

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
REGULAR SESSION
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56th Legislative Day

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PRESIDING OFFICER: (SENATOR MUÑOZ)

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 Pastor Shaun Lewis, Capitol Commission, Springfield, Illinois. Pastor.

PASTOR SHAUN LEWIS:

(Prayer by Pastor Shaun Lewis)

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Jacobs, Pledge of Allegiance.

SENATOR JACOBS:

(Pledge of Allegiance, led by Senator Jacobs)

PRESIDING OFFICER: (SENATOR MUÑOZ)

Madam Secretary, Reading and Approval of the Journal.

SECRETARY ROCK:

Senate Journals of February 8th and 9th, 2011.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Hunter.

SENATOR HUNTER:

Mr. President, I move that the Journals just read by the Secretary be approved, unless some Senators has additions or corrections to offer.

PRESIDING OFFICER: (SENATOR MUÑOZ)

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

SECRETARY ROCK:

Senate Journal of Saturday, May 28th, 2011.

PRESIDING OFFICER: (SENATOR MUÑOZ)

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Senator Hunter.

SENATOR HUNTER:

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

PRESIDING OFFICER: (SENATOR MUÑOZ)

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

SECRETARY ROCK:

Senator Haine, Chairperson of the Committee on Insurance, reports Motion to Concur with House Amendment 2 to Senate Bill 1544 and Motion to Concur with House Amendment 2 to Senate Bill 1555, all recommended Do Adopt.

Senator Sandoval, Chairperson of the Committee on Transportation, reports Motion to Concur with House Amendment 1 to Senate Bill 959 recommended Do Adopt.

Senator Noland, Chairperson of the Committee on Criminal Law, reports Motion to Concur with House Amendment 2 to Senate Bill 1631 recommended Do Adopt.

Senator Harmon, Chairperson of the Committee on Executive, reports Senate Amendment 3 to Senate Bill 175, Senate Amendment 2 to -- to House Bill 267, Senate Amendment 4 to House Bill 363, Senate Amendment 4 to House Bill 3188 and Motion to Concur with House Amendments 1 and 2 to Senate Bill 1907, all recommended Do Adopt.

Senator Martinez, Chairperson of the Committee on Licensed Activities, reports Motion to Concur with House Amendments 1 and

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2 to Senate Bill 1306 and Motion to Concur with House Amendments
4 and 5 to Senate Bill 1539 recommended Do Adopt.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Madam Secretary, Messages from the House.

SECRETARY ROCK:

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

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

Senate Bill 1773.

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

House Amendment 1, House Amendment 3 and House
Amendment 4.

They {sic} passed the House, as amended, May 28th, 2011. Mark
Mahoney, Clerk of the House.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Madam Secretary, House Bills 1st Reading.

SECRETARY ROCK:

House Bill 3040, offered by Senator Crotty.

(Secretary reads title of bill)

1st Reading of this House bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Trotter, for what purpose do you seek recognition?

SENATOR TROTTER:

Purpose of an announcement.

PRESIDING OFFICER: (SENATOR MUÑOZ)

State your announcement.

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SENATOR TROTTER:

There will be a Democratic Caucus in the President's Office immediately, for thirty minutes.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Trotter requests a Democratic Caucus meeting for thirty minutes. Senate Democrats has moved to recess the Senate for purposes of a thirty-minute caucus. Seeing no objection, the motion to recess is granted. The Senate now stands in recess until 6:40 p.m. The Senate stands in recess.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senate will come to order. Ladies and Gentlemen of the Senate, we're going to Supplemental Calendar No. 1, which is being distributed right now. Senator Jones, for what purpose do you seek recognition?

SENATOR E. JONES:

Personal privilege, Mr. President. Would like to introduce my guest to you today, Marcus Roundtree. This is my nephew, my Page for the Day. When he grows up, he wants to be a State Senator himself. He's a honor roll student at Glenwood Boys and Girls School in Glenwood, Illinois. And he wants to come down here and make a difference. So, please join me in welcoming Marcus to the Illinois Senate.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Will the Senate welcome Marcus? Welcome to Springfield. Madam Secretary, on Supplemental Calendar No. 1, Motion {sic} of Concurrences and going to Senate Bill 959. Senator Sandoval.

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Indicates he wishes to proceed. Madam Secretary, read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 959.

Filed by Senator Sandoval.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. President, Members of the Senate. Senate Bill 959 is -- as amended, is the result of a negotiation between the City of Chicago and rental companies that are located at O'Hare and Midway Airports. This agreement regards the calculation of certain charges on statements for rental cars. A result of the agreement is full -- more transparency in the listing of separate charges on consumer statements. These charges will now be uniform and consistent with all major airports in the United States. Senate Bill 959, as amended, does not impose any new fees, but does require more transparency for the consumers, consistency and uniformity, in the manner that all charges are detailed on all the customer statements. I don't know of any opposition to this bill. This bill was reported out of committee with a unanimous vote. I ask your support for Senate Bill 959.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Is there any discussion? Any discussion? Seeing none, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 959. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all

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voted who wish? Have all voted who wish? Take the record. On that question, there are 42 voting Aye, 0 voting Nay, 1 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment 1 to Senate Bill 959, and the bill is declared passed. Senate Bill 1306. Senator Mulroe. Indicates he wishes to proceed. Madam Secretary, read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1306.

Filed by Senator Mulroe.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Mulroe.

SENATOR MULROE:

Thank you, Mr. President, Members of the Senate. These are two House amendments. I'd ask for favorable votes. It's more or less clerical and cleanup changes, exempting certain agencies from the licensing procedure. This is a -- the underlying bill is the repo regulation -- of that industry. It also changes some hour requirements for training. I'd ask for an Aye vote. I know of no opposition.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Is there any discussion? Any discussion? Senator Landek - - Sandack. For what purpose do you seek recognition?

SENATOR SANDACK:

Good afternoon, Mr. President. A few questions of the sponsor, please.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Sponsor indicated he will yield.

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SENATOR SANDACK:

Senator, are floor -- floor planners or licensed auction -- auto auctions who provide financing to dealers covered by this legislation?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Mulroe.

SENATOR MULROE:

No, they are not.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Landek -- Sandack.

SENATOR SANDACK:

Don't worry, it happens all the time. Are floor planners or licensed auto auctions repossessing collateral from dealers covered by your legislation?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Mulroe.

SENATOR MULROE:

No, they are not.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Sandack.

SENATOR SANDACK:

Thank you, Mr. President. Are floor planners or licensed auto auctions repossessing collateral from persons or entities other than consumers covered by this legislation?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Mulroe.

SENATOR MULROE:

No.

PRESIDING OFFICER: (SENATOR MUÑOZ)

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Senator Sandack.

SENATOR SANDACK:

Does your bill affect the activities of a floor planner or licensed auto auction to transport, handle or store units that have been repossessed by a licensed reposessor?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Mulroe.

SENATOR MULROE:

No.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Sandack.

SENATOR SANDACK:

Senator, does this bill inhibit the ability of a licensed auto auction to auction repossessed units in a wholesale environment?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Mulroe.

SENATOR MULROE:

No.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Sandack.

SENATOR SANDACK:

Thank you, Mr. President. Last one, does this bill allow transporters to drop off vehicles -- I'm sorry, does this bill allow transporters to drop vehicles off at an auto auction?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Mulroe.

SENATOR MULROE:

Also a no answer.

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PRESIDING OFFICER: (SENATOR MUÑOZ)

Any discussion? Any other discussion? Seeing none -- oh! Senator Mulroe, you wish to close?

SENATOR MULROE:

Yes, I'm sorry, the -- the answer to that last question was yes. And I just ask for a favorable vote.

PRESIDING OFFICER: (SENATOR MUÑOZ)

The question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 1306. 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 Yea, 0 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments 1 and 2 to Senate Bill 1306, and the bill is declared passed. Senator Sandoval, for what purpose do you seek recognition?

SENATOR SANDOVAL:

Yes, Mr. President, I'd like to -- the record to reflect that I would have voted Yes for my bill. I was so caught up in the passion of providing greater transparency. Like the record to reflect that I voted Yes on -- Senate Bill 959.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator, the record will reflect that your intent was to vote Aye. Senator Schmidt, for what purpose do you seek recognition?

SENATOR SCHMIDT:

Personal privilege, please. Thank you, Mr. President. I would like to introduce Karla Feldmann, from Litchfield. I know

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she is from Senator McCann's district, but too bad, you know, she's sitting here with me today. Anyway, those of you that know Bill Kelley, who is so gracious to always take care of us here on the Senate Floor, this is his better half. So I'd like you to please welcome Karla to the Floor.

PRESIDING OFFICER: (SENATOR MUÑOZ)

All right. Will you please rise? Welcome to the Senate. Senator Raoul, for what purpose do you seek recognition?

SENATOR RAOUL:

A point of personal privilege.

PRESIDING OFFICER: (SENATOR MUÑOZ)

State your personal privilege.

SENATOR RAOUL:

Mr. President, I've had great pleasure serving in this seat, sitting behind Senator Bill Haine, the professor of the General Assembly, and I'd like to take note of the fact that today, May 29th, is the birthday of John F. Kennedy, the first President born in the 20th century. He served as commander of the Motor Torpedo Boat PT-109 and the Motor Torpedo Boat PT-59. He was the only Catholic President of the United States and he was the only President to win a Pulitzer Prize. I just wanted to remind you of those facts.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Thank you, Senator. Senate Bill 1539. Senator Martinez. Indicates she wishes to proceed. Madam Secretary, read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 4 and 5 to Senate Bill 1539.

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Filed by Senator Martinez.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President, Members of the Senate. This is the -- the appraisal bill. It's been through a lot, many amendments, just to continue to clean up and change and define many of the different things that we needed to. But I think the most important thing is that the bill is the initiative of the Department of Financial and Professional Regulation and it creates the Appraisal Management Company Registration Act. It requires registration for appraisal management companies with the Department of Professional Regulations {sic} (Regulation) and permits the Department to regulate registration qualifications and disciplinary procedure. The Act sets standards of practice and provides that existing appraisal management companies may continue to practice until the Department adopts rules implementing the Act. And then after the adoption, companies must -- must apply for registration within a hundred and eighty days after the effective date. And I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Is there any discussion? Any discussion? Seeing none, Senator Martinez, to close? The question is, shall the Senate concur in House Amendments 4 and 5 to Senate Bill 1539. 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 46 voting Yea, 4 voting Nay, 0 voting Present. Having

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received the required constitutional majority, the Senate does concur in House Amendments 4 and 5 to Senate Bill 1539, and the bill is declared passed. Senate Bill 1544. Senator Haine. Indicates he wishes to proceed. Madam Secretary, read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 2 to Senate Bill 1544.

Filed by Senator Haine.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Haine.

SENATOR HAINE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This amendment, House Amendment No. 2, limits the total amount of filing fees, but raises the caps. We passed a bill setting limits on fees to be charged in -- in filings to regularize the filings with Department of Insurance. The House raised the caps in one instance from a thousand to fifteen hundred, the other instance from one to two -- two thousand dollars. And I would ask for an Aye vote. There was no opposition.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendments {sic} 2 to Senate Bill 1544. 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. There are 53 voting Yea, 0 voting Nay, 0 voting Present. Having received the required constitutional

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majority, the Senate does concur in House Amendment 2 to Senate Bill 1544, and the bill is declared passed. Senate Bill 1555. Senator Haine. Indicates he wishes to proceed. Madam Secretary, read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 2 to Senate Bill 1555.

Filed by Senator Haine.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Haine.

SENATOR HAINE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This creates the Illinois Health Benefits Exchange Act {sic} (Law) and complies with the Affordable Care Act passed by the United States Congress. It establishes a State health benefits exchange to help individuals and small employers with no more than fifty employees to shop, select, and enroll in qualified, affordable private health plans. This -- this particular bill is -- creates a -- a study committee, which is made up of the appointees of each -- the head of each caucus of the General Assembly, and it requires the -- the committee to submit a report on all findings for implementation to the Executive and Legislative branches by September 30 of this year. In addition, this bill establishes a health savings account system for eligible State employees.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Is there any discussion? Any discussion? Seeing none - you wish to close? - the question is, shall the Senate concur in House Amendments {sic} 2 to Senate Bill 1555. All those in

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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 47 voting Yea, 1 voting Nay, 4 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments {sic} 2 to Senate Bill 1555, and the bill is declared passed. Senate Bill 1631. Senator Mulroe. Indicates he wishes to proceed. Madam Secretary, read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 2 to Senate Bill 1631.

Filed by Senator Mulroe.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Mulroe.

SENATOR MULROE:

Thank you, again, Mr. President, Members of the Senate. The underlying Senate bill actually corrected a technical error in the statute permitting probation departments to use probation fees for salaries when the State appropriated less than a certain amount. House Amendment No. 2 adds a ten-dollar fee on all cases. There was a drafting error. It was actually the intent to only apply to criminal cases. It was brought to our attention that the drafting error occurred by the State Bar Association, who stated it might raise some potential constitutional issues. It's my intent to hopefully get your Aye vote today and ask for either an amendatory veto to correct the problem or to follow up with a trailer bill in the Veto Session. Additionally, I will ask the Administrative Office of the Illinois Courts to recommend to the chief judge in each circuit

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to only apply these fees in criminal cases. I'd ask for your Aye vote.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendment 2 to Senate Bill 1631. 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 41 voting Yea, 7 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments {sic} 2 to Senate Bill 1631, and the bill is declared passed. Senate Bill 1907. Senator Sandoval. Indicates that he wishes to proceed. Madam Secretary, read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1907.

Filed by Senator Sandoval.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. President, Members of the Senate. Senate Bill 1907 just passed out of Executive Committee. It's an initiative that's supported by the Better Government Association and it is -- it allows for the consolidation of township road districts into their -- into Cook County only by a voter referendum. Again, this bill only relates to Cook County. The bill provides for the succession of the duties and responsibilities of township road districts in the event that a

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majority of township voters vote to consolidate the district. This is an initiative that will bring -- that will allow township districts to look and assess their current structure -- government structure and to perhaps even improve it by creating greater efficiencies. Again, this bill is permissive and townships can decide not to do this, but this would be a step in the right direction in regards to consolidating, providing greater transparency and greater efficiency and less burden on the taxpayers and their districts. I'd ask a favorable vote.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Althoff, for what purpose do you seek recognition?

SENATOR ALTHOFF:

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

PRESIDING OFFICER: (SENATOR MUÑOZ)

Sponsor indicates he will yield.

SENATOR ALTHOFF:

Thank you. Senator Sandoval, I heard you correctly, this only applies to Cook County right now, correct?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Sandoval.

SENATOR SANDOVAL:

Yes, only Cook County.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Althoff.

SENATOR ALTHOFF:

So it is somewhat of a pilot program to make -- as you suggested, to ensure that it's an opportunity to review, or other townships to look at, that program and determine whether this would be something that they might consider in the future?

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PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Sandoval.

SENATOR SANDOVAL:

Well, it can be viewed that way, as a -- as a pilot, by the other townships outside of Cook County, but this bill only relates to Cook County and it provides Cook County township governments to look at greater efficiencies and actually, quite obviously, lessen the tax burden on their -- their township governments.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Althoff.

SENATOR ALTHOFF:

Thank you, Mr. President. My last question: I'm assuming, from conversations that have been had with people from Cook County, that this is something that everyone in Cook County wishes to have happen?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Sandoval.

SENATOR SANDOVAL:

I think providing greater transparency and greater efficiency in government and lessening the -- the tax burden on all the people in Illinois is something that all governments should look at, including the Illinois General Assembly.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Schoenberg, for what purpose do you seek recognition?

SENATOR SCHOENBERG:

To the motion.

PRESIDING OFFICER: (SENATOR MUÑOZ)

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To the motion.

SENATOR SCHOENBERG:

I -- I rise in strong support of the -- of the gentleman's exceptional motion. I represent Northfield Township, where, at the present time, the highway commissioner, who is not accountable to anyone, is spending money that nobody has and -- and is not accountable at all, under the current law, to the township board. That's in the area of hiring, in the area of contracts and -- and -- and other expenditures. So in order to provide a greater level of direct accountability, I'd urge everyone to vote in favor of the motion. Thank you.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Murphy, for what purpose do you seek recognition?

SENATOR MURPHY:

To the motion, Mr. President.

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the motion, Senator.

SENATOR MURPHY:

I, too, rise in support of the bill. We had a couple of different bills this year targeting the -- the -- the multiple levels of government and the shrinking of government. And -- and some weren't quite right in the method of how they were going about it or who would actually make the decision. This bill is different, because the first step to eliminating any level of government is the township board voting to put it to a question of the township's voters. So that's step one in this bill. And then step two in this bill is the voters of a township saying, yes, we agree that there's a better way than just electing a highway commissioner. So you have two local

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steps that affect a local body of government that are deciding how much government that local area has. I think it's a more narrow -- narrowly tailored approach. I think it's a more respectful approach of the taxpayer and I strongly encourage an Aye vote.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator John Jones, for what purpose do you seek recognition?

SENATOR J. JONES:

Thank you, Mr. President. To the motion.

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the motion, Senator.

SENATOR J. JONES:

Thank you, Mr. President. You know, I -- I'm rising in opposition to this -- to this motion. And -- and I think I explained it in committee, Senator Sandoval. But those of you that have a lot of township government outside of Chicago, I know you've had numerous calls, because there's two -- two Senators on that side of the aisle that have introduced bills this year about township governments, doing -- doing away with some township governments. I know it's not you. I don't need that. But, you -- you know, one of 'em was -- was aimed at -- at road commissioners. And I've had enough phone calls. So I think that those of you that -- that have had calls from your township governments, in southern Illinois especially, might want to really watch your vote on this. But I would recommend a No vote for those of you in downstate at least.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Haine, for what purpose do you seek recognition?

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SENATOR HAINE:

To the gentleman's motion.

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the motion, Senator.

SENATOR HAINE:

Mr. President and Ladies and Gentlemen of the Senate, I represent a county that has township form of government. It seems to work very well. Senator Sandoval represents an area and -- and does it very ably. This is important to him because it's his area. He knows his area. Senator Murphy is part of this. They -- and I -- and Senator Schoenberg spoke very well on the matter. In -- on these matters, even if we have a principle, we should defer to the knowledge of that Senator for that district. I -- I would fully justify this vote to any township official in my area by saying this is unique to Senator Sandoval's area. He speaks for them and we should vote it in. Thank you.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Lauzen, for what purpose do you seek recognition?

SENATOR LAUZEN:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the motion, Senator.

SENATOR LAUZEN:

Just would like to thank the sponsor for his initiative. I appreciate the permissive construction of this project to -- whose goal is efficiency and the voluntary consolidation of perhaps duplicative government. I'd also like to applaud Senator Landek's work on educating those of us who were not

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familiar with this specific proposal. He's done yeoman's work on getting around the Senate Floor to many of us. I'd just like to ask for a Yes vote.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Is there any other discussion? There being none, Senator Sandoval, did you wish to close? Senator Sandoval.

SENATOR SANDOVAL:

I'd ask for a favorable vote.

PRESIDING OFFICER: (SENATOR MUÑOZ)

The question is, shall the Senate concur in House Amendment 1 and 2 to Senate Bill 1907. 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 39 voting Yea, 8 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments 1 and 2 to Senate Bill 1907, and the bill is declared passed. Be going to the regular Calendar on Concurrences, page 61. Senate Bill 1794. Senator Lightford. Indicates she wishes to proceed. Madam Secretary, read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 2 to Senate Bill 1794.

Filed by Senator Lightford.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Amendment 2 to Senate Bill 1794 codifies the

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existing certification system for special education teachers in Illinois, which was put in place by a court order issued a decade ago as a result of the Corey H. litigation. For some of you who may not be aware of what that is, it was a lawsuit that was filed back in the 1990s against the City of Chicago Public Schools-School District 299 and the State of Illinois alleging that special education students within the district were not being educated in the least restrictive environment. And as a part of that settlement, the judge ordered that the State certification system for special education teachers be changed. ISBE initiated peremptory rules. As a result, those rules were originally suspended by JCAR and ultimately prohibited by this Body. The judge then came back and entered a court order requiring that the peremptory rules ISBE filed be put in place. Since that time, we're in the process of trying to become in alignment with our federal ruling in order to ensure that the State Board is removed from this litigation and actually put our practices in the School Code. I'd be happy to answer questions as we go along.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Any discussion? Senator Crotty, for what purpose do you seek recognition?

SENATOR CROTTY:

I had some questions for the sponsor for some legislative intent.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Sponsor indicates she'll yield. Senator Crotty.

SENATOR CROTTY:

Senator Lightford, Senate Bill 1794 authorizes the State

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Board of Education to use peremptory rulemaking to place educator certification rules related to the Corey H. litigation into Illinois Administrative Code. Section 5-50 of the Illinois Administrative Procedure Act establishes certain requirements for peremptory rulemaking. Is it the intent of Senate Bill 1794 that the State Board of Education be able to use peremptory rulemaking, notwithstanding anything to the contrary in Section 5-50 of the Illinois Administrative Procedure Act, specifically the requirement that the agency shall file the notice of peremptory rulemaking within thirty days after a change in rules is required?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Lightford.

SENATOR LIGHTFORD:

Yes, Senator Crotty. In fact, Senate Bill 1794 is designed to authorize the State Board of Education to adopt peremptory rulemaking with respect to certification rules related to the Corey H. litigation that began years ago, that such adoption takes place within thirty days from the effective date of the legislation by the State Board of Education's filings of such rules with the Secretary of State, and that the rules take effect immediately upon such adoption and filing. Nothing in Section 5-50 of the Illinois Administrative Procedure Act shall prevent the adoption and filing of such rules one time only to implement Corey H. regulations.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Harmon, for what purpose do you seek recognition?

SENATOR HARMON:

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

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PRESIDING OFFICER: (SENATOR MUÑOZ)

Sponsor indicates she will yield.

SENATOR HARMON:

Thank you, Mr. President. Senator Lightford, why is Senate Bill 1794 necessary?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Lightford.

SENATOR LIGHTFORD:

Senator Harmon, Senate Bill 1794 fulfills an obligation that the State Board of Education has under a settlement agreement in the Corey H. litigation which -- which requires that the State Board of Education supports legislation to codify the existing certification system, which was found to be consistent with the court's 1998 decision.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. One last question, Senator Lightford. Will the passage of Senate Bill 1794 end the Corey H. litigation?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Lightford.

SENATOR LIGHTFORD:

For all intents and purposes, the State Board of Education's responsibilities and obligations in the Corey H. litigation will end on August 1st of 2011. Under the settlement agreement, though, the court monitor will be working with a third party, a Dr. Alan Coulter, to develop and issue a final report by January 3rd of 2012 that details the State Board of

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Education's monitoring of the Chicago Public Schools' provision of special education services. The final report is not for purposes of addressing certification. The parties will have an opportunity to respond to the final report by March 5th of 2012 and the parties will then meet with the court on March 9th of 2012. At which point -- and will be expected that the court will formally dismiss the State Board of Education from the case. Until such formal dismissal occurs, the court will nevertheless ensure that the certification-related provisions of the party's original settlement agreement remain in place through the end of the litigation, so that if Senate Bill 1794 is not passed, the current certification system remains in effect. However, I do want to note that this cost of this litigation is -- it's costing us, here in the State of Illinois, over a million dollars every year. We spend that on court monitors and other costs associated with this Corey H. litigation agreement.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Luechtefeld, for what purpose do you seek recognition?

SENATOR LUECHTEFELD:

Thank you, Mr. President, Members of the Senate. I'm sure all of you -- I -- I guess all of you understood what has just been said. I -- I didn't and I've been involved with education most of my adult life, and I suspect that most of you did not either. You know, this has to do -- partially at least, with a -- with a court case, one that has been ongoing for a long time. One of the things I think that's -- that bothers me about this bill - and -- and as I said in committee, I'm not real sure, you

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know, as I look at both sides, whether I'm right or wrong on this issue - but I do know this, that special education teachers, who deal with special ed kids all the time, do not support this. They do not support putting -- very general categories of how people will be certified in that area. I can't help believe -- and -- and it bothers me that the people who ought to know these young -- these young people who are in - - who are -- have problems the best disagree with this -- with this particular bill and this particular decision. And -- and - - and I -- and I guess before you vote, you know, I -- I think if you'd have listened to what was said, since most of us did not understand it very well anyway, we'd have -- we'd have come up with a Yes, we're -- fine, we'll go along with this, but I want you to understand that the people who understand these special ed kids better than all of us disagree with this bill and this decision. So before you vote, give that some thought. I certainly would -- would advocate a -- a No vote on this particular bill. I think the State Board can find other ways to -- to -- to come around the -- and -- and -- and handle the Corey H. problem. So, again, it's your call, but give that some thought, if you would.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Maloney, for what purpose do you seek recognition?

SENATOR MALONEY:

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

PRESIDING OFFICER: (SENATOR MUÑOZ)

Sponsor indicates she will yield.

SENATOR MALONEY:

Senator, does this change certification for any current

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special education teacher? Would any of this be retroactive, so to speak?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Lightford.

SENATOR LIGHTFORD:

No.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Maloney.

SENATOR MALONEY:

So, those who are -- currently have their special education certification, this would not be altered in any way by this legislation?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Lightford.

SENATOR LIGHTFORD:

Can you repeat that, Senator?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Maloney.

SENATOR MALONEY:

Those who are currently special education certified, does this legislation do anything to change their requirements relative to their current certificate?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Lightford.

SENATOR LIGHTFORD:

Yeah, here's what'll happen, Senator. So, current teachers or -- or -- that are certified in special ed, no changes will happen to them. But what we need to do here is create several new certifications that pertain to special education. And so

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what we would do at the State Board of Ed is create a learning behavior specialist I, a learning behavior specialist II, teacher of students who are blind or visually impaired, teacher of students who are deaf or hard of hearing, speech-language pathologist, early childhood special education teachers. So those would be our new titles under statute.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Maloney.

SENATOR MALONEY:

Just one further clarification, then those who are currently operating in the positions they have would not become ineligible because of this new legislation.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Lightford.

SENATOR LIGHTFORD:

Exactly. No, they will not be affected.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Any other discussion? Seeing none, Senator Lightford, to close.

SENATOR LIGHTFORD:

Yes, please. Thank you, Mr. President. I do want to clear up some of the information that Senator Luechtefeld spoke on. We did have one opponent, she and her spouse that -- are in the special education field, and so we did a little homework to find out, do they represent all of the special education community. We found that was not true. The Illinois State Advisory Council on the Education of Children with Disabilities are in support of this legislation. The Illinois Association of Private Special Education Facilities, the Illinois Association of Special

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Education Administers {sic} (Administrators), health and disparities {sic} advocates and non-special ed groups, all of the unions, management at CPS - they're all neutral on this. So there aren't those vast numbers of opponents, as one of the previous speakers may have alluded to. I just want the Body to know that this has been an ongoing litigation case that may be above all our heads. For the record, we did read some things in for -- to clarify legislative intent. But we, as a Body, have a federal ruling, a court order, that we have to come within compliance with and this bill will get that job done. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR MUÑOZ)

The question is, shall the Senate concur in House Amendment 2 to Senate Bill 1794. 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 31 voting Yea, 20 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendment 2 to Senate Bill 1794, and the bill is declared passed. Senator Raoul, for what purpose do you seek recognition?

SENATOR RAOUL:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR MUÑOZ)

State your point.

SENATOR RAOUL:

Mr. President, I have the great pleasure to have one of my constituents here with me, Alexandria du Buclet. You may

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recognize the last name. Her mother has recently been appointed a State Representative. But Alexandria is distinguished in her own right. Not only did she convince me how to vote on that last bill, she is a guitarist. She plays the cello, piano, plays soccer, volleyball, softball. She attends the University of Chicago Laboratory School. And she's a distinguished singer. So distinguished, she's a member of the -- Chicago Children's Choir and she had the great pleasure of singing at the recent inauguration of our new mayor. And so, if you could welcome Alexandria du Buclet to the Chamber.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Welcome to the Illinois Senate. Senator Cultra, for what purpose do you seek recognition?

SENATOR CULTRA:

Thank you, Mr. President. On SB 1907, I would like the record to reflect a Yes vote.

PRESIDING OFFICER: (SENATOR MUÑOZ)

The record will reflect a Yes vote. Senator Frerichs, for what purpose do you seek recognition?

SENATOR FRERICHS:

A point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR MUÑOZ)

State your point.

SENATOR FRERICHS:

A couple of days ago, I pointed out that one of the members of our staff had probably the best present one can have on their birthday, that's spending the entire day here in Springfield. Today we have another member of our staff who is celebrating a birthday. For those of you who know him, Art Mitchell is

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celebrating a birthday today here in the Capitol. I hope he's listening to this and I hope, for those of you who know Art and get a chance to see him, you'll wish him a happy birthday.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Happy birthday. Wish you many more. Senate Bill 1824. Senator Murphy. Indicates he wishes to proceed. Madam Secretary, read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1824.

Filed by Senator Murphy.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Murphy.

SENATOR MURPHY:

Thank you, Mr. President. House Committee Amendment No. 1 further amends the Illinois Marriage and Dissolution of Marriage Act that -- provides that an award of maintenance can be secured with a life insurance policy. They added up some cleanup language and -- and privacy of the information being -- viewed only by the judge and some other technical details. This is a measure that is supported by the State Bar Association. Passed both houses unanimously. Appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Is there any discussion? Any discussion? Seeing none, Senator Murphy, did you wish to close? The question is, shall the Senate concur in House Amendment 1 to Senate Bill 1824. 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

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are 53 voting Yea, 0 voting Nay, 0 voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments {sic} 1 to Senate Bill 1824. And the bill is declared passed. House Bill 143. Senator Haine. House Bill 143. Indicates he wishes to proceed. Senator -- Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 143.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Haine.

SENATOR HAINE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This allows exceptions to laws prohibiting guns of certain length and the possession of certain firearms that are considered historical and allowing people who are in these reenactment groups to use them without a criminal penalty. We are in the midst, as we know, of a hundred-and-fifty-year anniversary of the Civil War and these groups are parading through Illinois and will be for the next four or five years and -- and beyond. And it -- this allows them to use these types of weapons without fear of penalty. And there's no...

PRESIDING OFFICER: (SENATOR MUÑOZ)

Is there any discussion? Any discussion? Seeing none, the question is, shall House Bill 143 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 Yea, 0

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voting Nay, 0 voting Present. House Bill 143, having received the required constitutional majority, is declared passed. House Bill 267. Senator Wilhelmi. Indicates he wishes to proceed. Senator Wilhelmi seeks leave of the Body to return House Bill 267 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 267. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Wilhelmi.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Wilhelmi.

SENATOR WILHELMI:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This amendment would include a additional prohibition from a county opting out of the RTA sales tax, not only for transportation purposes, but also for public safety purposes. And I'll be happy to discuss this further on 3rd Reading.

PRESIDING OFFICER: (SENATOR MUÑOZ)

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 other -- further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR MUÑOZ)

3rd Reading. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 267.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Wilhelmi.

SENATOR WILHELMI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 267, as amended, would allow a county, either by ordinance, resolution or a voter referendum, to opt out of certain taxes imposed by the RTA if the revenues from the tax go directly to the county. The only tax that is imposed that this would pertain to is a .75 percent sales tax in the collar counties, of which only .25 percent goes to the county. Therefore, the counties could only opt out of that .25 percent sales tax. The counties will be precluded from opting out of this tax if the revenues from the -- from the tax are pledged for bond payments for either a county highway improvement program or for public safety purposes. I don't know of any opposition and I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR MUÑOZ)

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

SENATOR MALONEY:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Sponsor indicates he will yield.

SENATOR MALONEY:

Senator, you stated there is no opposition. Is this as a result of the amendments that were added? Because, initially, I saw the City of Chicago was opposed.

PRESIDING OFFICER: (SENATOR MUÑOZ)

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Senator Wilhelmi.

SENATOR WILHELMI:

It's -- it's my understanding that with the amendment that we just adopted - that would be a preclusion or a prohibition on counties from opting out of the RTA sales tax if it's for transportation purposes or for public safety purposes - it's my understanding that that would remove the opposition.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Martinez, for what purpose do you seek recognition?

SENATOR MARTINEZ:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Sponsor indicates he will yield.

SENATOR MARTINEZ:

Senator Wilhelmi, it still states here, even with the amendment, that you still have all these opponents. The City of Chicago is. So I -- I'm not sure whether that cleared up the -- the opposition.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Wilhelmi.

SENATOR WILHELMI:

We have had no slips in opposition to the bill, as amended, in the Senate. So the opposition that was registered was reflected in the House, but because I took this bill on and I amended the bill, we have not seen one slip in opposition in the Senate.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Lauzen, for what purpose do you seek recognition?

SENATOR LAUZEN:

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Thank you very much, Mr. President. Just a couple of questions for the sponsor.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Sponsor indicates he will yield.

SENATOR LAUZEN:

Senator, thank you very much for -- I mean, we don't see this kind of legislation too often, where we can opt out of a tax. And so -- I guess it's only one question. What is the reason for this legislation? What's the -- the thought process and where did the need come from?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Wilhelmi.

SENATOR WILHELMI:

It's my understanding, Senator, that the -- the sponsor in the House brought this measure forward to allow for collar counties to opt out, if they so choose, by one of the three ways: ordinance, resolution or referendum. That's the genesis of the piece of legislation before us. As I said earlier, I took sponsorship of the bill and I made sure that the amendment that we adopted a few minutes ago would make this bill a much better bill here in the State Senate.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Garrett, for what purpose do you seek recognition?

SENATOR GARRETT:

Yes, Mr. President, will the sponsor yield?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Sponsor indicates he will yield, Senator.

SENATOR GARRETT:

So I know you've explained the amendment. Will you explain

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it one more time and then let me ask you some questions to make sure I understand?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Wilhelmi.

SENATOR WILHELMI:

Thank you. As -- you all recall, we passed a bill about three years ago that would allow for an additional sales tax revenue generator for the RTA and also some of that would go back to the collar counties. Of the .75 percent increase in the RTA sales tax, .25 percent of that will go back to the collar counties, including Will, Lake, DuPage, et cetera. So what this bill would do is allow a county like Will to opt out if they were able to pass a referendum or a resolution or by ordinance. But what my amendment does is it precludes any of those collar counties from opting out if the proceeds from the RTA sales tax that goes back to the county, the collar county, has been pledged for either a transportation program or a public safety program. So I want to make it real clear to the Body what this bill does and what it doesn't do. And so, I think, with the amendment, we saw the opposition fall off and I hope I've -- I've been able to answer your question, Senator Garrett.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Garrett.

SENATOR GARRETT:

Yeah, Senator Wilhelmi, I -- I believe, in Lake County, it is set up so the additional taxes go for transportation/public safety-related programs. Tell me how it is different in other counties.

PRESIDING OFFICER: (SENATOR MUÑOZ)

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Senator Wilhelmi.

SENATOR WILHELMI:

In Will County, for example, Senator, I'm almost positive that the county board, with the county executive, they've pledged these revenues, these proceeds from the RTA sales tax, for a transportation program. Build Will is what they call it. So, Will County would not be able to opt out of the RTA sales tax because of that -- that pledging of the revenues for their transportation initiative. In Lake County, if they've pledged their proceeds from the RTA sales tax to a public safety program, then they, too, would be precluded from opting out of the RTA sales tax portion that goes back to Lake County.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Garrett.

SENATOR GARRETT:

Then what counties could opt out? Because I don't know of any. I -- I'm just assuming there's some counties -- we should talk about what counties there are out there who are not allocating these dollars for those specific purposes.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Wilhelmi.

SENATOR WILHELMI:

Senator, I can only speak to Will County. We have been approached by DuPage County, been approached by folks in McHenry County. So, frankly, there -- I cannot answer the question of which counties will be allowed to opt out with this bill, as amended. I don't know the answer to that.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Garrett.

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SENATOR GARRETT:

To the bill: The way I remember this bill passing three years ago was that the additional tax revenue was meant to be spent specifically for transportation and public safety purposes. I don't know if, after that, McHenry or DuPage County changed that -- what the directive was that was sent to them from Springfield, but I think this is a slippery slope. Because what we're in essence saying is that we didn't stand behind what we meant three years ago. And for counties who prepare their budgets for specific issues, as transportation and public safety, with the way the taxpayers are feeling now, that could be overturned and -- and that could really be a problem for, I think, not only the counties and their transportation programs, but also to the RTA. I would urge a No vote.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Althoff, for what purpose do you seek recognition?

SENATOR ALTHOFF:

Thank you very much, Mr. President. To the bill: I'm going to concur with Senator Garrett. I want to thank Senator Wilhelmi for taking not a very good bill and trying to make it better, but it's still not a very good bill. Senator Garrett is absolutely correct. This Body passed, three years ago, an agreed bill, where the counties came forward and said we could increase the RTA tax if they also could get some additional revenues to help them with their local road projects. We added public safety to ensure that we could put our police forces on those roads once we built them. This really is not a good bill and I, too, would urge a No vote.

PRESIDING OFFICER: (SENATOR MUÑOZ)

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Senator Sandoval, for what purpose do you seek recognition?

SENATOR SANDOVAL:

Questions of the speaker, Mr. President.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Sponsor indicates he will yield.

SENATOR SANDOVAL:

Thank you, Mr. President. Senator Wilhelmi, so I assume that if your bill passes tonight, Will County is saying, we don't need any -- no longer Metra service nor Pace service and we can shut down those lines that run through Joliet and run through Will County and we can -- we can tell Pace to stop running through Will County, because you don't want to pay the tax.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Wilhelmi.

SENATOR WILHELMI:

First of all, Senator Sandoval, of the .75 percent from the RTA sale tax increase, .5 percent of that goes to the RTA. None of that is at issue today in this bill, none of that. Only thing at issue in this bill is a .25 percent portion from the .75 percent that goes back to the collar counties. You were very clear when you spoke about Cook County earlier tonight. This has no impact on Cook. It has no impact on the RTA. It only has impact on the collar counties on whether or not they want to opt out of the -- .25 percent allocation from the RTA sales tax increase. So I want to make sure that you and all of us are clear on what this bill does do and what it doesn't do. And then, of course, we'll all vote our conscience. But this will have no impact on the RTA, Pace, Metra, or the CTA. This

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is only the allocation that goes back to the collar counties, including Will, McHenry, Lake, Kane, DuPage.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Sandoval.

SENATOR SANDOVAL:

Senator, so you also -- are you -- I'd like to know, if you opt out of the RTA tax, would you be willing to give -- Will County be willing to give up its seat on the Metra Board, as well as the Pace Board, as well as all other governing bodies that govern mass -- transportation infrastructure in Will County? 'Cause that's what you're saying.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Wilhelmi.

SENATOR WILHELMI:

I said earlier that Will County has already pledged these proceeds to a bond program, called Build Will. So Will County would not be able to opt out of the RTA sales tax portion of the increase that goes back to Will County, which is the .25 percent. Will County will not be able to opt out of this RTA sales tax. And so, there's no question transportation is very important to Will County. There's no question that public safety is very important to Will County. This bill will not allow them to opt out of the sales tax increase because those proceeds have already been pledged for transportation.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Sandoval.

SENATOR SANDOVAL:

To the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

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To the bill, Senator.

SENATOR SANDOVAL:

To the Members of -- to the Members of -- that represent Cook County and the collar counties that -- I would like to wave a -- red flag that this is a slippery slope. If there's any bill that is a slippery slope today, it is this bill. This basically says, if we don't get any representation, if we don't get tax dollars that -- returning back to Will County, then we want out. We want to secede from the nation. This is not a good bill. This sends the wrong message. And, you know, in fact, I'm going to go back to my Cook County chairman and say, why don't we opt out of the taxes of the State? Why don't we just opt out of the other taxes? You know, we don't get our fair share in Cook County. We generate sixty-five percent - for example, in the Road Fund - and we only get forty-five percent back. Maybe we should just opt out. Maybe Cook County should just secede from the State. Of course, some of the folks from downstate would appreciate that. See my friend, Senator Jones, over there, jumping in his chair. But this is not a good bill, folks. This is a terrible bill. This is a bill that would make -- have a drastic impact on the collar counties, as well as every constituent and resident that lives in Cook County today. I urge a No vote.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Schmidt, for what purpose do you seek recognition?

SENATOR SCHMIDT:

To the bill: I will say...

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the bill, Senator.

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SENATOR SCHMIDT:

Thank you very much. I will say that I was very involved when I was the County Board Chairman in Lake County, working with the State Legislature, with the Metra Board, and with Metro Counties. There is absolutely no reason to pass this bill. Of the collar counties that are named in here which get this tax, all of them have a three-year plan that they are utilizing this quarter cent for. So I agree with my colleagues on both sides of the aisle, there is no reason for this bill and I would certainly urge a No vote.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Haine, for what purpose do you seek recognition?

SENATOR HAINE:

Would the sponsor yield?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Sponsor indicates he will yield.

SENATOR HAINE:

Senator Wilhelmi, has this bill become a conundrum?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Wilhelmi.

SENATOR WILHELMI:

I was thinking of another word that starts with the letter "c", but, yes, it -- it has become a conundrum. And as I said before, Mr. President, Members of this Body should absolutely vote their conscience. This is a better bill than what came over from the House, but I certainly understand my colleagues' concerns.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Leader Radogno, for what purpose do you seek recognition?

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SENATOR RADOGNO:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Sponsor indicates he will yield.

SENATOR RADOGNO:

Senator, you represent Will County, as do I, and I have DuPage. Neither of those counties want it. Who brought this bill to you?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Wilhelmi.

SENATOR WILHELMI:

As I said before, this was Representative Jack Frank's bill in the House and I picked the bill up in the Senate and I put the amendment on, and that's how this happened.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Leader Radogno.

SENATOR RADOGNO:

Are you going to vote for this bill?

PRESIDING OFFICER: (SENATOR MUÑOZ)

There any discussion? Any other discussion? Seeing none, Senator Wilhelmi, do you wish to close? Senator Wilhelmi.

SENATOR WILHELMI:

Thank you, Mr. President. I just have one thing in closing. I want you all to know I'm very thankful this is not my first bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

The question is, shall House Bill 267 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

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who wish? Take the record. On that question, there are 18 Yeas, 32 Nays, 0 voting Present. House Bill 267 failed to receive the required constitutional majority, is declared failed. Senator Haine, for what purpose do you seek recognition?

SENATOR HAINE:

A point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR MUÑOZ)

State your point.

SENATOR HAINE:

I just want to say to the Chamber and to my distinguished colleague, Senator Wilhelmi, that my Yes vote on that past bill was to assure that he did not achieve the vote that Senator Trotter had on his trans fat bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

House Bill 363. Senator Harmon. Indicates he wishes to proceed. Senator Harmon seeks leave of the Body to return House Bill 363 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading, House Bill -- 363. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 4, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Harmon, to the amendment.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Floor Amendment No. 4 adds a new provision to the bill. I move for its adoption and would like to explain the entire bill on 3rd Reading.

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PRESIDING OFFICER: (SENATOR MUÑOZ)

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 MUÑOZ)

3rd Reading. On the Order of 3rd Reading, House Bill 363. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 363.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 363 is the -- a collection of things I can't believe we have to legislate. The first bill, the underlying bill that came over from the House and that we amended to make slightly more specific, does this: A few years ago, we passed a bill, a truth in taxation bill, that said when you run a referendum, you need to tell the voters the impact this will have on a single-family home worth a hundred thousand dollars. In Cook County, in this last election cycle and presumably election cycles before that, there was a pervasive interpretation of this that said, notwithstanding common sense, you should not include the multiplier, the equalizer. And as a

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consequence, the ballots were understating the impact of the referendum by two-thirds. So the first piece of this bill would correct that. The second piece is an amendment to -- to the Election Code as well. As you know, from practical experience, we have ordained that the polling place property on Election Day is a public space, and once you're beyond that campaign free zone, you may congregate, you may electioneer. There was an interpretation by some that this included only the polling place property and not the municipal sidewalk or parkway adjacent to this. This clarifies that. I am not aware of any opposition and I ask for your Aye votes.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Is there any discussion? Any discussion? Seeing none, Senator Harmon, to close? The question is, shall House Bill 363 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 52 voting Yea, 1 voting Nay, 0 voting Present. House Bill 363, having received the required constitutional majority, is declared passed. The Senate will stand at ease for a few minutes to allow the Committee on Assignments to meet. The members of the Committee on Assignments will come to the President's Anteroom immediately. The Senate will stand at ease. (at ease) Senate will come to order. Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to the Education Committee - Motion to

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Concur with House Amendment 2 and House Amendment 3 to Senate Bill 1799; refer to the Environment Committee - Motion to Concur with House Amendment 1 to Senate Bill 2288; refer to the Higher Education Committee - Motion to Concur with House Amendment 1 to Senate Bill 122; re-refer from the Executive Committee to the Assignments Committee - House Bill 1716; re-refer from the Commerce Committee to the Assignments Committee - House Bill 1262; re-refer from the Appropriations I Committee to the Assignments Committee - House Bill 2109, House Bill 2165, House Bill 2168, House Bill 3717; re-refer from the Appropriations II Committee to the Assignments Committee - House Bill 123, House Bill 124, House Bill 326, House Bill 327, House Bill 2167, House Bill 2189 and House Bill 3700.

Signed by Senator James F. Clayborne, Chairman.

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Be Approved for Consideration - House Bill 123, House Bill 124, House Bill 326, House Bill 327, House Bill 1262, House Bill 1716, House Bill 2107, House Bill 2109, House Bill 2165, House Bill 2167, House Bill 2168, House Bill 2189, House Bill 3700 and House Bill 3717.

Signed by Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senate will stand at ease while the Committee on Assignments finishes. (at ease) Senate will come to order. Madam Secretary, Committee Reports.

SECRETARY ROCK:

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

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been assigned: Refer to the Executive Committee - Floor Amendment 1 to House Bill 1716.

Signed by Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Be going to Senate Bills 3rd Reading, page 12. Senate Bill 342. Senator Sullivan, you wish to proceed? Indicates he does. Senator Sullivan seeks leave of the Body to return Senate Bill 342 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 342. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 1, offered by Senator Sullivan.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Sullivan.

SENATOR SULLIVAN:

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

PRESIDING OFFICER: (SENATOR MUÑOZ)

Is there any discussion? Any discussion? 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:

Floor Amendment 3, offered by Senator Sullivan.

PRESIDING OFFICER: (SENATOR MUÑOZ)

3rd Reading -- no. Senator Sullivan, to the amendment.

SENATOR SULLIVAN:

Thank you, Mr. President. It's a purely technical amendment.

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PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Murphy, for what purpose do you seek recognition? Seeing no discussion, 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 MUÑOZ)

3rd Reading. Madam -- Senator indicates he wishes to proceed. Madam Secretary, read the bill.

SECRETARY ROCK:

Senate Bill 342.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Mr. President and Members of the Senate. This is an -- an issue that I think everybody in this Chamber, I'm sure, is familiar with and that's the State trying to deal with the backlog of unpaid bills that it has. Some of these bills have been incurred for months and months, some of them for even over a year. So I have put together the next four bills - Senate Bills 342, 343, 344 and Senate Bill 345 - as a plan to restructure this debt, this backlog of unpaid bills, to restructure that debt over the next -- to -- to go out into the market, take the proceeds from bond sales, pay our vendors, pay our school districts, pay our local units of government, pay our private businesses that are -- vendors that have -- do -- that

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are doing business with the State, and then restructure that debt over the next seven years, to pay it back over the next seven years. What I'd like to do, Mr. President, if it's okay with you, I'd like to talk about the plan in general and then I'll talk specifically to Senate Bill 342. But the plan, as I said, is -- is to pay off our current debt, and it is current debt. It's money that we owe to -- to vendors and -- and businesses and school districts all across the State of Illinois. The plan, the four bills that I'm -- I'm going to refer to, are -- would -- to -- would do -- would issue -- would have the ability to issue a total bond of just a little over six billion dollars, 6.175 billion total. This is for services. This money would then be -- when we sell those bonds and we pay off our -- our bills, this is money that we have asked school districts and universities to -- and health care providers and hospitals and doctors to provide services. We've asked them to provide these services and now we're going to finally pay our bills under this proposal. The plan is to -- is to repay those bonds over the next seven years. We've structured this over the seven years to try to level off our payment schedule and the annual payments would be -- would range from about eight hundred and fifty million dollars a year to a little over 1.1 billion dollars a year. The total interest cost is estimated to be eight hundred and four million dollars. And specifically to Senate Bill 342: I've broken this debt down into four categories and that's why there's four bills we're talking about here. Senate Bill 342 is to -- is to issue bonds in the amount of 1.482 billion dollars to pay non-governmental entities. These are private businesses. These are hospitals. These are

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doctors. These are pharmacies. These are private businesses and entities that do business with the State of Illinois. And, Mr. President, I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Murphy, for what purpose do you seek recognition?

SENATOR MURPHY:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Sponsor indicates he will yield.

SENATOR MURPHY:

Senator, GOMB -- now, the total package - and I'll just direct my questions to the total package, which is I kind of think the way you presented them - total package is 6.2 billion dollars in more borrowing. GOMB says that we will have to transfer nine hundred million dollars in Fiscal Year '12 to implement this. Does the Senate Democrat budget or the House budget allocate nine hundred million dollars for this increased borrowing?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Sullivan.

SENATOR SULLIVAN:

Senator Murphy, you -- you know, probably as well as anybody in this Chamber, that our debt payments are -- we pay those off of the top. In other words, that money has to come off of the top. So, as far as allocating that money, it comes out of the General Revenue Fund. It's for the -- the money to pay all of our debt obligations comes off the top. So, is there a separate appropriation for this -- for this bill? No, there is not.

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PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Murphy.

SENATOR MURPHY:

So, with all of the lamenting that's gone on about the cutting and the -- the -- from both the House and -- and the Senate, you're going to have to find nine hundred million more to cut out of next year's budget then, right?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Sullivan.

SENATOR SULLIVAN:

It appears at this point that the -- that the budget that we will be using, it's more than likely, is going to be the House budget and the revenue number -- I should say the House's revenue number of a little over thirty-three billion. As you well know, as you sit on COGFA, COGFA has estimated and they believe it to be a conservative number of thirty-four billion dollars in revenue coming into the State. So I feel very confident there's going to be additional revenue -- revenue over and above what we will end up appropriating.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Murphy.

SENATOR MURPHY:

Couldn't we just pay the bills with that?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Sullivan.

SENATOR SULLIVAN:

We could, except the problem is, is it -- it would take us -- I've heard anywhere up from -- from eight to ten to fourteen years to pay this backlog of bills, because, obviously, we have

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other bills that are coming into the State. So, could -- over time, could we pay this -- this debt off? Yes, we could. But, in the meantime, the businesses and our communities and our hospitals and doctors and our school districts that are waiting for this money, this is having a very negative impact on them. Additionally, we are paying interest on some of the borrowing -- or on some of the debt that we have right now. And so that interest cost is also building up over time as well. And -- and there's other unintended consequences of that as well. And I just will mention it right now: Not only are we paying interest on some of this debt that we owe, we're also -- we have many, many instances of where companies that want to do business with the State of Illinois have decided -- they made the decision, I don't want to bid on a contract with the State of Illinois. I don't want to do that because they aren't paying their bills. So we're losing competition. When we get ready to put something out for a contract, for a bid, businesses are backing away, or they're doing another thing. They're saying, not only am I -- if I'm going to bid on this contract, then I'm going to inflate the bid, because I know the State's not going to pay their bills. So the cost is on top of just the additional interest cost.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Murphy.

SENATOR MURPHY:

Well, that -- that -- the interest point you make is an interesting one, because, in fact, so far in Fiscal Year '11, which is a month from being over, we've spent about seventeen million dollars on interest. Over the seven years of your

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borrowing, we're going to spend, as you said, eight hundred and four billion. So this notion that this is a restructuring that somehow is in the best interest of the taxpayer isn't really borne out. Actually, borrowing is more expensive. I believe, GOMB acknowledged that in committee, didn't they?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Sullivan.

SENATOR SULLIVAN:

Mr. -- Senator Murphy, you said billion in -- in the reference there. I think you meant million, but that's -- that's okay. So, GOMB, after committee and in committee, they -- we talked a little bit about this, Senator Murphy, as you -- as you remember. But they have said that -- they've gotten me a document here that we're paying -- as -- as -- as you know, we're paying up to twelve percent interest on some of the, especially the health care vouchers; some of the third-party vouchers, we're paying eight percent interest. They have estimated that over the course of the seven years that the total interest cost that -- that we will be paying, not because of bond -- that's if we do nothing at all and our debt continues like it is, that we would be paying four hundred and eighty million dollars over the course of that period of time. This proposal, and I mentioned it earlier, is going to cost eight hundred million. There's no -- there's no question it's going to cost more money to go out into the market. I -- I admit that. We know that. But, again, on top of this -- so that if you take that difference, there is still on top of that the unintended consequences of people not paying their bills -- not bidding on contracts, I should say, and -- or inflating the

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contracts when they put 'em out to bid. And, of course, we haven't even talked about the consequences -- consequences of -- of us not paying that money to our vendors. Because what they are doing is laying people off because we're not paying their bills. And they've gone out and borrowed money from banks and they -- their lines of credit are gone. So, this is a responsible plan.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Murphy.

SENATOR MURPHY:

The borrowing is over seven years, increasing our payment, our budget payments, by a billion dollars a year. It's a billion-dollar-a-year payment over seven years. The tax increase is supposed to go back down in four. Isn't this really another step towards cementing in place a permanent tax increase? Because you're increasing our cost by a billion dollars in those three outyears, when you told the taxpayers that the tax increase would go back down at that point. Are you prepared on behalf of your caucus to finally admit to everybody that that tax increase was never intended to be temporary?

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Sullivan.

SENATOR SULLIVAN:

Senator Murphy, we have every intention of having the tax increase expiring when it's due to expire, but as you also well know, there is a portion of that tax increase -- after four years, a majority of it goes away, but a quarter of a -- of a percent of the tax increase continues in -- forever. There's also a half of a percent that continues for fourteen years.

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This was put in there specifically to help the State pay off the debt that it -- that it has by structuring a plan such as what I have here.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Murphy.

SENATOR MURPHY:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the bill.

SENATOR MURPHY:

Based on this questioning, this bill -- first, it blows a nine-hundred-million-dollar hole in this year's already out-of-balance budget. It cements in place a permanent tax increase. It actually costs taxpayers more money to pay our bills to follow this borrowing plan than it does to continue the way we've gone, not to mention the savings that'd be in place if we actually did what everybody knows is really necessary, which is cut spending to pay the backlog of bills with cash, which is the only responsible way to get it done. No -- no -- no society in the history of man has ever made itself more -- more prosperous, provided more opportunity for the people, through borrowing. This is old hat. It's tired. It's worn out. We were told the other day -- we were told in debate back in January, this tax increase is going to pay the bills. That came up the other day in committee on this borrowing plan. One lawyer said, "Whoever said that?" President Cullerton stood right over there and said it in January to the people in this room and the people of this State. "This tax increase is to pay the bills." Lo and behold, six months later, we need to borrow 6.2 billion dollars to pay

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the bills. When does the spending stop? When does the spigot get shut off? Has opportunity not been crushed enough in this State by our status as the highest per capita debt state in the country? When will we learn? When will the people of this State get opportunity? When are we going to put this State on the path to lowering the taxes, keeping the promise of making it temporary; paying our bills without borrowing; and finally, finally, creating an opportunity for people to get the best job they can get? We're not going to do it with -- with steps like this. We're not going to do it by continuing to have the borrowing load that we carry now. I strongly, strongly, urge a No vote for the future of the people of this State.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Righter, for what purpose do you seek recognition?

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the bill, Senator.

SENATOR RIGHTER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. It's a bad idea. It's always a bad idea to borrow money when you don't know how you're going to repay it. The sponsor's telling you that even though the passed budget here in the Senate and the budget approved in the House make no specific allocation to pay the interest back, that it's likely that there'll be the adoption of a higher revenue number, and magically the room that is necessary in order to find that eight hundred or nine hundred million dollars will be there. Now, maybe that'll happen and maybe it won't. If it doesn't happen,

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this is what happens, as Senator Sullivan said, the money to repay the borrowed funds will come right off the top. So that budget that you approved and the budget -- whatever budget you wind up approving, you add nine hundred million spending to that, that comes right off the top. Everything else get bumped down. And you know what gets bumped into the next year? The very bills owed to the very people that we're worried about. It is a little incredulous to stand up and say, we have to do this for the businesses in this State - the businesses in this State, who, for years, the State leaders have said, you can eat more in fees, you can eat more in taxes, you can eat more in regulation. We don't care what's happening in our border states. Those are the very businesses about which now we suddenly have concern. If there was one - one - thing that voters in Democrat and Republican districts alike told lawmakers last November, it was "Get a grip on your fiscal horses. Stop spending. Stop borrowing. Abide by the same fiscal realities that individuals and families and small businesses and local governments have to." This bill and the next series of bills that come forward that propose to add six billion dollars more to our massive pile of red ink run exactly contrary to what the people who pay for this State and who live in this State are telling you they want. Let's abide by what they want. Let's listen to them for once. Vote No. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Duffy, for what purpose do you seek recognition?

SENATOR DUFFY:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR MUÑOZ)

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To the bill, Senator.

SENATOR DUFFY:

You know, I feel like I'm in the movie Groundhog Day. We keep doing the same thing over and over and over again - spend, borrow and tax. We must break this addiction cycle in Illinois that we have and we have to finally recover and become one of the greatest states that we were before, in the past, before the Democrats had implemented these hazardous policies. The Democrats, of course, just recently passed the largest tax increase in Illinois history - a huge sixty-seven percent tax increase. That equates to seven billion dollars in revenue. We must use that money, pay the bills with that money. We must not let the majority in charge, once again, borrow more money from China, especially when they have absolutely no plan regarding how or when they're ever going to pay that money back. This fascination with borrowing to live outside our means will continue to make a bad situation worse in Illinois. More borrowing will only continue to drive residents and jobs out of this State and pile an even larger burden of debt upon our children and grandchildren. I'm selfish, I want my five kids after they graduate from colleges -- from college to stay in this State. With this much borrowing, there's no way any of my kids are going to come back to Illinois after college and start a career. This debt and taxes they'll have to pay will be simply too overwhelming. Instead of more borrowing, why don't the Democrats in charge use your immense power to cut spending, just if you -- just as you've been promising for years to do? Not only has the majority not cut back on spending, you have done just the opposite. You have actually increased your

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spending and added new government programs. The Democrats continued destructive plan to spend, borrow and tax is clearly not working. Even when the economic indicators improve and other states pull themselves out of recession, Illinois is doomed to continued failure and devastation unless we immediately end the Majority's spend, borrow and tax addiction. I encourage a No vote to all four of these borrowing bills. Thank you.

PRESIDING OFFICER: (SENATOR MUÑOZ)

Senator Lauzen, for what purpose do you seek recognition?

SENATOR LAUZEN:

Thank you very much, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR MUÑOZ)

To the bill, Senator.

SENATOR LAUZEN:

First of all, I -- I certainly admire the sponsor's business acumen. I very much appreciate the work that he does here in the Senate. Just three quick points: Number one, I certainly agree that we were all promised - the taxpayers and citizens of Illinois - were all promised that the sixty-seven percent income tax increase on individuals, the forty-six percent increase on employers was going to go to pay off the bills, and yet here we're being asked to pay off the bills even a second time. Second point: At -- at -- at some level, we come to a breaking point. As we borrow more, our credit rating goes down and the cost of the borrowing increases. There was a -- there was a study released last week, where Feinberg municipal bond analysis compared the bond issuance in four different states. And the equivalent in Illinois costs two

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hundred and nineteen million dollars of expense more than Kentucky, four hundred and thirty-eight million more than Michigan, and five hundred and thirty million dollars more than Washington state. That means a half a billion dollars more because of our poor rating. Both Standard and Poor's, Moody's, and Fitch's bond rating agencies estimate that Illinois carries the second-highest credit risk of all states in the nation, only California worse. And so the cost of our borrowing as we increase goes up. But, most importantly, as far as trying to measure where the tipping point is and where the breaking point is, in just yesterday's issue of Barron's financial report, the weekly publication, it had an extensive report on Greece, Portugal, Spain, and even Ireland, talking about how much debt to GDP is the breaking point. And it's -- it basically said that -- in -- the Greek debt is about one hundred and sixty percent of the GDP and that's the breaking point. One of the analysts could have inserted the word "Illinois", rather than "Greece" in the following. It says, "Another bailout won't help." Quote, "'Greece is bankrupt,' says Mark Grant, head of structured finance and corporate syndication at Southwest Securities. 'To give Greece'" - or Illinois - "'more money makes no sense. It just means that {sic} they get more money they can't pay back.'" These four bills alone will increase the general obligation bond burden in the State of Illinois by thirty-three percent - just these four bills, thirty-three percent. If you were to take a look at -- well, if Greece is bankrupt with a hundred and sixty percent of GDP, Illinois would be close to that level with seventeen billion existing GO bonds, eight billion accumulated unpaid bills, half a billion in

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interfund borrowing, the pension borrowing from 2003 through 2010 - pension borrowing - is another thirteen billion, and then four billion for 2011 pension borrowing. That is in total about fifty billion over a budget each year, General Revenue funds, of about thirty-three billion. So that's about a hundred and forty percent of what our revenues are. But when you add in the unfunded pension liability and the unfunded retiree health care liability, which is another forty-four billion, it's something like four hundred percent of what we get in each year. So, just like the one analyst said, it does make no sense to give Illinois more money, because it just means more money that we can't -- that we can't pay back. So I -- I recommend a No vote.

PRESIDING OFFICER: (SENATOR MUÑOZ)

There being no further discussion, Senator Sullivan, to close.

SENATOR SULLIVAN:

Yes, thank you, Mr. President. Well, I certainly appreciate the discussion. I -- I do want to comment on some of the statements that some of the Members on the other side of the aisle said. And the -- one of the first speakers over there said that we need to pay our bills, that we need to cut spending. We're still waiting on your budget. We're still waiting on it. You have a plan that you put out months ago to identify these -- these so-called cuts, but you've never filed the budget. We're still waiting on it. Where is your -- where's your budget? Where's your amendments? This is ridiculous to say that you have this plan to pay off these bills and that we need to cut spending. I'd sure like to see it. Secondly, several of you have talked about this being new debt.

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This isn't new debt. This is current debt. This is debt that the State of Illinois has right now and it's accumulated over the last several years. It's also -- you were responsible for some of that debt as well. Keep that in mind. Third, you -- somebody talked about the money to pay off the bonds - where's it going to come from? Seven Members of your caucus, in January of this year, voted for borrowing. The pension obligation note, you voted for it. Where was that revenue coming from? The same place this revenue's coming from, out of the General Revenue Fund. Somebody else said that the public was told that this tax increase was going to be used to pay off our bills. Did I -- did you not hear me say, just a minute ago, a half of a percent of the income tax increase is for fourteen years. That was put in the budget -- or, in the tax increase to pay off our debt. We told the public that's what it was in there for. Somebody else talked about not paying our bills actually hurts our credit rating. If you were in committee the other day, you would have heard OMB talk about the fact that the credit rating companies - - the fact that we have this debt, that we're not paying our bills, actually hurts our credit rating. And if we take care of it, that it would make our credit more favorable than it is right now. And you would have also heard him say that he anticipates these bonds being sold at three and a half percent interest, much less than the interest that -- on some of the Prompt Payment Act that we're paying right now. This is not new borrowing. This is for debts, current debts, that we have right now. I made this statement in committee the other night that if you were to look at a financial statement, one half of it has assets on it and the other has -- has liabilities on it. This

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is current debt. It's showing on the liability side of that financial statement. And, finally -- and, finally, the -- I want to mention a few organizations that have been very, very helpful in putting this plan together. And, first of all, I want to mention the -- the Springfield Chamber of Commerce. They stepped up to the plate. They realized that us not paying our bills is hurting business. It's hurting individuals. It's hurting companies. It's hurting our children. And so they stepped up and said, "We need to pay our bills", and they support this bonding proposal. The Illinois Hospital Association, the Illinois Municipal League - think about the money that we owe to all of our communities - they stepped up to the plate and said that they support this plan. The Illinois Statewide School Management Alliance - they're thinking about the kids. The Illinois Federation of Teachers and the IEA. Ladies and Gentlemen, this is the responsible thing to do. Mr. President, I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR MUÑOZ)

The question is, shall Senate Bill 342 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 19 voting Yea, 23 voting Nay, 4 voting Present. Senate Bill 342, having failed to receive the required constitutional majority, is declared failed. Senate will stand at ease for a few minutes. (at ease) Senator Lightford in the Chair.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator Frerichs, for what purpose do you rise?

SENATOR FRERICHS:

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For a point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Please state your point.

SENATOR FRERICHS:

While we're waiting on some bills here, I thought I'd introduce the Chamber to my Page for the Day. She's been very helpful. She's taught me some of the words to the movie Gnomeo and Juliet. She's helped me sing "John Jacob Jingleheimer Schmidt". And I'm sure she would be willing to teach that to any of you who would -- who would like to learn those words. I want to introduce my daughter, Ella Frerichs. Can you wave?

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Welcome to the Illinois General Assembly. Ladies and Gentlemen of the Senate, please turn your attention to Supplemental Calendar No. 2, Supplemental Calendar No. 2, on the Order of House Bills 2nd Reading. House Bill 123. Senator Kotowski. He indicates he wish to proceed. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 123.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

3rd Reading. Now on the Order of House Bill 124. House Bill 124. Senator Kotowski. He indicates he wish to proceed. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 124.

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(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

3rd Reading. House Bill 326. Senator Kotowski. He indicates he wish to proceed. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 326.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

3rd Reading. House Bill 327. Senator Kotowski. He indicates he wish to proceed. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 327.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

3rd Reading. House Bill 1262. Senator Clayborne. He indicates he wish to proceed. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 1262.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Commerce adopted

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Amendment No. 1.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Senator... Have there been any Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

3rd Reading. Senator Steans -- Senator Harmon, excuse me. Senator Harmon, on House Bill 1716. He indicates he wish to proceed. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 1716.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

3rd Reading. Senator Steans, on House Bill 2107. She indicates she wish to proceed. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 2107.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

3rd Reading. House Bill 2109. Senator Kotowski. He indicates he wish to proceed. Madam Secretary, please read the bill.

SECRETARY ROCK:

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House Bill 2109.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

3rd Reading. Senator Steans, on House Bill 2165. She indicates she wish to proceed. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 2165.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

3rd Reading. House Bill 2167. Senator Steans. She indicates she wish to proceed. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 2167.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

3rd Reading. House Bill 2168. Senator Steans. She indicates she wish to proceed. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 2168.

(Secretary reads title of bill)

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2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

3rd Reading. House Bill 2189. Senator Kotowski. He indicates he wish to proceed. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 2189.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

3rd Reading. House Bill 3700. Senator Kotowski. He indicates he wish to proceed. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 3700.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

3rd Reading. House Bill 3717. Senator Steans. She indicates she wish to proceed. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 3717.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

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PRESIDING OFFICER: (SENATOR LIGHTFORD)

3rd Reading. Senate will come to order. Ladies and Gentlemen of the Senate, may I please have your attention for a couple of announcements? Thank you very much. Tomorrow morning, Monday, May 30th, Executive Appointments will meet at 9 a.m. in Room 212. Executive Appointments, 9 a.m. in Room 212. The Senate Democrats will caucus in the President's Office at 10 a.m. Tomorrow morning, Senate Democrats will caucus in the President's Office at 10 a.m. Senator Murphy, for what purpose do you rise?

SENATOR MURPHY:

Purpose of announcement, Madam President.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

Please state your announcement.

SENATOR MURPHY:

Senate -- Senate Republicans will also caucus tomorrow at 10 in Leader Radogno's Office.

PRESIDING OFFICER: (SENATOR LIGHTFORD)

There will be a Republican Caucus at 10 a.m. in Leader Radogno's Office. There being no further business to come before the Senate, the Senate stands adjourned until the hour of 11 a.m. on the 30th day of May, 2011. The Senate stands adjourned.