from some of the smaller, little breweries in my district, and they -- and they're -- they're telling me that this will hurt them to be able to expand. So can you please give me an explanation, because I -- I don't -- really don't understand? You know, if they're telling me it's going to hurt their businesses -- their small businesses, I don't think I can vote for this bill. But, please.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President. Senator, actually, that's totally incorrect. This is part of -- the legislation itself, when -- when you say it's negotiated, it's -- it was. We had over ten meetings and had numerous phone calls with all the principals involved in the -- the present tiered system. And that is -- the tiered system is the manufacturers, the -- the distributors, as well as the retailers. The small brew pubs, which you're referencing, their issue is that current -- in current law, they're only allowed to make beer and sell it in their establishments. They want to expand so they can look or, more or less, act like the craft brewer, which basically can -- can sell and distribute to outside sources. So what I did in this legislation is I included them, that they, too, can expand outside of their own businesses, but they had to build a freestanding site. My whole -- the whole impetus behind that is, if they want to act like a craft brewer, then they have to look like it as well. But the same threshold, that they can get fifteen thousand barrels -- they can make up to fifteen thousand barrels and sell seventy-five hundred -- seven thousand, five hundred barrels, that they, in fact -- this expands their business. Certainly, it does not damper or -- or put a cap on what they're doing now.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Martinez.

SENATOR MARTINEZ:

So, Senator, you're saying to me that if, for instance, one of my breweries decides it's making its own beer and then they

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want to expand and open up some other businesses in other parts of the City or the State, there's only a certain limit that they're able to do. They cannot go beyond anything bigger than -- than the amount. They're not -- you're not -- you're not -- prohibiting them from not expanding, but there's also -- there's a limit to what they'd -- they can expand to.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Trotter.

SENATOR TROTTER:

That -- that's correct. What -- what it is, is the legislation that you're referencing, once -- they wanted to open up six -- or be able to make sixty thousand barrels, which we feel - and many of us that were in those discussions felt - was -- was too large, so we brought it back down to fifteen thousand barrels. And what that really sounds like -- fifteen thousand in itself is a big number, but that's four hundred and sixty-five thousand gallons that they can make. Presently, the two existing breweries, small craft brewers, in the State of Illinois don't even make over seven thousand barrels. And there's no projection that they can even expand or -- or get up to fifteen thousand in upcoming years. So we thought -- those of us in the discussions thought that the fifteen thousand barrel threshold was enough and not sixty thousand.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Martinez.

SENATOR MARTINEZ:

One -- one final question, then to the bill. Let me ask you a question, Senator. Will -- will -- were they -- were they -- did they come to the table? Did some of the small brewers

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come to the table to talk about this?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Trotter.

SENATOR TROTTER:

Yes. As a matter of fact, the -- the lobbyist for the craft brewers is the same lobbyist for the microbrewers. So, yes, they were at the table from day one. As a matter of fact, it's the -- the lobbyist for the craft brewers who gave me the legislation. I'm carrying the legislation because, something I didn't know, that of the two craft brewers in the State of Illinois, one's right around the corner, down the street from my house. I didn't even know it was there. So -- so they brought me the legislation. So, yes, they were there, along with the other principals as well.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Martinez.

SENATOR MARTINEZ:

To the bill: Obviously, there is some confusion somewhere, you know, and I had numerous calls from the different little, small breweries down the street from my office. So I'm going to vote Present, because I think I need some clarification. They're saying one thing. Maybe the -- the -- the lobbyist did not explain to them that this does not hurt them. But in the meantime, I will vote Present because I just -- I want more clarification on this, Senator. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR JACOBS:

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Question to the sponsor.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield. Senator Jacobs.

SENATOR JACOBS:

I'm looking here at the opponents and the proponents of the bill, and I did notice that the Wirtz Corporation was on here. Isn't that the gentleman that's suing the State of Illinois to stop us from moving forward on our -- on our construction projects in Illinois and building Illinois up? Is that the same gentleman?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Trotter.

SENATOR TROTTER:

I -- I believe it is the same family, yes.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Jacobs.

SENATOR JACOBS:

I just have a small problem with helping this gentleman today. If he wants to come back next week, after he withdraws his lawsuit, I'd be much more likely to -- to support him.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR CROTTY:

Thank you. I'm listening to the discussion and I know that Senator Trotter and I have discussed especially some of the -- the distributors that are in my districts and some of their concerns, but I see that they are proponents of this legislation. Is that due to the meetings that you continued to

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have with them?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Trotter.

SENATOR TROTTER:

That's absolutely correct, Senator. I believe, like most of our legislation down here, you're not going to make everyone happy. This is one of those bills that all of the principals are unhappy, but the deal is, is they realize that we should do something, and so they've agreed on this avenue that we're taking today.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Crotty.

SENATOR CROTTY:

I'd like to thank and commend the sponsor, because he's certainly has heard from a lot of us on this issue. And I thank him for taking the time to be able to work this out. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Further discussion? Seeing none, Senator Trotter, to close.

SENATOR TROTTER:

Thank you very much, Mr. President. And we've heard the arguments. Again, no one is totally happy with what's happening in this legislation, but a concerted effort was -- was actually made to ensure that at least those individuals that were struck down because of the current law are able to remain whole. And that is the primary goal of this legislation, to ensure that those two craft brewers here in the State of Illinois, growing craft brewers, are able to continue their family businesses. And I ask for a Aye vote.

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PRESIDING OFFICER: (SENATOR SULLIVAN)

The question is, shall Senate Bill 754 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? Madam Secretary, take the record. On that question, there are 48 voting Aye, 1 voting Nay, 3 voting Present. Senate Bill 754, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, with leave of the Body, we will turn to page 51 of the printed Calendar. Senate Bill 805. Senator Collins. Out of the record. Now with leave of the Body, we will be skipping over these vehicle bills. We will go to page 54 of the printed Calendar, to the top of page 54, is Senator Koehler, on Senate Bill 840. Senator Koehler seeks leave of the Body to return Senate Bill 840 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is Senate Bill 840. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Koehler.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Koehler, to present your amendment.

SENATOR KOEHLER:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

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approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 840. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 840.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Koehler.

SENATOR KOEHLER:

Thank you, Mr. President, Members of the Senate. This is known as the Cottage Food Bill. And what Senate Bill 840 does is amends the Food Handling Regulation Enforcement Act and Sanitary Food Preparation Act by including definitions of "cottage food operations" and "potentially hazardous food". This bill also provides cottage food operations with an exemption from State and local regulation, providing that certain conditions are met. What this bill basically does is it eases the regulation for those that are involved in farmers' markets. And it allows categories of nonhazardous foods to be brought to market under certain conditions. And part of those conditions are that the -- the owners have a food sanitary license; that they label the -- the -- the -- whatever they're making - the jelly or the -- the pie or the bread - correctly; and that they also put on it that this is a homemade product, it's not subject to local or State inspection. We've had a lot

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of good input from local health department directors. I want to mention -- Greg Chance, in particular, from Peoria County, who has really helped make this a better bill. I will say this, we've got an ongoing amendment discussion that we're going to have in the House from Cook County health department. They've got some concerns that we're very willing to address. But I think this is a good bill that helps an emerging industry within this State, and that is folks that are involved in farmers' markets. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield. Senator Righter.

SENATOR RIGHTER:

Senator Koehler, I notice in the language of the bill you refer to potentially hazardous foods or not potentially hazardous foods. Now someone like me - and I suspect a number of other Members in this Chamber, who are not experts in this area, like you - would read that and say, okay, so there are potentially hazardous foods out there, things that we would consume that are potentially hazardous. Can you kind of give us an idea of what belongs in the potentially hazardous category and those that aren't so?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Koehler.

SENATOR KOEHLER:

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Yes, thank you for your question. That's a good question. The potentially hazardous foods are things that might be, because of -- of temperature conditions and all that, you know, be more subject to -- to rotting or to having some -- some, you know, problems healthwise with those foods. So, as an example, a -- a nonhazardous food might be an apple pie that you've baked. A hazardous food might be a banana cream pie that has milk or eggs or cream in it. And that would, you know, be a -- a different kind of a category there. It also has to do with the -- the pH balance in -- in terms of the food, so that certain foods are -- are fine with -- with -- within that category of nonhazardous; certain foods might be considered potentially hazardous.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

Thank you, Senator Koehler, and that was a great answer. I just feel like, though, that I was having trouble swimming in a ten-foot pool and now I'm in a twenty-foot pool. What -- you've talked about the discussions -- ongoing discussions about another amendment. Can you -- can you give me a better idea of what that might look like? I mean the framework of what you're still trying to get done with regards to this bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Koehler.

SENATOR KOEHLER:

There are certain counties, and it's particularly Cook County and some of the collar counties, where they have, you know, more farmers' markets, and -- and they -- they feel that

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there would be some -- that this, in a sense, would be a -- a unfunded mandate, because of the requirement to register. So we're trying to work that out, that they might be able to have certain fees. Again, I've agreed to nothing. I said that we would continue the discussions on this. But they're concerned, obviously, from a -- a public health point of view is -- is food safety. And this is why we have taken and -- and the question you asked about the hazardous foods and the potentially hazardous foods or the nonhazardous foods, this language came specifically from health department directors that said they wanted a definitive list provided so that the public was clear, so that they were very clear, on which foods were allowed and which foods were not allowed. There might be some addition -- additions to that list as well. But I only saw the amendment this morning. I can't give you anything more than that. But it's a discussion that I'm willing to continue.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR LUECHTEFELD:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Luechtefeld.

SENATOR LUECHTEFELD:

This particular bill, I think, goes hand in hand with the bill that I carried earlier for the farmers' market. And -- and to maybe address Senator Righter's problems, what I -- what I'll try to do is I will make out a list of things that he should not eat when he goes there. He can carry it with him and I think it

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-- with that in mind, he'll vote for this bill. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you, Senator Luechtefeld. Is there any further discussion? Senator Koehler, do you wish to close? Senator -- Senator Koehler.

SENATOR KOEHLER:

Yes, I -- I appreciate Senator Luechtefeld's comments. But I think this is a good bill and it's one that folks involved in farmers' markets are waiting for. And I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

The question is, shall Senate Bill 840 pass. All those in favor will vote Aye. Those opposed, 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 42 voting Aye, 6 voting Nay, 5 voting Present. Senate Bill 840, having received the required constitutional majority, is declared passed. Senator Sandack, for what purpose do you rise?

SENATOR SANDACK:

For clarification, Mr. President. Would you please show in the record that I was an affirmative vote on Senate Bill 755, please?

PRESIDING OFFICER: (SENATOR SULLIVAN)

The record will so indicate your intentions. Excuse me. Senator Sandack, was that Senate Bill 754 by chance? The -- the record will so indicate your intentions. Thank you very much. Continuing on the Calendar is Senate Bill 841. Senator Martinez, on Senate Bill 841. Out of the record. Ladies and Gentlemen, with leave of the Body, we will turn to the next

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page, on page 55 of the Calendar, and that is Senate Bill 863. Senator Link. Senator Link seeks leave of the Body to return Senate Bill 863 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is Senate Bill 863. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Link.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Link, to present your amendment.

SENATOR LINK:

Thank you, Mr. President. The amendment is the bill. I'll be more than happy to talk on 3rd Reading on it.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 863. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 863.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Link, on Senate Bill 863.

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SENATOR LINK:

Thank you, Mr. President. This allows the Waukegan Harbor Remedy Facility {sic} (Facilitation) Act. It would allow the Act to give the Illinois Department of Natural Resource {sic} (Resources) the authority to authorize construction of a permanent confined disposable {sic} (disposal) facility and a breakwater wall within the Waukegan Harbor. The Acts -- the Act also gives the DNR the authority to authorize the Waukegan Port Authority to establish a mooring, boat slips, docks, and other improvements for public benefit and the Waukegan Port Authority the ability to conduct {sic} with the United States to {sic} operation of maintenance and obligations of the CDF. This would help them to remedy the disposal of the PCBs properly, and seal and prevent them condemning {sic} of the lake waters. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR SCHMIDT:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield. Senator Schmidt.

SENATOR SCHMIDT:

Senator Link, question, and I know I talked about this in the committee and I had concerns about the possible leakage of such a facility and I was looking in the bill: Is there anywhere -- you talked about a bladder or a plastic liner that would be used in order to contain the dredge and I don't see that in the bill.

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Link.

SENATOR LINK:

I was using an unscientific analogy of it. There's seventeen of these in Lake Michigan presently. The closest one to us is the Calumet Harbor that has this exact same type of -- type of wall and facility that we're trying to do in Waukegan Harbor. They've all been successful. They have not found any type of leakage in 'em. They're in Michigan. They're in Indiana. They're in all these other locations. They have been used before. We're just trying -- we're not trying to reinvent anything. We're just trying to do the same thing. This would be regulated by the USEPA, the Illinois EPA. It would be totally safe for the residents, but it would also be an extreme cost savings, not only for the locals, but it also would be for the State and the federal government to be doing it this way.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any further discussion? Senator Schmidt. I'm sorry.

SENATOR SCHMIDT:

That's okay. I just have another -- another question. Also, I see now that the IDNR is opposed to this bill. And I know that, during committee, there was no discussion on it. And I really do have strong reservations about the safety. And I do believe there has been a problem in Toledo with the leaking. And -- originally, when you told us there was a bladder, it actually made you feel a little more comfortable, and now there is not a bladder being used for this; it's purely riprap and clay. And I guess my other concern - I don't know if you want

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to answer that - but now the IDNR is in opposition to this.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Link.

SENATOR LINK:

IDNR is not in opposition of this bill. I don't know where you're getting that from. They are not. They are in favor of this bill or they're neutral, but they are not opposed to this bill. I -- I am working with the -- the Sierra Club. I have talked to the Sierra Club on this bill. I am still working with them. I will continue to work with them. If we have to amend something in the House, we will amend it. But I am -- I am working with them on it.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Schmidt.

SENATOR SCHMIDT:

And the other question that I did have in committee, that I still have, is I have a huge concern over the liability issue and whether this liability is now going to fall on the State of Illinois, because in -- on page 6, Section 10 (f), it talks about the control of the lake bed will -- will remain with the -- the DNR, but that the United States must assume the liability. It's a very unclear wording as to -- as to who the liability is going to fall with. And I don't think the State of Illinois wants the liability for a federal cleanup project. So I still have that concern.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Link.

SENATOR LINK:

I -- I -- I didn't know if that was in a question form or

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not.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator -- Senator Schmidt, was -- was that a question?

SENATOR SCHMIDT:

So, my -- my question is who...

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator -- Senator Schmidt.

SENATOR SCHMIDT:

My question is, who is going to be accepting liability, because nothing is a hundred percent? If something should happen and there is a breach, who is going to be responsible for the possible cleanup and the contamination of the freshwater in Lake Michigan that most of us drink?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Link.

SENATOR LINK:

Well, in the bill, what we would do is we would -- the Waukegan Port Authority shall continue to cooperate with the United States that deem responsible {sic} and appropriate respecting the Waukegan Harbor further remediation of -- with the United States for -- provided the United States to assume the -- any and all liability. So, what we would do is we would work with -- still with the USEPA and that -- make sure that the USEPA is liable for any problems on that and not put the responsibility on the State. It never was the intent to have the State in the liability of this.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Schmidt.

SENATOR SCHMIDT:

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So, are we basically assuming that we will not get the liability on this if something should happen?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Link.

SENATOR LINK:

If -- if we have to make it clearer in the law, we will amend it in the House, but that is what the intent of this bill is right now. But if it has to be clarified, again, we will clarify it in the House.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Schmidt.

SENATOR SCHMIDT:

Just one more question, Senator. And you and I are pretty familiar with this project up in -- in the Waukegan area. And currently there is a plan to start removing soil as of the end of 2012. Is this going to delay this project in any way or will they start in -- at the end of 2012 to remove the sediment and put it into this containment site?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Link.

SENATOR LINK:

This may help expedite it even better.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Schmidt.

SENATOR SCHMIDT:

Just -- just one last comment. I still think that this is a very -- I do know that there have been breaches in other -- in other areas in the Great Lakes. I do have a concern about the drinking water and the safety of the largest body of drinking

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water. And to -- to push this through without all of the questions being answered, I think is not doing our due diligence. And I urge a No vote on this.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SENATOR DUFFY:

Question -- question for the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield. Senator Duffy.

SENATOR DUFFY:

Senator, why are you looking to do this now? And why are you looking to do this in this location?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Link.

SENATOR LINK:

Well, because we have to clean up the PCBs right now that are already in the water. We want to clean it up. We want to do this in a location so that for generations to come that we could have a place that -- where we could have future moorings, boating slips, we could have recreational endeavors for future generations to come, that we could have a -- a lakefront that - I live within blocks from - that could be proud for every citizen to come to and come there and enjoy the lakefront for lifetimes to come. And now is the time to do it, because if we don't do it now, we'll never do it.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Duffy.

SENATOR DUFFY:

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Senator, are -- do you know of -- are there any plans for a casino to go in this spot -- in this location?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Link.

SENATOR LINK:

With a capital "N" and a capital "O".

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any further discussion? Is there any further discussion? Senator Link, do you wish to... Oh, Senator Duffy, I'm sorry. Your light wasn't on. Senator Duffy.

SENATOR DUFFY:

To the bill: You know, the State of Illinois would -- would assume all liabilities if this leaks, which it has in other states in similar type of projects. And the IDNR is opposed to this project. And I understand that that might not be on our computers right now, but they have called our staff and they left a message for us on that. So I would encourage a No vote on this bill. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any further discussion? Any further discussion? Seeing none, Senator Link, to close.

SENATOR LINK:

Thank you, Mr. President. This is a work in progress. If we have to work with DNR on this again to make sure that the DNR liability is corrected, we will work in the House with them. This is something for future generations to enjoy our beautiful lakefront. The PCBs are already in the water. We are cleaning it up. Like I say, I live -- I can see the lake every day. I -- I am fortunate enough to live that close to it. I drink that

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water every day. My grandchildren drink that water every day. I want to see this cleaned up, but I want to see it also to see an advantage so that we could see future generations enjoy a beautiful lakefront and enjoy all the benefits of having boating and other benefits that you enjoy on that beautiful lake. And I would ask for affirmative vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. The question is, shall Senate Bill 863 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? Madam Secretary, take the record. On that question, there are 19 voting Aye, 30 voting Nay, 1 voting Present. Senate Bill 863, having not received the required constitutional majority, is declared failed. Ladies and Gentlemen, with leave of the Body, we will skip over a number of vehicle bills and go to page 62 on your printed Calendar. In the middle of page 62 is Senate Bill 952. Senator Harmon. Senator Don Harmon. Out of the record. Senate Bill 957. Senator Martinez, on 957. Out of the record. Senate Bill 958. Senator Noland. Senator Noland. Out of the record. Senate Bill 959. Senator Sandoval. Senator Sandoval seeks leave of the Body to return Senate Bill 959 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is Senate Bill 959. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Sandoval.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Sandoval, to present your amendment.

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SENATOR SANDOVAL:

I'd like to present the amendment on 3rd Reading.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 959. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 959.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. President. The -- Senate Bill 959, it's a technical transportation bill. It removes the criteria that shippers need the proposed services in order to be granted a household goods contract permit from the Commerce Commission.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall Senate Bill 959 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? Madam Secretary, take the record. On that question,

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there are 50 voting Aye, 0 voting Nay, 2 voting Present. Senate Bill 959, having received the required constitutional majority, is declared passed. Continuing on the Calendar on page 62 is Senate Bill 960. Senator Haine. Senator Bill Haine. Out of the record. Ladies and Gentlemen, with leave of the Body, we will go to page 68 of the printed Calendar, and it's Senate Bill 1032. Senator Haine. Out of the record. Senate Bill 1036. Senator Annazette Collins. Out of the record. Senate Bill 1039. Senator Silverstein. Senator Silverstein. Out of the record. Senate Bill 1043. Senator Link. Senator Terry Link, on Senate Bill 1043. Senator Link seeks leave of the Body to return Senate Bill 1043 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is Senate Bill 1043. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Link.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Link, to present your amendment.

SENATOR LINK:

Thank you, Mr. President. It becomes the bill. I'll explain it on 3rd Reading.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SECRETARY ROCK:

No further amendments reported.

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PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1043. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 1043.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. This is the Rights of Victim -- Rights of Crime Victims Witness {sic} (and Witnesses) Act. Requires that -- law enforcement agencies to give notice to victims or their -- family of a victim when they re-open a closed case, unless giving notice would unreasonably interfere with investigations. Be more than happy to answer to answer any questions.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion? Senator John O. Jones, for what purpose do you rise?

SENATOR J. JONES:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield. Senator Jones.

SENATOR J. JONES:

Senator Link, just one quick question. Are you sure you want to proceed with this?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Link.

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SENATOR LINK:

Yes.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Other -- other discussion? Senator Bivins, for what purpose do you rise?

SENATOR BIVINS:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield. Senator Bivins.

SENATOR BIVINS:

Thank you. We had some discussion in -- in the committee about some fixes. We -- we had some concerns and -- and you stated you would pursue those in the House. Is that your intent?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Link.

SENATOR LINK:

Yes.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Bivins. No? Okay. Other discussion? Senator Raoul. Out of the record. Okay. Senator -- seeing no further discussion. Senator Link, do you wish to close? Madam Secretary, the question is, shall Senate Bill 1043 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? Madam Secretary, take the record. On that question, there are 54 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 1043, having received the required constitutional majority, is declared passed. Continuing on the

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Calendar is Senate Bill 1044. Senator Wilhelmi. Out of the record. Ladies and Gentlemen, with leave of the Body, we will turn to page 70 and Senate Bill 1072. With leave of the Body, we will return to Senate -- Senate Bill 1072. So now we will turn to page -- oh, we're going to continue on the Calendar on page 72. Thank you. And Senate Bill 1073. We're on page 70 of the Calendar. Senate Bill 1073. Senator Wilhelmi. Senator Wilhelmi seeks leave of the Body to return Senate Bill 1073 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is Senate Bill 1073. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Wilhelmi.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Wilhelmi, to present your amendment.

SENATOR WILHELMI:

Thank you, Mr. President. Floor Amendment No. 1 becomes the bill and I'll be happy to discuss it on 3rd Reading.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1073. Madam Secretary, please read the bill.

SECRETARY ROCK:

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Senate Bill 1073.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Wilhelmi.

SENATOR WILHELMI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1073, as amended, grants Will County the authority to exercise quick-take power to acquire property for purposes of improvements to Weber Road and Renwick Road in Will County. The quick-take authority sunsets one year after the effective date of the bill and can be exercised only to acquire certain described parcels listed in the bill. I ask for your support.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall Senate Bill 1073 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? Madam Secretary, take the record. On that question, there are 37 voting Aye, 11 voting Nay, 0 voting Present. Senate Bill 1073, having received the required constitutional majority, is declared passed. Next on the Calendar is Senate Bill 1075. Senator Harmon. Out of the record. Senate Bill 1076. Ladies and Gentlemen, with leave of the Body, we will turn to page 74 of the printed Calendar. And in the middle of page 74 is Senate Bill 1123. Senator Koehler. Out of the record. Turning to page 75 of the printed Calendar is Senate Bill 1132. Senator Jacobs. Senator Mike Jacobs, on

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1132. Out of the record. Senate Bill 1133. Senator Lightford. Senator Kimberly Lightford. Out of the record. Now, Ladies and Gentlemen, we will pass over a number of these vehicle bills and go to page 76 of the printed Calendar and that's Senate Bill 1148. Senator Link. Senator Terry Link, on 1148. Out of the record. Now we will turn to page 81, I believe. Yes. Page 81. The top of page 81 is Senate Bill 1213. Senator Steans. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 1213.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans.

SENATOR STEANS:

Thank you, Mr. President, Members of the Senate. Senate Bill 1213 adds mercury-containing electrical connectors, pressure sensors and transducers and rings and seals to the list of items that would be prohibited for sale or distribution in the State beginning on July 1st, 2012. And there are an ability to get an exemption if there are not available mercury-free alternatives. Originally, this had also dealt with dental amalgam products. That was all removed from the bill and we're now just doing a voluntary program, working with the dentist association. I don't know of any opposition to this bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall Senate Bill 1213 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open.

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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 54 voting Aye, 0 voting Nay, 0 voting Present. Senate Bill 1213, having received the required constitutional majority, is declared passed. Senate Bill 1228. Senator Sandoval. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 1228.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. President. Senate Bill 1228 is an initiative that was inspired by -- by -- by Congressman Bobby Rush. One morning we woke up in Chicago and -- and saw -- picked up the Chicago Tribune and saw a front-page story about a number of child abductions that were occurring in the State of Illinois, and then saw that our -- my good friend, Congressman Bobby Rush, had taken the bull by the horns and started to address this issue. Child abductions are a big issue. It affects minority communities, especially, even today, in the African American community. And, so, found out there was a loophole in the bill and Senate Bill 1228 closes that loophole - - makes an attempt to close that loophole. And I've been working on this bill in a very bipartisan way with our good friend, Senator John Millner, who is not with us today, who worked with me tirelessly to amend this bill so that we can close this loophole. Senate Bill 1228 changes the penalty for

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child abduction under the provision concerning intentionally luring or attempting to lure a child under sixteen into a car, a building, a housetrailer, or a home to a Class 3 felony and attempt to do so is so -- a Class 4 felony. This only applies to luring provision of the child abduction statute and does not include any of the provisions concerning child abduction in parental custody situations. I'd like to, once again, thank Senator Millner, as well as the Republican staffers on this committee, for giving me the assistance to come up with the acceptable amendment. I'd ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion? Is there any discussion? Seeing... Senator Raoul, for what purpose do you rise?

SENATOR RAOUL:

I'm -- I'm going to vote Present on this bill. And this is a -- this is a good bill for me to indicate that everybody in the Legislature should come to the Sentencing Policy Advisory Commission {sic} (Council) legislative briefing. When we do -- when each of us introduce bills with good intention to fight criminal law problems we have out there, we ought to do so in a logical way, in a scientific way, and not just enhance penalties, because it could give an impression that we're really doing something about the problem out there. So I'm going to be voting Present on this bill. And I encourage everybody to come to the Inn at 835 this evening to learn a little bit more about sentencing policy, so we can do things in a thoughtful manner here.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Further discussion? Further discussion? Seeing none...

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Senator Jacqueline Collins, do you have a -- yes, Senator Collins.

SENATOR J. COLLINS:

Thank you, Mr. President. Just a question for the sponsor. I passed..

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates -- indicates he will yield. Senator Collins.

SENATOR J. COLLINS:

How is this different than Senate Bill 1038, a -- a child luring bill that I passed out of the Senate?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Sandoval.

SENATOR SANDOVAL:

Senator Collins, that's news to me. I know that you also had been working -- have been working on this issue. Knowingly, I'd have to get back to you on that. But as I'm aware, the issue that this bill tackles has not been addressed yet.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Collins.

SENATOR J. COLLINS:

I would like for you to -- would you pull this from the record until we could look at House {sic} Bill 1038? Because I participated in the -- Congressman Rush's town hall meeting on luring, and I have worked with the State's Attorney on drafting the bill dealing with child luring and abduction. So -- until we can just clarify if this, in fact, does the same thing that my bill does.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Sandoval.

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SENATOR SANDOVAL:

Senator Collins, I respectfully would love to consider your request; nonetheless, I have been working with Congressman Rush's office throughout the process. We have just received a - - supporting remarks in regards to my effort. And I'd love to consider that, but I'm -- we're facing some deadlines and I'd -- maybe, perhaps, we can work on this and hold it up in the House. And -- and -- I would never want to duplicate any of the effort and be disrespectful of any of the work that you may be doing that we'd like to do for our communities.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Collins.

SENATOR J. COLLINS:

Of course I'm going to vote for the bill, but I believe this is duplicative of something that I've already done, but the issue is important enough. We'll see what happens in the House. But -- I will not be voting against your bill, but I believe it's something the staff needs to look into. We've already done this bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any further discussion? Any further discussion? Seeing none, the question is, shall Senate Bill 1228 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? Madam Secretary, take the record. On that question, there are 50 voting Aye, 1 voting Nay, 4 voting Present. And Senate Bill 1228, having received the required constitutional majority, is declared passed. Senator Harmon in the Chair.

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PRESIDING OFFICER: (SENATOR HARMON)

Ladies and Gentlemen of the Senate, on the top of page 81 of your printed Calendar, Senate Bill 1258. Senator Sandoval. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 1258.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. President. Senate Bill 1258 is a bill that is sponsored by many of our local communities throughout the State of Illinois. As you can see on the proponents list, we have Metro Counties, Pace, Active Transportation Alliance, City of Chicago, Cook, DuPage County, Sierra Club, Environmental Council, ATU, South Suburban Mayors, West Central Municipal Conference and the supporters continues. This is -- this is an issue that has been brought to my attention by a local -- many local municipalities and associations in regards to providing them greater flexibility in the use of their local MFT funds that they've received from the State of Illinois. Currently today, local municipalities receive their local share of MFT funds from the Road Fund. This simply -- does not change the formula. This simply gives them greater flexibility in the -- in the use of those funds as they see fit, as relate to transportation-related projects, like bike trails and bus facilities. I'd ask a favorable vote.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR BOMKE:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR HARMON)

To the bill, Senator.

SENATOR BOMKE:

Thank you. When this came up in committee, I -- I really thought that we had a commitment from Senator Sandoval that this would not be called in the current form. I've had extensive conversations with Senator Sandoval. He made it very clear that he did not make that commitment to bring it back to committee. And I know that Senator Sandoval is a man of his word, so I have to assume that I misunderstood him. I would have never voted for this bill in the current form. It is a tremendous diversion from the Road Fund, and over the years, we've had millions of dollars diverted from the Road Fund. This will allow for millions of dollars more to be diverted. According to our Appropriations staff, it would add to the statute liability to include payment for debt and liability incurred in construction and reconstruction of public transportation, passenger rail, bicycle and pedestrian facilities, and acquisition of right-of-ways for and the cost of construction, reconstruction, maintenance, and repair of public transportation, passenger rail, bicycles and pedestrian facilities and facilities that will promote and provide access to public transportation, passenger rail, bicycle and pedestrian ways. I -- I would encourage a No vote. This is another diversion from the Road Fund. We have done it over the years, diverted millions of

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dollars. And this will allow for millions more to be diverted.
Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any further discussion? Senator... Senator Sandoval, he was speaking to the bill. Would you like to respond? Senator Sandoval.

SENATOR SANDOVAL:

Yes, Mr. President. I'd like to -- I'd like to respond to my good friend, Senator Bomke, who is our leader of the Transportation Committee. We've had a number of discussions. I appreciate his call over the holiday to express his -- his feelings about it. We've had a number of discussions about whether or not this bill was to come back to committee. I have always been a man of my word, Senator Bomke, and thank you for accepting that. And this bill came out of it on an Agreed Bill List that day. And this bill, as well as other bills that have been questioned by some of the members on my committee on my side of the aisle, I've had extensive conversations, especially with Senator Sullivan, and this was not one of the bills that, in my opinion, was subject to returning to the -- to the committee. I have been a man of my word and I've honored all of Senator Bomke's requests. It's unfortunate that it was a day that had -- has caught both of us off guard on this matter. To the bill: You know, when all else fails, it's very easy to call greater flexibility down on its local level a -- a diversion. This bill does not -- is not a diversion. This bill respects the -- the -- the equation, the -- the formula by which local MFT funds are distributed to local municipalities. There is no change - no change in the local share of the MFT funds that

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local municipalities have. What this bill does, though, gives greater flexibility to your local mayors, to your local county chairs, to use greater discretion on how to -- best to use MFT funds for transportation-related activities. They know better than we how best to use MFT funds when it comes to transportation-related infrastructure in their local communities. This is a bill for -- more local authority. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

Further discussion? Senator Sullivan, for what purpose do you seek recognition?

SENATOR SULLIVAN:

To the bill.

PRESIDING OFFICER: (SENATOR HARMON)

To the bill, Senator.

SENATOR SULLIVAN:

Thank you, Mr. President. This -- you know, we're kind of splitting hairs here, I guess, if we will, Senator Sandoval and Senator Bomke, two different opinions. The -- the real issue is that the money -- that -- there isn't a change in the distribution, but there is a change in what that money could be used for. It gives more discretion to the local units of government. And I would lean more to the side of Senator Bomke. I think he made his comments very well. I do not support this -- this change in -- in the -- in -- in not the distribution formula itself, but certainly the way that the money could be used. And I would ask for a -- a No vote on the legislation.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you. Further discussion? Senator Schmidt, for what

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purpose do you seek recognition?

SENATOR SCHMIDT:

To the question -- to the bill.

PRESIDING OFFICER: (SENATOR HARMON)

To the bill or...

SENATOR SCHMIDT:

To the bill.

PRESIDING OFFICER: (SENATOR HARMON)

To the bill, Senator.

SENATOR SCHMIDT:

To the bill. My only comment is that I did contact the Illinois Association of County Engineers and they also feel this is an erosion of the -- of the money that -- that -- that will go to their -- their roads. But, also, if you talk to your county engineers, you will find out that they have a lot of flexibility right now. And I know, as a former County Board Chairman of Lake for the last ten years who did a lot of trail projects, a lot of bike projects, a lot of bus lane projects, that we do have the flexibility right now. And I agree with the last two Senators that we should -- I'm asking for a No vote on this. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR RIGHTER:

Will the sponsor yield, please, Mr. President?

PRESIDING OFFICER: (SENATOR HARMON)

The sponsor indicates that he will yield. Senator Righter.

SENATOR RIGHTER:

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Senator, I wonder if you could help clear up a little bit of conclusion -- confusion, excuse me. I thought I heard you say in response to Senator Bomke's comments that this came out on an Agreed Bill List. And we have a couple Members over here who voted No in committee and I'm trying to sort this out. Was Senate Bill 1258 on an Agreed Bill List? Or, maybe you didn't say that or maybe I heard it wrong. Can you clarify that for me, please?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Sandoval.

SENATOR SANDOVAL:

We tend to -- in my committee, if you were ever to come to the Transportation Committee, Senator Bomke and I -- Leader Bomke and I tend to sit down before every committee and we decide to agree on what bills will move forward and what bills we'll -- we'll debate. In my committee, we tend to -- I try to limit debate, because, you know -- you know, I value the members on the committee's time, so we move fairly quickly. And this was one of those bills that were on a whole host of bills that moved out of committee in that fashion.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Righter.

SENATOR RIGHTER:

Thank -- thank you, Mr. President. Senator Sandoval, let -- let me be a little more specific. An Agreed Bill List, as I think it is commonly understood among the Members of this Chamber, is a list of pieces of legislation that's on paper that the spokesperson and the chairman have agreed will pass out, typically on a single roll call, that are noncontroversial and

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they come out here. So, understanding that's the definition that I'm asking the question under, was this bill on an Agreed Bill List?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Sandoval.

SENATOR SANDOVAL:

The -- this -- this bill was on an eight-two vote with a number of other bills, I believe, that morning.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Righter.

SENATOR RIGHTER:

On a single roll call -- all the bills were put on a single roll call? Is that -- I'm just -- and I apologize, Senator, I'm just trying to get an accurate picture of what happened in committee. So there was a number of bills that were on a single eight-two roll call or this bill was on its own on an eight-two roll call?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Sandoval.

SENATOR SANDOVAL:

I'm going to have to get that information to you, Senator Righter, after the vote.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR HAINE:

Mr. President, will the sponsor yield, please?

PRESIDING OFFICER: (SENATOR HARMON)

Sponsor indicates that he will yield. Senator Haine.

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SENATOR HAINE:

So, bear -- bear with me, Senator, I -- I'm still at a loss to understand how this thing works. There is a -- there is established by this bill a Building Our Economy Transportation Fund. Right? And what is the purpose of that fund?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Sandoval.

SENATOR SANDOVAL:

No, that was the first version of the bill. That later was then shelled.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Haine.

SENATOR HAINE:

Okay. Then what does it do -- what does the bill do -- do now? In simple...

PRESIDING OFFICER: (SENATOR HARMON)

Senator Sandoval.

SENATOR SANDOVAL:

Currently, your local municipality really sees its local share of MFT funds from the Road Fund -- from the Motor Fuel Tax Fund. Motor Fuel Tax Fund, you receive your local share, your local municipalities and county chairs. Currently today, those local municipalities today are limited to using those MFT funds for roads. This bill allows your local mayor, your local chair, greater flexibility in the use of those MFT funds in transportation-related infrastructure, like bus terminals, like bike trails -- like bike trails. That's what this bill does. This does not change the formula. This does not divert. And -- and the county engineers, those who design roads, would like you

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-- to make you feel that this is a diversion. This is not a diversion. When all else fails, people like to use that form of art that's called the word "diversion". I am not diverting funding to the local municipalities. I am giving your mayor, your local governance structure, greater flexibility within the transportation needs that they have to either build a road or build a bike trail or build -- you know, improve their bus terminal. They know what's best for the people, the families, the children, the seniors, the veterans, not the bureaucrats or the engineers perhaps.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Haine.

SENATOR HAINE:

Okay. And I'm a senior and a veteran, so I'm two of those things, I guess. Now, so does this mandate that a percentage of the MFT money goes into a fund?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Sandoval.

SENATOR SANDOVAL:

No. In fact, Senator Haine, this doesn't even mandate. They can -- they can still have the authority to use all of their MFT funds to build roads to satisfy the engineers. They don't have to choose the -- to use extra authority or flexibility to build bike trails or improve their bus terminals. They can continue using their MFT money to building and improving the roads. Nothing precludes them to continue investing in the roads. This simply just gives them added flexibility within the transportation needs that they may have.

PRESIDING OFFICER: (SENATOR HARMON)

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Senator Haine.

SENATOR HAINE:

Okay. So I understand it. This just allows a mayor to -- to become the focus of a pressure to take MFT money if - I'm speaking to the bill now and not as a question - this allows -- this bill opens up a -- a system -- establishes a system where a local mayor or county board chair is subject now to pressure to take money which historically was used for the maintenance of roads, because it's money gained from motor fuel taxes, people that pay exorbitant amounts of money for taxes at -- driving their automobile. And the -- the quid pro quo, the covenant with the -- the taxpayer, is that the money they pay from their gas tank fill-up is used to repair the streets, not to build a bus terminal and not to build a bike trail. I ride bikes. I ride 'em on the streets. So I don't know why we're doing this. No mayor has called me in my district wanting the opportunity to listen to people who want a bike trail to their house to take money from the motor fuel tax money. I haven't had any mayor or county board -- chairman call me for this bill. So I'm aware that the county engineers are dead set against it. They maintain highways and roads. So I would suggest a No vote.

PRESIDING OFFICER: (SENATOR HARMON)

Further discussion? Senator -- Senator Sandoval, you wish to respond to Senator Haine's statement to the bill?

SENATOR SANDOVAL:

Senator...(microphone cutoff)...I can respect your passion for lack of flexibility and lack of local governance, and I can also appreciate your -- your protection of the status quo on what goes on in your neck of the world. But in my neck of the world

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where the population is booming, in suburban Cook County and in the collar counties where there is the greatest growth of people in the population that -- as discovered in the last census, where we have buses and trains and automobiles and -- and every mode of transportation known to mankind, these are the needs of the people that -- that drive the cars on our roads in northern Illinois. They like to take their children to the park. They like their children to take -- to ride the bike, because they can't ride the bike in the City of Chicago necessarily. So, these are all important transportation infrastructure needs that -- that are important to the quality of life of the northern part of Illinois. I respect how you feel about your district and your region, but, you know, come visit us in Chicago. Come visit us in DuPage County. Come visit us in Kane County. Come visit us in the west central municipal area. There are lots of people who generate money to the MFT fund, significantly more than people in your region.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Maloney, for what purpose do you seek recognition?

SENATOR MALONEY:

Just a -- a question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Sponsor indicates that he'll yield. Senator Maloney.

SENATOR MALONEY:

Senator, a couple of times you have mentioned the flexibility of the mayors involving -- in -- in the use of the -- the funds for the various projects you mentioned. Has -- has the IML -- I -- I don't see the IML. Have they taken a position on this as a proponent or an opponent?

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PRESIDING OFFICER: (SENATOR HARMON)

Senator Sandoval.

SENATOR SANDOVAL:

I assume they think this is a great bill, 'cause they would have been there and they would have filed.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Maloney.

SENATOR MALONEY:

You assume that it was -- they would have filed then? They have -- I haven't -- see no indication that they have filed in favor or opposed.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Sandoval.

SENATOR SANDOVAL:

I -- I reiterate. I assume they -- this -- they think this is a great bill, 'cause knowing the IML, the great institution the IML is, they would have been there if they would have felt they would have been opposed to it.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR SANDOVAL:

I'd ask a favorable vote.

PRESIDING OFFICER: (SENATOR HARMON)

The question is, shall Senate Bill 1258 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 18 voting Aye, 31 voting No, 2 voting Present. Senate Bill 1258,

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having -- having failed to receive the required constitutional majority, is declared failed. Senator Haine, are you seeking recognition?

SENATOR HAINE:

A point of personal privilege.

PRESIDING OFFICER: (SENATOR HARMON)

State your point, Senator.

SENATOR HAINE:

Mr. President, I -- I rise this morning to personally - and I would suggest that maybe the Senate staff prepare a resolution to this effect - congratulating the President of the United States and his various officers and, of course, the -- the young men who were in charge of that special op team who brought justice to the world and to the United States with the death of Osama bin Laden. I think it showed a tremendous amount of courage on the part of the President and his staff to take this step. It showed the intrepid nature of armed -- of our Armed Forces. It reminded the world and the American people that justice is the goal of a civilized society and a constitutional order and that we will defend that system to its death. I would ask that we convey to the President of the United States and to the Armed Forces of the United States our sincere congratulations and gratitude. And I would conclude with the ancient Roman axiom "sic semper interemptor", thus always to murderers. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator Haine. Senator Christine Johnson, for what purpose do you seek recognition?

SENATOR C. JOHNSON:

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

PRESIDING OFFICER: (SENATOR HARMON)

State your point, Senator.

SENATOR C. JOHNSON:

Mr. President, Members of the Senate, I would like to welcome a group today from my district, from Focus House in Rochelle, and they are joined by our former Senator for the 35th District, former Senator Jack Roe, who served in this Body from 1973 to 1979. And they are in the President's Gallery.

PRESIDING OFFICER: (SENATOR HARMON)

Will our guests please rise to be welcomed to the Senate, and to be welcomed back in the case of Senator Roe? Continuing on page 81 of your printed Calendar, we have a series of bills sponsored by the Republican Leader. I understand we're skipping over those. At the bottom of page 81 is Senate Bill 1292. Senator Lightford. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 1292.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill -- 1292 is an initiative of the Juvenile Justice Department. It amends the Juvenile Court Act by allowing a court to require the Department of Juvenile Justice to report to the court what -- efforts the Department is making to secure residential permanent placement for minors in the

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Department's custody at facilities prior to their release. This is an -- an issue and a effort to receive federal dollars that would be available to us with this enactment becoming law. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Is there any discussion? Seeing none, the question is, shall Senate Bill 1292 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 53 voting Aye, none voting No, none voting Present. And Senate Bill 1292, having received the required constitutional majority, is declared passed. On the top of page 82 of your printed Calendar, Senate Bill 1297. Senator Muñoz. Senator Muñoz seeks leave of the Body to return Senate Bill 1297 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is Senate Bill 1297. Madam Secretary, have there been any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Muñoz.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Muñoz, on the amendment.

SENATOR MUÑOZ:

Thank you, Mr. President. Floor Amendment 2 amends Senate Bill 1297 by allowing the number of bingo days conducted by a licensee, including any remote caller bingo games, to limit of two per week. And I ask for its adoption.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Muñoz has moved for the adoption of Floor Amendment

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No. 2. All in favor will say Aye. Opposed, 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 HARMON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1297. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 1297.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Muñoz.

SENATOR MUÑOZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1297 amends the Bingo Licensee {sic} (License) and Tax Act to allow non-for-profits to take advantage of new technology to conduct charitable bingo games. The bill authorizes remote caller bingo games, where a number of -- numbers called at one location are electronically transmitted in real-time audio and video format to additional locations that are playing the same game. The purpose of this bill is to return charitable bingo as a viable fundraising option for charitable and non-for-profits. The annual bingo revenues have dropped over a hundred and ten million in the past twenty years. This bill can provide money for charities, as well as the State of Illinois. We are working -- we have been working with the Department of Revenue, who is currently neutral. They said that

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they had some concerns. So far we have addressed all their concerns, but if some should come -- arise, we told the Department of Revenue that we would work with them once the bill goes to the House, and we will address any other concerns that our Members here might have. I will answer any questions.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR DILLARD:

Thank you, Mr. President. Just a -- a warning, and I -- I think I'm for this bill, but for those of you who historically have trepidations about expanding gambling, this definitely could be considered in that category. Would the sponsor yield for two questions I have, please?

PRESIDING OFFICER: (SENATOR HARMON)

The sponsor indicates that he will yield. Senator Dillard.

SENATOR DILLARD:

Thank you. Senator Muñoz, do you remove the cap on what the prizes could be? So these gigantic games with a variety of facilities connected, there's no prize limit anymore?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Muñoz.

SENATOR MUÑOZ:

Senator, yes. Right now, there isn't a cap, but we will definitely work on that in the House. And then it will have to come back here for concurrence.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Dillard.

SENATOR DILLARD:

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And thank you. And just, Senator Muñoz, 'cause I just don't want any Members surprised at what's in this thing, can you walk us through a little bit about the technology? I -- I guess you can have a variety of sites hooked up and be competing in games against somebody in Schaumburg and you can be in Carmi and.. Tell us a little bit about how this new technology works.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Muñoz.

SENATOR MUÑOZ:

Well, for the remote caller bingo game, the numbers or symbols can -- randomly drawn plastic balls are announced by a natural person present at the site where a live game is conducted. The organization conducting the game of bingo uses the audio and video technology to link any of its in-state facilities for the purpose of transmitting remote calling or live bingo game from a single location to multiple locations owned, leased, or rented by that organization. I can list some restrictions if you like, Senator.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Dillard.

SENATOR DILLARD:

Thank you and thanks, Members, for your indulgence. I just, again, want to warn people, this is not your grandma's bingo game anymore. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR RAOUL:

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To the bill: I just rise in strong support of this bill. As Senator Muñoz pointed out, this is -- this is not, you know, gaming expansion as we have seen gaming expansion, as we've passed gaming expansion out of this Chamber. This is bingo for charities, the very many of which are the very charities that are going to be suffering from our budget cuts. As Senator Muñoz pointed out, our revenue -- our State revenue from bingo has declined in the last twenty years by an excess of a hundred million dollars. We need to support the charities that are helping the needy people in our -- our State. And I -- I urge all Aye votes on this bill.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR MUÑOZ:

Just would like to ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HARMON)

The question is, shall Senate Bill 1297 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 32 voting Aye, 19 voting No, none voting Present. Senate Bill 1297, having received the required constitutional majority, is declared passed. Continuing on the Order of Senate Bills 3rd Reading, near the top of page 82, Senate Bill 1305. Senator Althoff. Senate Bill 1310. Senator Lightford. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 1310.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1310 amends the Regulatory Sunset Act. It's the hope here to allow the interior design industry to continue their service until January 1 of 2022. I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1310 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Aye, none voting No, none voting Present. Senate Bill 1310, having received the required constitutional majority, is declared passed. With leave of the Body, we'll return to Senate Bill 1322. Senate Bill 1330. Senator Koehler. Senate Bill 1337. Senator Sullivan. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 1337.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Sullivan.

SENATOR SULLIVAN:

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

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Bill 1337 allows the Department -- or creates a -- a trapping season for river otters. This is an initiative of the Department of Natural Resources. I'd be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 1337 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Aye, none voting No, none voting Present. Senate Bill 1337, having received the required constitutional majority, is declared passed. Senate Bill 1342. Senator Lightford. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 1342.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1342 is an initiative of AFSCME. They have the support of the Department of Public Health and the Nurses Association. The bill would provide that a copy of the written staffing plan for nursing care services shall be provided to any member of the general public upon request. I know of no opposition. And I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR HARMON)

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Is there any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 1342 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 54 voting Aye, none voting No, none voting Present. Senate Bill 1342, having received the required constitutional majority, is declared passed. Senate Bill 1353. Senator...(microphone cutoff) ... Senate Bill 1377. Senator Radogno. Senator Radogno seeks leave of the Body to return Senate Bill 1377 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is Senate Bill 1377. Madam Secretary, have there been any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Radogno.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Radogno, on the amendment.

SENATOR RADOGNO:

Thank you. It simply changes the date.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Radogno moves for the adoption of Floor Amendment No. 1. All in favor, vote Aye. Opposed, 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 HARMON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1377. Madam Secretary, please read the bill.

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SECRETARY ROCK:

Senate Bill 1377.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. This bill removes the requirement that long-term acute care hospitals provide emergency room services. I'd be happy to try to answer any questions.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 1377 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 56 voting Aye, none voting No, none voting Present. Senate Bill 1377, having received the required constitutional majority, is declared passed. Senate Bill 1381. Senator Sandoval. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 1381.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. President. Senate Bill 1381 creates the

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Grade Crossing Separation Fund. It would allow the Comptroller to transfer sixty million dollars from the Motor Fuel Tax Fund each -- to the Fund. The funds will be used for -- by the Department of Transportation to separate railroad crossings used by passenger rail operators. Senate Bill 1381 provides that IDOT may adopt the rules to administer the Fund. I'd ask for a vote.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Senator Bomke, for what purpose do you seek recognition?

SENATOR BOMKE:

Question to the sponsor.

PRESIDING OFFICER: (SENATOR HARMON)

Sponsor indicates that he will yield. Senator Bomke.

SENATOR BOMKE:

Thank you, Mr. President. How does this differ from the Grade Crossing Protection Fund that generates twenty-seven million dollars a year taken from the Motor Fuel Tax?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Sandoval.

SENATOR SANDOVAL:

This fund will actually tackle to improve the road crossings of -- where railroads pass. The protection fund that you're taking about, it primarily is used only for crossing signals and improvements.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Bomke.

SENATOR BOMKE:

To the bill, Mr. President.

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PRESIDING OFFICER: (SENATOR HARMON)

To the bill, Senator.

SENATOR BOMKE:

I -- I would encourage a -- a No vote on this bill. This is another diversion from the Road Fund, five million dollars additional a month. I would encourage a No vote. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any further discussion? Senator Haine, for what purpose do you seek recognition?

SENATOR HAINE:

To -- to the bill, Mr. President. Again, this is, as Senator Bomke indicated, a diversion from motor fuel tax money. And I reiterate again -- or I reiterate - that's a redundant remark I just made - that motor fuel taxes are generated by those who use automobiles and pay the tax, and the trade-off is, they pay the tax to maintain the roads. That's why we tax them. And they're paying ever-increasing taxes because of the rise in gasoline taxes. Now we're diverting these to other matters. We should find the money in -- just as Senator Bomke indicated. I don't know all these funds, but the road -- these motor fuel district taxes -- the Road Fund should be used for the purposes that they were intended to be used for, and the -- the covenant with the -- the people that their automobile and gasoline taxes go to maintain roads should not be violated or weakened by these measures. I would urge a No vote.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR SULLIVAN:

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Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR HARMON)

...bill, Senator.

SENATOR SULLIVAN:

I think the previous two speakers expressed, I think, the concerns that many of us have. I -- I do want to just say that in the recently passed capital bill, there was money set aside in the capital bill to address the rail crossings. That was a negotiated process, as -- and -- and I think everybody understands the sponsor's concerns here. We -- we -- we see the need that -- we know the need is there, but it -- it is using -- it is using funds for different than what we -- had -- had traditionally used them for. I would certainly be supportive if, you know, as we negotiate another capital bill in the future when that opportunity would arise, we could bring up the Senator's -- the sponsor's concerns. I will say that in the current proposed capital bill -- or construction bill, the FY'12 IDOT bill - the FY'12 through '17 - there's almost six hundred million dollars in that -- in that improvement plan to address rail crossings. I would ask for a No vote on this legislation.

PRESIDING OFFICER: (SENATOR HARMON)

Any further discussion? Senator Sandoval, do you wish to close? Senator Sandoval.

SENATOR SANDOVAL:

Thank you, President. I -- I was going to say I feel like Senator Link, but... Senator Link, you know, we're one in the same. There's no doubt that the -- the past piece of legislation that I proposed and the current piece of legislation that is before you aims at trying to bring balance of investment

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in -- in northern Illinois. You know, in my district and Senator Muñoz' districts and a large part of northern Illinois, we have the greatest number of grade crossings than in the -- the entire State of Illinois. Why? Because all trains that come from southern Illinois head to Chicago, head to Cook County, head to DuPage County, head to Will -- head to Will County. We have the greatest number of grade crossings that need grade separations. Be it know -- and I appreciate Senator Sullivan's discussions over the last few weeks and months on this bill. Although we have a matter of difference of opinion in how Road Fund money should be spent, we obviously feel, like Senator Haine feels, that Road Fund money should be spent in southern Illinois and I can respect that. And I -- I, who live in Chicago, Cook County, northern Illinois, believe that road funding should be spent where the need is, and that's where the people are, and those are -- sixty-five percent of the people that generate to the Road Fund live in northern Illinois, not in southern Illinois. And the greatest number of grade separations exist in northern Illinois. Yet, in the capital -- in the multi-year plan that is established by the Illinois Department of Transportation, grade separations are not prioritized. Only a handful of grade separations are prioritized. And then you may ask yourself as you're sitting there in front of a railroad crossing on your way to work if you live in Chicago or you live in Cook or you live in DuPage or you live in Will and you sit there for -- for a half hour, forty-five minutes waiting for the train, and you're saying to yourself, why don't we have a grade -- this would be a great place to have a grade separation. Why do I have to wait here forty-five minutes to -- for the train to

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come through? Why doesn't somebody do something about it? I pay taxes. I pay gasoline tax. Why aren't we investing in these road projects that would separate the -- the grade -- that would separate the train from the road? Well, Ladies and Gentlemen, for those of you who live in northern Illinois, this is the bill. This is the bill that will take Road Fund money -- Road Fund money, your motor -- your motor fuel tax that you've paid in your county in northern Illinois, and invest it in a grade separation that hasn't been prioritized by the Illinois Department of Transportation. This is -- this is the bill that will improve the quality of life in the morning for all of you moms and dads and grandmas and grandpas that sit there for minutes on end, for a half hour, for forty-five minutes on end, waiting for the train to pass so that you can take your children to school or -- or get to work. And I ask a favorable vote.

PRESIDING OFFICER: (SENATOR HARMON)

The question is, shall Senate Bill 1381 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 16 voting Aye, 35 voting No, none voting Present. And Senate Bill 1381, having failed to receive the required constitutional majority, is declared lost. With leave of the Body, we'll turn forward to page 83. Senate Bill 1407. Senator Sandack. With leave of the Body, we'll turn forward to page 84 of your printed Calendars. In the middle of the page is Senate Bill 1422. Senator Radogno. Senator Radogno seeks leave of the Body to return Senate Bill 1422 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is Senate Bill 1422.

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Madam Secretary, have there been any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Radogno.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Radogno, on the amendment.

SENATOR RADOGNO:

Thank you, Mr. President. This -- the amendment will put language on this bill that is identical to the workers' comp bill that we passed last week.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Any discussion? Senator Radogno moves for the adoption of Floor Amendment No. 1 to Senate Bill 1422. All in favor, say Aye. Opposed, 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 HARMON)

3rd Reading. With leave of the Body, we'll turn to the middle of page 86. Senate Bill 1449. Senator Radogno. Senator Radogno seeks leave of the Body to return Senate Bill 1449 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 1449. Madam Secretary, have there been any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Radogno.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Radogno, on the amendment.

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SENATOR RADOGNO:

Thank you, Mr. President. The amendment addresses the concerns the City of Chicago had regarding this bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Radogno moves for the adoption of Floor Amendment No. 2 to Senate Bill 1449. All in favor, say Aye. Opposed, 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 HARMON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1449. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 1449.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. This bill is an initiative of the Comptroller. And it requires municipalities to do some additional reporting to the already existing reporting requirements in the Comptroller's Office relative to jobs created in TIF districts.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 1449 pass. All those in favor

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will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 voting Aye, none voting No, none voting Present. Senate Bill 1449, having received the required constitutional majority, is declared passed. With leave of the Body, we'll turn to the bottom of page 87. Senate Bill 1464. Senator Righter. Senate Bill 1465. Senator Dillard. Senate Bill 1466. Senator Righter. Near the top of page 89 of your printed Calendar is Senate Bill 1490. Senator Pankau. Senator Pankau. Senator Hutchinson, for what purpose do you seek recognition?

SENATOR HUTCHINSON:

Thank you, Mr. President. I would like a previous vote -- Senator Radogno's vote on the workmen comp's bill, I would like to be recorded as I intended to vote Yes.

PRESIDING OFFICER: (SENATOR HARMON)

There was merely a voice vote. I'm sure you did vote Yes, Senator.

SENATOR HUTCHINSON:

Oh, okay. No, no, no. The roll call vote. No? Okay. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hutchinson, for what purpose...

SENATOR HUTCHINSON:

Thank you, Mr. President. Senate Bill 1449, I would like to be recorded as I intended to vote Yes.

PRESIDING OFFICER: (SENATOR HARMON)

The record will so reflect your intention, Senator Hutchinson. At the very top of page 92 of your printed

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Calendar, Senate Bill 1545. Senator Haine. Senate Bill 1549. Senator Haine. With leave of the Body, we'll skip over Senate Bill 1576. Senate Bill 1615. Senator Steans. Senator Steans seeks leave of the Body to return Senate Bill 1615 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 1615. Madam Secretary, have there been any amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Steans.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Steans, to present the amendment.

SENATOR STEANS:

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

PRESIDING OFFICER: (SENATOR HARMON)

Senator Steans moves for the adoption of Floor Amendment No. 2 to Senate Bill 1615. All in favor, say Aye. Opposed, 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 HARMON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1615. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 1615.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

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Senator Steans.

SENATOR STEANS:

Thank you, Mr. President, Members of the Senate. Senate Bill 1615 enables the Illinois Environmental Protection Authority {sic} (Agency) to make grants from the Agency's alternate fuel rebate program for a program operated by car sharing organizations or other organizations to purchase electric vehicles.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1615 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 54 voting Aye, none voting No, none voting Present. Senate Bill 1615, having received the required constitutional majority, is declared passed. Senate Bill 1619. Senator Steans. Senator Steans seeks leave of the Body to return Senate Bill 1619 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 1619. Madam Secretary, have there been any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Steans.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Steans, on the amendment.

SENATOR STEANS:

Thank you, Mr. President, Members of the Senate. Senate Bill 1619 implements a comprehensive sex education program. So if a school is offering sex education in grades six through

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twelve, this ensures we'll do it in medically accurate, age-appropriate manner. Appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Steans moves for the adoption of Floor Amendment No. 2. Is there discussion on the amendment, Senator McCarter? All in favor will say Aye. Opposed, 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 HARMON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1619. Senator Steans, do you wish to proceed? Out of the record. Senate Bill 1622. Senator Steans. Senator Steans seeks leave of the Body to return Senate Bill 1622 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is Senate Bill 1622. Madam Secretary, have there been any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 3, offered by Senator Steans.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Steans, on the amendment.

SENATOR STEANS:

Thank you, Mr. President, Members of the Senate. I'll explain the amendment on 3rd.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Steans moves for the adoption of Floor Amendment No. 3 to Senate Bill 1622. All in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Have there

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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 is Senate Bill 1622. Senator Steans, you wish to proceed? Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 1622.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Steans.

SENATOR STEANS:

Thank you, Mr. President, Members of the Senate. Senate Bill 1622 has DHS perform a geographic analysis of the DDMI services and supports of the State to identify gaps in those services and supports. Requires a report by January 1st of 2013. It's also subject to appropriation and directs the Department to work with other State agencies in gathering the information and data.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1622 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 54 voting Aye, none voting No, none voting Present. Senate Bill 1622, having received the required constitutional majority, is declared passed. Senate

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Bill 1623. Senator Steans. Madam -- Senator Steans seeks leave of the Body to return Senate Bill 1623 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is Senate Bill 1623. Madam Secretary, have there been any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Steans.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Steans, on the amendment.

SENATOR STEANS:

I will explain the amendment on 3rd.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Steans moves for the adoption of Floor Amendment No. 2 to Senate Bill 1623. All in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. 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, Senate Bill 1623. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 1623.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Steans.

SENATOR STEANS:

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

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Bill 1623, as amended, requires the Department of Human Services to prepare an annual report to the General Assembly on the implementation of the Williams versus Quinn consent decree and other efforts to move people -- with disabilities into community settings. It also requires the Department to promulgate a new rule regarding regulating community-based residential settings by January 1st of 2012.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 1623 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 54 voting Aye, none voting No, none voting Present. Senate Bill 1623, having received the required constitutional majority, is declared passed. Senate Bill 1640. Senator Sullivan. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 1640.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Mr. President, Members of the Senate. Senate Bill 1640 allows a veteran who is a resident of a state bordering Illinois and -- and requires 'em to -- to pay the full monthly maintenance fee to -- to -- to reside in a -- a Quincy Veterans Home. It also says that a -- the vet -- they have to

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have vacancies, at least twenty percent that have been vacant for at least two consecutive months. This is an initiative of the Illinois Department of Veterans Affairs, as well as a local veterans group in the -- in the Quincy area.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Is there any discussion? Seeing none, the question is, shall Senate Bill 1640 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 53 voting Aye, none voting No, none voting Present. Senate Bill 1640, having received the required constitutional majority, is declared passed. Senate Bill 1644. Senator Sullivan. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 1644.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you very much, Mr. President, Members of the Senate. This amends the Illinois Vehicle Code. Back when we passed the capital bill a couple years ago, in that same bill, we raised the weight limit to eighty thousand pounds on -- on all roads. Well, by doing that, we created a -- a number of mistakes in the -- in the Vehicle Code. They didn't get 'em all changed properly. So this -- this addresses -- it's basically a rewrite of the existing wheel, axle and gross weight statute. It's an

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initiative of the Illinois State Police. And I'd be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Seeing none, the question is, shall Senate Bill... Oh! Senator Sullivan, do you wish to close?

SENATOR SULLIVAN:

Thank you very much. I -- I do. For the purpose of legislative intent, I -- I do have a statement I'd like to read here. For the purpose of legislative intent, Senate Bill 1644 is clean-up language to Public Act 96-0034, which is the capital bill, and it, in that bill, as I mentioned, also authorized eighty thousand pounds on all roads. If Public Act 96-0034 is ruled unconstitutional, Senate Bill 1644 does not authorize eighty thousand pounds on all roads in Illinois. I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. The question is, shall Senate Bill 1644 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 57 voting Aye, none voting No, none voting Present. Senate Bill 1644, having received the required constitutional majority, is declared passed. Senate Bill 1666. Senator Jacqueline Collins. Senate Bill 1688. Senator Sullivan. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 1688.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR HARMON)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Mr. President, Ladies and Gentlemen. This is a vehicle bill. It's a shell bill that I've been working on for a county in my district - Cass County. They've been trying to create a -- a levee district to address the upgrades to the levees in Cass County to protect Beardstown and some of the farmland around that. We've been working on it. I just need to continue that discussion. I'd like to pass it out as a vehicle bill.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 1688 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 50 voting Aye, 3 voting No, none voting Present. Senate Bill 1688, having received the required constitutional majority, is declared passed. At the top of page 93 of your printed Calendar, Senate Bill 1711. Senator Haine. Senate Bill 1732. Senator Sandoval. Senate Bill 1733. Senate Bill 1735. Senator Jacobs. Senate Bill 1743. Senator Radogno. Senate Bill 1749. Senator Crotty. Senate Bill 1750. Senator Crotty. Senate Bill 1781. Senator Sandoval. Senate Bill 1824. Senator Murphy. We have a winner. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 1824.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Murphy.

SENATOR MURPHY:

Thank you, Mr. President. Senate Bill 1824 is an initiative of the Illinois State Bar Association. Provides that a maintenance award ordered by a court may be secured by existing or court-ordered life insurance. It also provides that in determining an award for child support, net income does not include life insurance premiums for life insurance ordered by the court. I'm aware of no opposition and appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 1824 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 56 voting Aye, none voting No, none voting Present. Senate Bill 1824, having received the required constitutional majority, is declared passed. Senate Bill 1832. Senator Raoul. Senate Bill 1847. Senator Link. Senate Bill 1898. Senator Clayborne. At the top of page 94 of your printed Calendars, continuing on the Order of Senate Bills 3rd Reading, Senate Bill 1918. Senator Trotter. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 1918.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR HARMON)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Senate. This bill will amend the Personnel Code to allow positions in CMS that are information technology and telecommunications specific and that provide architecture and engineering services to be exempt from jurisdiction A, B and C of the Personnel Code. I'm open for questions if there are any.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 1918 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 54 voting Aye, none voting No, none voting Present. Senate Bill 1918, having received the required constitutional majority, is declared passed. Senate Bill 1932. Senator Murphy. Senate Bill 1936. Senator Radogno. Senate Bill 1951. Senator Radogno. Senate Bill 1982. Senator Steans. Senate Bill 1984. Senator Althoff. With leave of the Body, we'll skip over Senate Bills 1999 and 2018. Senate Bill 2022. Senator Radogno. Senate Bill 2024. Senator Kotowski. Senate Bill 2033. Senator Mulroe. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 2033.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

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Senator Mulroe.

SENATOR MULROE:

Thank you, Mr. President, Members of the Senate. This is actually a shell bill that I'd like to pass out to the House. It's a -- the purpose of the bill -- or -- or what it addresses is foreclosed properties that have been abandoned. We're trying to accelerate the judgment period so that we can get the property back into the lender's hands, so it'll keep the value of the home and not let it dilapidate or let pipes burst and/or become a -- a place where criminal activity might be engaged. It also will help the -- the houses in the neighborhood, if they're trying to -- to sell them, to keep their value as well. We have an amendment that we're working on -- or it's actually drafted, but we're sort of running out of time. So I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 2033 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 36 voting Aye, 17 voting No, none voting Present. Senate Bill 2033, having received the required constitutional majority, is declared passed. At the top of page 95 of your printed Calendar is Senate Bill 2070. Senator Link, do you wish to proceed? Senate Bill 2076. Senator Mulroe. Senate Bill 2103. Senator Sandoval. Senate Bill 2135. Senator Garrett. Senate Bill 2155. Senator Brady. Senate Bill 2170. Senator Clayborne. Senate Bill 2185. Senator Cullerton. Senate Bill 2187.

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Senator Clayborne. Senate Bill 2191. Senator Hutchinson. Senator Hutchinson. Senate Bill 2203. Senator Maloney. Senate Bill 2256. Senator Haine. Senate Bill 2259. Senator Jacobs. Senate Bill 2272. Senator Hunter. At the top of page 96 of your printed Calendar, still on the Order of Senate Bills 3rd Reading, Senate Bill 2273. Senator Hunter. 2274. Senator Hunter. Senate Bill 2299. Senator Cullerton. Ladies and Gentlemen of the Senate, the remaining bills from this point forward to the end of the Order of Senate Bills 3rd Reading are the President's bills and a series of appropriations bills. We're going to stand at ease just for a moment to allow our paperwork to catch up with the progress we've made so far today. Senate will stand at ease. (at ease) Senate will come to order. Senator Mulroe, for what purpose do you seek recognition?

SENATOR MULROE:

Thank you, Mr. President, Members of the Senate. A point of personal privilege.

PRESIDING OFFICER: (SENATOR HARMON)

Please state your point, Senator.

SENATOR MULROE:

I'd just like to -- introduce a few people that are in the President's Gallery. They're from Alden Northmoor Rehab and Health Care Center. I -- I want to point out one person in particular, Valerie is actually -- went to the same grammar school, not the same year - she's much younger than I am - also to Loyola University College, and she went on to the grad school there, and I went to law school. They're here advocating or -- or lobbying on behalf of -- they're trying to keep Medicaid

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rates for nursing homes and to protect our -- our seniors and people in the need of that care. So I'd like everyone just to give them a warm Springfield welcome.

PRESIDING OFFICER: (SENATOR HARMON)

Will our guests in the gallery please rise to be welcomed to the Senate Chamber? We are continuing to wait for the paperwork to catch up with our progress. The Senate will stand at ease. (at ease) The Senate will come to order. Will the Members please be at their desks? We are going to return to the Order of Senate Bills 3rd Reading. During the progression through the Calendar, with leave of the Body, we skipped over a handful of bills. We're going to try to pick up a couple of those as we move forward here. We're going to start on page 41 of your printed Calendar. Near the bottom of the page is Senate Bill 670. Senator Kotowski. Senator Kotowski seeks leave of the Body to return Senate Bill 670 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is Senate Bill 670. Madam Secretary, have there been any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Kotowski.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Kotowski, on the amendment.

SENATOR KOTOWSKI:

Just -- I'll read the bill on 3rd Reading.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Kotowski moves for the adoption of Floor Amendment No. 1 to Senate Bill 670. All in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Madam

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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 is Senate Bill 670. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 670.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Kotowski.

SENATOR KOTOWSKI:

Good afternoon, Mr. President. How are you? Nice to see you.

PRESIDING OFFICER: (SENATOR HARMON)

Very well. Thank you, Senator.

SENATOR KOTOWSKI:

You look -- you look very stately in your position right now. So, Eddie Haskell's trying to get people in the Chamber to vote for his bill. So, Senate Amendment No. 1 states that if a pharmacist substitutes any generic prescription for a brand-name anti-epileptic drug, then the pharmacist must provide written notice to the patient no later than the time the prescription is dispensed. We've left it up to the - for the purposes of legislative intent - left it up to the -- the devices of the pharmacist to be able to -- to be able to provide written notification in the way that they currently provide that to

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someone who is trying to get a prescription. So, for the purpose of legislative intent, we've given that authority and that capability of doing that. This is legislation we've worked on a couple years, worked with the Illinois Pharmacists Association. And we've worked with Mike Patton and Brian Daly on this, as well as the Epilepsy Foundation of Chicago and Rockford and Southern Illinois. More than happy to answer any questions.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Any discussion at all? Seeing none, the question is, shall Senate Bill 670 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 50 voting Aye, none voting No, none voting Present. Senate Bill 670, having received the required constitutional majority, is declared passed. At the top of page 42 of your printed Calendar, still on the Order of Senate Bills 3rd Reading, is Senate Bill 674. Senator Lightford. Senator Lightford seeks leave of the Body to return Senate Bill 674 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is Senate Bill 674. Madam Secretary, have there been any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Lightford.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Lightford, on the amendment.

SENATOR LIGHTFORD:

Mr. President, Senate Amendment No. 1 becomes the bill.

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I'd be happy to debate it on 3rd, please.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Lightford moves for the adoption of Floor Amendment No. 1 to Senate Bill 674. All in favor, 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 is Senate Bill 674. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 674.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Lightford, to explain your bill.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 674 is a continuation or a clean-up from our Payday Loan Act of 2010. There was a definition of "affiliate" that was left out. We did, however, believe it would be addressed during rulemaking. It did not. And so this bill clearly defines an "affiliate" as they relate to payday loans. It's -- the Attorney General's Office is a proponent. This is a request from AmeriCash. And I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR HARMON)

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Is there any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 674 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 54 voting Aye, none voting No, none voting Present. Senate Bill 674, having received the required constitutional majority, is declared passed. On page 75 of your printed Calendar, near the top of the page, is Senate Bill 1133. Senator Lightford seeks leave of the Body to return Senate Bill 1133 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is Senate Bill 1133. Madam Secretary, have there been any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Lightford.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Lightford, to explain your amendment.

SENATOR LIGHTFORD:

Thank you, Mr. President. Floor Amendment No. 1 makes some technical changes. I'd be happy to answer questions and debate it on 3rd.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Lightford moves for the adoption of Floor Amendment No. 1 to Senate Bill 1133. All in favor, 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.

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PRESIDING OFFICER: (SENATOR HARMON)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1133. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 1133.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is also keeping in spirit with the Payday Loan Reform Act in 2005 and then again in 2010. This is an initiative of ISLA - the Illinois Small Loan Association. There was two specific areas that we were needing to have clean-up language in. One relates to the first payment period of an installment loan that's made under the Act, what the Department can actually establish in rulemaking in calculating that interest for the payment period. And the second would be that a loan is paid in full at the end of the loan term, the debt-free information, if the -- if the customer chooses to do so, then that would also be allowed with this rulemaking process. Mr. President, I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR HARMON)

Is there any discussion? Any discussion? Seeing none, the question is, shall Senate Bill 1133 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 54 voting

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Aye, none voting No, none voting Present. Senate Bill 1133, having received the required constitutional majority, is declared passed. Ladies and Gentlemen of the Senate, this is final action. I ask all Members within the sound of my voice to be at their desks. If all Members in the Chamber and within the sound of my voice could be at their desks. On page 92 of your printed Calendar, still on the Order of Senate Bills 3rd Reading, near the middle of the page, is Senate Bill 1619. Senator Steans, you'd adopted the amendment and then taken the bill out of the record. I understand it's your wish to proceed. Madam Secretary, please read the bill.

SECRETARY ROCK:

Senate Bill 1619.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Steans.

SENATOR STEANS:

Thank you, Mr. President, Members of the Senate. Yeah, Senate Bill 1619 requires that if a school is teaching sex education, then they make it medically accurate, age-appropriate in what they offer. So it's not a mandate; it's only if they're teaching it - what kind of options are made available. This only applies to grades six through twelve and it only applies to public schools.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR McCARTER:

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A few questions of the sponsor, please.

PRESIDING OFFICER: (SENATOR HARMON)

Sponsor indicates that she'll yield. Senator McCarter.

SENATOR McCARTER:

Senator Steans, what is the current curriculum for sex ed based on today?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Steans.

SENATOR STEANS:

It's -- the State is not mandating any particular curriculum. It's dictated by local districts.

PRESIDING OFFICER: (SENATOR HARMON)

Senator McCarter, do you have another question?

SENATOR McCARTER:

Yes, I do. Thank you. So, if this bill passes, will that not require that local school districts not be able to determine what is medically accurate and what is an appropriate sex ed curriculum?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Steans.

SENATOR STEANS:

There will be -- the Illinois State Board of Education will provide a whole series of a variety of curriculums that meet the requirements, and local districts can pick from the curriculums that meet the medically accurate, age-appropriate dictates. So there's -- there's still much control over what a local district opts to use as a curriculum. It also is made available to all parents, so -- and anybody in that school. So if a parent is not comfortable with their child having the access to that

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curriculum, they can keep their child out of the school. So there's still lots of control both from a parent and for the local district.

PRESIDING OFFICER: (SENATOR HARMON)

Senator McCarter.

SENATOR McCARTER:

So there's -- there's lots of control over the local district, but the only control that the parents have is to say they're not going to be involved altogether. Is that correct?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Steans.

SENATOR STEANS:

This -- that's the case as it is right now. We're -- that's no change. Right now, a parent already can have their child not attend the sex education classes if they wish not to. We're not changing that. That's the current -- the current status and we're maintaining that.

PRESIDING OFFICER: (SENATOR HARMON)

Senator McCarter.

SENATOR McCARTER:

But, currently, the parents would be able to determine how far that curriculum went and what it involved. It appears that with this change, we're going to set a new -- we're going to impose a new standard of sex ed curriculum on these parents. Is that correct?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Steans.

SENATOR STEANS:

Schools right now select their curriculum. It's just

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changing some of the criteria over how the school selects their criteria. It's not -- you don't have parents out there selecting different curriculum for different kids in that school. The school's already selecting the -- the curriculum.

PRESIDING OFFICER: (SENATOR HARMON)

Senator McCarter.

SENATOR McCARTER:

I -- I guess I would disagree that the -- the parents, even though they may not take advantage of their right to be involved in selecting curriculum, they can do that now. But it appears, from -- from what -- what you're proposing here, we're going to limit that to what the State Board says is medically accurate and according to their standard, not the local standards. Would -- what -- what curriculum do you believe will be accepted as medically accurate and acceptable? Are there any groups that have prepared curriculum that you can tell us about now?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Steans.

SENATOR STEANS:

There's a wide variety. I'd be happy to share with you some if you would like. One of the things I know that has been discussed around this and expressed concern about, but, in fact, is not -- the situation is that all curriculum that are used here must emphasize that abstinence from sexual intercourse is the only protection that is a hundred percent effective against unwanted teen pregnancies, sexually transmitted diseases and acquired immune deficiency syndrome - AIDS. So this is continuing to be a basis for what needs to be included in a curriculum as well. There'll still be a wide variety of

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curriculums available and they'd be posted online so parents get to see what's available.

PRESIDING OFFICER: (SENATOR HARMON)

Senator McCarter.

SENATOR McCARTER:

Would any of this accepted curriculum be from a document called Focus on Kids or Guidelines for Comprehensive Sexual {sic} (Sexuality) Education by the National Guidelines Task Force?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Steans.

SENATOR STEANS:

I -- I don't know all the specific curriculums that are out there, Senator McCarter.

PRESIDING OFFICER: (SENATOR HARMON)

Senator McCarter.

SENATOR McCARTER:

Well, I guess, let -- let me be very specific. On Focus for {sic} (on) Kids, by the University of Maryland, on page 108, would this be...

PRESIDING OFFICER: (SENATOR HARMON)

Senator, I'm -- is this -- is this germane to the bill itself...

SENATOR McCARTER:

Yes, it is.

PRESIDING OFFICER: (SENATOR HARMON)

...or are you discussing a matter not in the bill?

SENATOR McCARTER:

Very germane.

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PRESIDING OFFICER: (SENATOR HARMON)

I'll give you some latitude. We'll see where we go here.

SENATOR McCARTER:

Okay. Page 108 is a condom race. Would something like that be appropriate?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Steans.

SENATOR STEANS:

Of course not. This -- this bill -- I've heard -- there's so much misinformation out there, that people are trying to elevate blood pressure when it's just not appropriate. This -- first of all, it's only for grades six through twelve. I had people come into my office suggesting that there's going to be condom games taught to kindergarteners. That's absurd. This bill only applies to grades six through twelve, and only medically appropriate, at age -- age-appropriate, medically accurate information. This is not about trying to do anything other being incredibly respectful about the institution of marriage and that abstinence is by far and away the only thing that prevents getting unwanted -- unwanted pregnancies, transmitting sexually transmitted diseases, and all sorts of other things. These kinds of things are just scare tactics to create concern.

PRESIDING OFFICER: (SENATOR HARMON)

Senator McCarter, do you have more?

SENATOR McCARTER:

To the bill.

PRESIDING OFFICER: (SENATOR HARMON)

To the bill, Senator.

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SENATOR McCARTER:

You know, who -- who determines what's age-appropriate? Legislators? I -- I believe -- you know, for all the bills that -- that people in this Chamber vote for local control, and they say, "Our people know best how to do it. Let's not step in. Let's not get involved. Let them do it." - Why not let the people in your district determine, by the power given them by the board -- the school board members that they elect? Remember? They elect. Let them determine what's age-appropriate. Let them determine what's medically accurate. Do they really need our help? I don't think so. And if a condom race by -- you know, having races by putting condoms on bananas and all kinds of things, if -- if you think that's good for your sixth grader, I don't. Let -- let our -- let -- let the people choose this. We don't need to be dictating this. I urge you to vote No on this bill. This is a bad bill.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR DUFFY:

Question for the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Sponsor indicates that she will yield. Senator Duffy.

SENATOR DUFFY:

Senator, I'm just curious. What is your motivation and what's your main purpose with this bill?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Steans.

SENATOR STEANS:

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Reducing unintended pregnancies, transmission of sexually -
- you know, reducing unwanted pregnancies, reducing sexually
transmitted diseases, keeping people free of HIV/AIDS - that's
the goal. All research shows that when you have kids trust
their schools and their families most for their information,
they do not view information about abstinence and contraception
as incompatible, but rather compatible. And they make the best
decisions if offered full information.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Duffy.

SENATOR DUFFY:

Thank you, Mr. President. You know, I see that this bill
says they must be developmentally appropriate and medically
accurate. What -- I guess I don't understand. What do you mean
medically accurate? How are you going to -- are you going to
have models or what are you going to use as far as to teach the
kids? What medically accurate, you know, tools are you going to
use in the classroom?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Steans.

SENATOR STEANS:

I have curriculums available that I can share with you
after this Session, they're not here. There's plenty of ways of
doing that that's not inappropriate, very appropriate.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Duffy.

SENATOR DUFFY:

Well, that -- that's important because, you know, it's all
in how this is -- is taught. It's obviously a very sensitive

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subject. And -- you know what, to -- to the bill, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

To the bill, Senator.

SENATOR DUFFY:

You know, my concern is -- is that the parents are the first and best teachers for our kids, not the school. And as you just said in your comments earlier, family should be the teachers of our kids in sexual education and teaching the kids about AIDS and sexual diseases and everything else. Now if you're going to be teaching kids in sixth grade with developmentally appropriate - what you consider appropriate - and medically accurate tools that people like the -- the Illinois Human Rights Commission have provided, then I have questions about that. You're going to have in one room -- we're going to have people that are writing letters to Santa Claus in a sixth-grade classroom in some schools, and then in the very next room, those same sixth-grade students are going to go from one class to the other that are going to be doing condom races. So this is extremely inappropriate. I disagree with it and I would encourage everyone to vote No.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Further discussion? Senator Sullivan, for what purpose do you seek recognition?

SENATOR SULLIVAN:

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

PRESIDING OFFICER: (SENATOR HARMON)

Sponsor indicates that she'll yield. Senator Sullivan.

SENATOR SULLIVAN:

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Thank you. Senator Steans, you and I have had some discussions on this legislation and I, earlier today, sent you some, I guess, some suggestions as to language that needs to be either removed or changed in the -- in the -- in the bill. Amendment 2, on page 3, line 14, has a statement "including the option" -- "option of abstinence until marriage" and some have found the -- the word "option" offensive. Would you consider taking that word out of the language?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Steans.

SENATOR STEANS:

I need to -- as I had mentioned earlier, I am looking forward to working with Senator Sullivan on an amendment in the House. This I have not talked to the Coalition, who I've been working with on this bill, so I don't have a response on that. I'm willing to look at that. There are some other -- another item that you probably, I think, have there that I -- I have already -- knew about before today and I do know that we're willing to make one of your other suggested changes. And we'll continue to work with you on all your suggested changes as we move into the House.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Sullivan, you have another question?

SENATOR SULLIVAN:

I -- I do. Thank you. Also one statement that had been removed was with regard to "abstinence is the expected norm", and that has -- removed. I would like to have further -- talks about putting that language back in there. And then, also, clarifying that -- that the -- that sex education would only be

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taught in grades six through twelve - there -- there's one area in the language that it talks about elementary and secondary and so on and so forth - specifically to be talking about six through twelve so that there's no misunderstanding about at what levels. And then the -- the fourth item was to -- to - and we've talked about this - but taking out the reference with regard to the Human Rights Act. And do you -- do you have any thoughts on that?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Steans.

SENATOR STEANS:

Yes, I do know we are happy to take out the reference to the Human Rights Act. And on all those other issues, very willing to look at them and work on a -- and including them also in an amendment as we move into the House.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Mr. President. To the bill: I just appreciate, you know, the discussions that we have had on this particular legislation. I did reach out to a number of my school districts over the two-week break and I asked them their thoughts on the need for comprehensive sex education and heard back from a number of -- all -- all the feed back that I got was positive - yes, that we need to do this. Also, Senator Steans did provide us with a sample curriculum. I talked to the State Board of Education - to Chris Koch at the State Board - he -- he thought it was a good representation of that curriculum. I also talked to folks at the Illinois Family Institute, and they thought it

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was a very good plan; it was a very good curriculum. So, you know, we -- think we need to keep in mind what the goal is - Senator Steans said this earlier - but the goal is to reduce unwanted pregnancies and also to prevent the spread of -- of sexually transmitted diseases. This is -- if I had -- I would like to see a few other things addressed in this. I do have a commitment from the sponsor that -- that she will include some of those discussions over in the House. And for that reason, I -- I would suggest an Aye vote.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR LAUZEN:

Thank you. A -- a question for the sponsor.

PRESIDING OFFICER: (SENATOR HARMON)

Sponsor indicates that she'll yield. Senator Lauzen.

SENATOR LAUZEN:

Senator, isn't it true that what you're addressing -- let's see, you mentioned that the bill -- the -- the -- the legislation that you're bringing forward only affects children from grades six through, perhaps, high school. As I read the text of the bill and the text of the Section that you're basically amending through your legislation, it is all elementary and secondary. Isn't that true?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Steans.

SENATOR STEANS:

No. On -- yeah -- on the second page of the -- the bill {sic}, line 12, "Each class or course in comprehensive sex

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education offered in any of grades 6 through 12 shall include instruction," da da da da da da. This is only applying to grades six to -- through twelve throughout.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Lauzen.

SENATOR LAUZEN:

Perhaps I didn't make my question clear enough. But that language that you just referred to is within a larger portion of the statute that includes all instruction in elementary and secondary education. Isn't that true?

PRESIDING OFFICER: (SENATOR HARMON)

Senator Steans.

SENATOR STEANS:

For that -- you know, this -- this is -- I have been assured multiple times that this is only applying to kids who are getting taught sex education in grades six through twelve. I will verify it again. And I have told if we want clarification, to put it in every single place where it says that, as we go to the House, I'll take a look at that. But this is only applying to kids in grades six through twelve if they are teaching, in fact, at that school sex education classes.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Lauzen.

SENATOR LAUZEN:

Thank you. Senator, I -- I -- I understand what you're saying, unfortunately, because of this bill, and because of the objection of so many parents and constituents back home, I've actually had to read the bill in the context that you're making the legislation, and that is not what your bill says. I do

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appreciate your offer to be more precise in what it's doing. I -- I guess to the bill. To -- to the bill.

PRESIDING OFFICER: (SENATOR HARMON)

...bill, Senator.

SENATOR LAUZEN:

Two observations: Number one, the curriculum that Senator Steans has given to Chris Koch, I trust, is, you know, a reasonable kind of approach. The problem with that is that it's not the only curriculum that may be used, or if there's a different person in place, it could be a different curriculum. And, frankly, as you take a look at the -- the website of the group where some of these curricula come from, this stuff's scary. This stuff's scary to a mature parent of four children. It's scary stuff and especially when you know think that it could be applied so-called age-appropriate to kids in kindergarten through fifth grade. Secondly, I wonder, why is it that we try to pack things into public education in Illinois that will cause parents who make the decision to participate in public education rather than taking their children out into private schools and -- where they say, "I will not have my children taught what those teachers are teaching my children." I know that there are some people who say, "Well that's narrow thinking," but those parents feel that what they're teaching their children are traditional values. I -- I would suggest to the sponsor that -- and I know that it is well meaning and you want to have medically -- the problem is, is that once it's put in law, you don't know what's going to happen in the State dictating this. We need to have common and shared values taught in our public schools or you're just going to make it that much

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harder for parents, like me, who choose public education to select public education, rather than removing their children for what they feel is the good of their conscience and their health to not be teaching some of the things that are in some of the curricula that I've seen. I -- this is so important. And it's so loose. I -- I follow what Senator Sullivan was suggesting. There are some things, like the minds and hearts of your children, that you cannot trust to some kind of amendment over in the House. I say take the time here in the Senate before any of us put a Yes vote on this. Make the amendments now. Prove it up now, rather than suggesting that we vote Yes and trust that something this sensitive about the upbringing and the future health of our children would be left to the State Board of Education.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR MARTINEZ:

To the bill.

PRESIDING OFFICER: (SENATOR HARMON)

To the bill, Senator.

SENATOR MARTINEZ:

Thank you, Mr. President and Members of the Senate. This is a very important bill. It's been around a long time, but somehow, somewhere, we never seem to get to vote on this. This is an important piece of legislation that I think really matters. And let me just give you a scenario. One of the Senators on that side said that we should be talking to our children about this, but the problem is that many of our parents

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do not talk to us about this. My mom - in the Latino community -- in the Latino culture - we don't talk about sex with our children or about, you know, what it is to have a menstrual cycle. They don't talk about these things that are important. You know, when we talk about our high schools and what's going on in our high schools, there is a lot of -- a lot of young men and women walking around that are already engaged, that maybe started in seventh or eighth grade. And the importance here is that we are trying to make sure that they get accurate information. I am -- I am for all the clinics. And I think Senator Trotter, you know, and I are very much about having clinics in the -- in -- in our high schools. You know why? Because the -- the kids will go to the clinics and talk about these issues, but they won't come to us. They will not come to us. And right now, when you look at the stats about HIV and where our young people are on HIV, it's really, really sad to see these numbers. So I think this -- this -- this legislation really is important for our young people, especially for those children that parents still feel uncomfortable about talking to them about their body, about things that they have to be aware of. Yes, all of us, all of us want to protect our children. We all want to make sure that our young men and women abstain before marriage, but the reality is they're not. And this, to us, is -- is something that we have to put in -- in place, especially at the school board, because you know what? It is important that they get this information via the special ed -- I mean, special -- sex education classes in the -- in the health curriculum that they have. You know, I think this is a great piece of legislation. I ask for an Aye vote. This is about

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making sure that our kids are well educated about STDs, that are educated about unwanted pregnancies, that are educated about the HIV and the spread. I think it's important that we do this for the young people in our -- in our schools. Thank you very much.

PRESIDING OFFICER: (SENATOR HARMON)

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

SENATOR JACOBS:

Mr. President, I rise to move the previous question.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. There are five speakers seeking recognition. Senator Holmes, for what purpose do you rise?

SENATOR HOLMES:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

To the bill.

SENATOR HOLMES:

Yeah, I just -- I think I want to say, I'm really disappointed when I look around this Chamber and I -- I can't usually say that as I look at my fellow legislators here. But I have received so many letters from constituents and parents that have talked about what this bill is doing and I'm hearing some of the same nonsense right here in this Chamber. I have gotten letters where they're stating that this bill is actually a how-to guide to our children on sexual activity. I keep asking, where in the bill? I have not seen the portion of the bill that is a how-to guide on sexual activity. And if somebody has that portion that I'm missing, please show it to me. I'm very interested to see that. When we get down to this nonsense of

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condom races and, I believe, we have a legislator over there who mentioned something about putting condoms on bananas. I also did not see that in the bill. What we are known for doing in this Chamber is putting education as a priority. That is our responsibility. That is our duty here in Illinois - educating our children. This is an example of educating our children. This is not just educating them in math and science. This is educating them on an issue that could literally save their lives. This is preventing unwanted pregnancies. This is preventing -- sexually transmitted diseases. This is a major issue and it's very important and it is an education issue. Anybody who wants to sit there and tell me that they should be teaching this in the home and this should not be taught in the schools, that's great. If every parent was that responsible, we wouldn't even be having this discussion; however, we know that's not the reality. Teaching abstinence, is that a priority? Yes, it is. Is that a priority in this bill? Absolutely. It stresses that abstinence is the only guaranteed method of preventing pregnancy and sexually transmitted diseases. It stresses that. We know that. However, I just want to ask one question. How well is that working? Hum, doesn't seem to be working all that well. There seems to be a lot of unintended pregnancies out there. Wow, sexually transmitted diseases, seem to have a lot of those out there. So, is just by saying this is what we should be doing, is that working? I want to submit to everybody in this room, if you are going to press that button and it says No, you want to put that red light on, I just have one question, did you abstain until you were married? Because if you did not and you press that button, that is the epitome of

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hypocrisy. I'll look forward to watching the votes.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Senator Sullivan, your name was used in debate. Are you seeking recognition?

SENATOR SULLIVAN:

Yes, I am. Thank you, Mr. President. Just a couple of comments to one of the Senators on the other side of the aisle that did bring my name up in debate, and I just want to clarify that there's -- there's three things I want to clarify in this bill. First of all, the local districts decide if they want to teach sex education in their schools - yes or no. First of all, that's the first thing they get to decide. Secondly, if they decide that they want to teach it, then there will be an option of curriculum that they want to -- that they can choose from to teach sex education. Again, the locals make that decision. And, thirdly, if a parent decides they do not want their child to participate in sex education, they can opt out of it. And I just want to clarify that and that's some of the reasons why I'll be supporting the -- the legislation.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator Sullivan. Senator Mulroe, for what purpose do you rise?

SENATOR MULROE:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

To the bill, Senator.

SENATOR MULROE:

You know, I -- I believe this bill is about protecting children. It's teaching kids age-appropriate, medical --

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medically appropriate sex education, provokes conversation with parents and all the better for it. I just got to tell you a story. We do live in a scary world. When I was in the State's Attorney's Office at Cook County, my first week in juvenile court, there was a petition filed against a twelve -- thirteen-year-old for neglecting her child. She was twelve and had a baby. She was also pregnant. So this girl was going to have a -- two babies by thirteen. So I -- I believe it's absolutely necessary that if this is going to provoke conversation in the home, sex education is -- is appropriate. And I'm all for the bill. And I'd -- I'd ask everyone to vote Yes.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. Senator Lightford, our final speaker seeking recognition.

SENATOR LIGHTFORD:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR HARMON)

To the bill, Senator.

SENATOR LIGHTFORD:

Mr. President, I rise in support of this legislation. And I became a sponsor of this bill when students from my district came to my office to talk to me. And, you guys, I really questioned them. And I don't know that many of them will just accept abstaining. We're in the twenty-first century. Our students, our kids, are way advanced than many of us in this room perhaps. And they want to know more information. Personally, I did not abstain, Senator Holmes, until I got married - big regret. However, I can tell you that my mother came to me about thirty years ago and she tried to explain it to

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me. And she told me that it wasn't nasty, but it was the way you go about doing it, and whenever I wanted to do it, to please come tell her. You guys, I couldn't go back to my mother and tell her that I was ready. I was too embarrassed to tell Mom that I was ready. I didn't want her to look at me differently. I didn't want her to question every time I walked out of the room where I was going and who I was with. So that comfort level with your parents is sometime not there. Our kids need to still get this information. The schoolhouse, the classroom, is the best place to get it from. The Internet is teaching our kids some of the most vulgar things that none us want them to know. My son is nine years old and he made a statement to me, and I thought, oh, my God, am I ready to teach him about the birds and the bees? He said, "Mom, I already know about the birds and the bees." I was floored. "Where did you learn that, honey?" "On the Internet." I took his computer. I took it. I locked it down. But he's got access to a computer when he's at school, when's he's at the Boys and Girls Club, when he's in the library. So let's just be realistic and put a picture on this. Let's put a face to it. We're talking about young girls and young guys, who have feelings for each other, and they're intimate, whether we like it or not. What this bill would do is make sure that they're getting accurate information from the appropriate place. And I think we should all give this a nudge - a vote Yes - because if nothing else, it may, at the end of the day, protect your child, my child, from becoming a parent at a very young age, from inheriting a disease, inappropriately, and we're all sitting in medical clinics with them. And, thirdly, and most importantly, it's life or death as it relates

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to HIV and AIDS. I commend the sponsor. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator Lightford. Senator Steans, to close.

SENATOR STEANS:

Thank you very much to all the folks who have really spoken and questioned about this bill, made it a better bill as a result as well. The facts are nearly half of Illinois high school students - and this is around the State - have engaged in sexual intercourse. We can pretend that's not the case, but it is - half of all of our kids in high school engage in sexual intercourse at least once. But nearly forty percent of these teenagers did not use a condom during their last sexual encounter and only about a quarter of them used hormonal birth control. Over one-third of new chlamydia and gonorrhea cases reported in Illinois in 2009 affected teenagers between the ages of fifteen and nineteen. These are the facts. This is a trend that we have got to stop and get kids accurate information to turn this around. All leading medical organizations in this country support comprehensive sex education. The American Academy of Pediatrics encourages school to begin sexually -- sexual -- sexuality education in the fifth or sixth grade as a component of comprehensive school health education. The American Medical Association urges schools to implement comprehensive, developmentally appropriate sexuality education programs. The American Public Health Association advocates that local school districts and school plan and implement comprehensive sexuality education as an integral part of the school health education. Society for Adolescent (Health and) Medicine, the same. You know, but it's not just our experts,

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it's also our own local Illinois residents. Polling shows that seventy-three percent of voters in Illinois said they would be worried if they found out that comprehensive sex ed is not being required in public schools. A majority believe that children and teens are not learning enough about sex education. Sixty-four percent of voters polled say they oppose teaching abstinence-only sex education. And eighty-three percent of voters polled agree that students should be provided with accurate information about birth control and sexually transmitted diseases. But this is not just a policy issue for me; it's also personal. As a mom of three kids, I very much believe my kids need to get access to complete and accurate information around -- and better informed decisions they can make. We're doing this in a way that's very beneficial to the local districts. They maintain local control over the curriculums. Parents get to see anything that's going to be taught to their kids and they have the complete choice of keeping them out if it does not abide by their own conscience. I think we've done this in a very sophisticated manner. And I very much look forward to your Aye votes. Thank you very much.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Senator. The question is, shall Senate Bill 1619 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 29 voting Aye, 26 voting No, 1 voting Present. And Senate Bill 1619, having failed to receive the required constitutional majority, is declared lost. Senator Steans, for what purpose do you seek recognition?

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SENATOR STEANS:

Yes, I'd like to move to put it on -- motion for Postponed Consideration.

PRESIDING OFFICER: (SENATOR HARMON)

Senator -- Senator Steans requests that Senate Bill 1619 be postponed. That bill will be placed on the Order of Postponed Consideration. Senator Sandoval, for what purpose do you rise?

SENATOR SANDOVAL:

Mr. President, point of personal privilege.

PRESIDING OFFICER: (SENATOR HARMON)

Please state your point, Senator.

SENATOR SANDOVAL:

I'd like to -- the Illinois Senate welcome a good friend of mine. He's the President of the Riley (Grade) School District 18 from Marengo, Illinois. He is a respected engineer, a former IDOT official, and is here joining us today in the Illinois Senate. I'd like to give Jay Behnke a welcome to the Illinois Senate.

PRESIDING OFFICER: (SENATOR HARMON)

Will our guest please rise to be welcomed to the Illinois State Senate? Welcome, sir. Senator Steans, are you seeking recognition? Ladies and Gentlemen, we are again awaiting some paperwork to move forward. The Senate will stand at ease for a few moments to allow our paperwork to catch up with our progress. (at ease) The Senate will come to order. Ladies and Gentlemen, our paperwork has caught up with us and we are ready for the Committee on Assignments to meet. The Senate will stand at ease again for the -- to allow the Committee on Assignments to meet. I'd ask all members of the Committee on Assignments to

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report immediately to the President's Anteroom. Will all members of the Committee on Assignments please meet in the President's Anteroom? The Senate stands at ease. (at ease) The Senate will come to order. Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Harmon, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to the Appropriations I Committee - Floor Amendment 1 to Senate Bill 2403, Floor Amendment 1 to Senate Bill 2405, Floor Amendment 2 to Senate Bill 2405, Floor Amendment 1 to Senate Bill 2407, Floor Amendment 2 to Senate Bill 2407, Floor Amendment 1 to Senate Bill 2412, Floor Amendment 1 to Senate Bill 2414, Floor Amendment 2 to Senate Bill 2414, Floor Amendment 1 to Senate Bill 2437, Floor Amendment 2 to Senate Bill 2437, Floor Amendment 1 to Senate Bill 2449, Floor Amendment 1 -- excuse me, Floor Amendment 2 to Senate Bill 2449, Floor Amendment 1 to Senate Bill 2450, Floor Amendment 2 to Senate Bill 2450, Floor Amendment 3 to Senate Bill 2450, Floor Amendment 1 to Senate Bill 2454, Floor Amendment 2 to Senate Bill 2454, Floor Amendment 1 to Senate Bill 2456, Floor Amendment 1 to Senate Bill 2467, Floor Amendment 2 to Senate Bill 2467, Floor Amendment 1 to Senate Bill 2472, Floor Amendment 2 to Senate Bill 2472, Floor Amendment 1 to Senate Bill 2475, Floor Amendment 1 to Senate Bill 2480, Floor Amendment 2 to Senate Bill 2480; refer to the Appropriations II Committee - Floor Amendment 1 to Senate Bill 2390, Floor Amendment 1 to Senate Bill 2394, Floor Amendment 1 to Senate Bill 2408, Floor Amendment 2 to Senate Bill 2408, Floor

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Amendment 3 to Senate Bill 2408, Floor Amendment 1 to Senate Bill 2409, Floor Amendment 1 to Senate Bill 2413, Floor Amendment 2 to Senate Bill 2413, Floor Amendment 1 to Senate Bill 2419, Floor Amendment 2 to Senate Bill 2419, Floor Amendment 1 to Senate Bill 2424, Floor Amendment 1 to Senate Bill 2443, Floor Amendment 2 to Senate Bill 2443, Floor Amendment 1 to Senate Bill 2458, Floor Amendment 2 to Senate Bill 2458, Floor Amendment 3 to Senate Bill 2458, Floor Amendment 4 to Senate Bill 2458, Floor Amendment 1 to Senate Bill 2473, Floor Amendment 2 to Senate Bill 2473, Floor Amendment 1 to Senate Bill 2474 and Floor Amendment 2 to Senate Bill 2474; refer to the Education Committee - Committee Amendment 1 to House Bill 200, Committee Amendment 1 to House Bill 287, Committee Amendment 1 to House Bill 1216, Committee Amendment 1 to House Bill 3115; refer to the Executive Committee - Floor Amendment 1 to Senate Bill 260, Floor Amendment 1 to Senate Bill 263, Floor Amendment 1 to Senate Bill 270, Floor Amendment 1 to Senate Bill 335, Floor Amendment 1 to Senate Bill 623, Floor Amendment 1 to Senate Bill 629 and Floor Amendment 1 to Senate Bill 2185; refer to the Executive Appointments Committee - Appointment Message 72 and Appointment Messages 79 through 94; refer to the Financial Institutions Committee - Committee Amendment 1 to House Bill 1651; refer to the Insurance Committee - Committee Amendment 1 to House Bill 1128; refer to the Public Health Committee - Committee Amendment 1 to House Bill 299, Committee Amendment 1 to House Bill 1380 and Committee Amendment 1 to House Bill 1489; re-refer from the Executive Committee to the Agriculture and Conservation Committee - House Bill 390.

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Signed by Senator Don Harmon, Chairman.

PRESIDING OFFICER: (SENATOR HARMON)

Ladies and Gentlemen of the Senate, I wish, for the purpose of announcements, to call your attention to our committee schedule for the afternoon. First, the Senate Executive Committee will meet today in Room 212 at 4:10 p.m. The Senate Executive Committee will meet today at 4:10 p.m. in Room 212. The Senate Appropriations I Committee will meet in Room 212 at 5:10 p.m. That's the Appropriations I Committee meeting in Room 212 at 5:10 p.m. And the Appropriations II Committee will meet in Room 212 at 6:10 p.m. The Appropriations II Committee will meet today at 6:10 p.m. in Room 212. The Senate will stand in recess to the call of the Chair. After committee meetings, the Senate will reconvene to receive committee reports. The Senate stands in recess.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR HARMON)

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

SECRETARY ROCK:

Senator Harmon, Chairperson of the Committee on Executive, reports Senate Amendment 1 to Senate Bill 270, Senate Amendment 1 to Senate Bill 335 and Senate Amendment 1 to Senate Bill 2185 recommended Do Adopt.

PRESIDING OFFICER: (SENATOR HARMON)

There being no further business to come before the Senate, the Senate stands adjourned until the hour of 12:30 p.m. on the

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4th day of May, 2011. The Senate stands adjourned.